



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Mr. George Fouts
Interim President

21 March 2016

IMPORTANT INFORMATION

MEMORANDUM

TO: Members of the State Board of Community Colleges
Community College Presidents
Boards of Trustees Chairs
Community College Chief Academic Officers, Chief Admissions Officers, Business Officers, Continuing Education Officers, Distance Learning, Chief Financial Officers, Continuing Education Officers, Financial Aid Officers, Student Development Administrators, Public Information Officers, Registrars, & Other Interested Parties

FROM: Q. Shanté Martin, *NCCCS General Counsel*

RE: **Proposed Amendment of 1D Subchapter 300 – “Continuing Education”**

The State Board of Community Colleges has initiated the rulemaking process to amend **1D Subchapter 300 – “Continuing Education.”**

The State Board of Community Colleges proposes to amend 1D Subchapter 300 – “Continuing Education” to do the following:

- 1) Provide detailed descriptions of the core programs for Continuing Education: Workforce Continuing Education, Human Resources Development, and Community Service;
- 2) Define the terms “course”, “class”, and “registration;”
- 3) Rewrite the Program Management provision to bring clarity to the following topics: program accountability, faculty qualification, services to minors; and
- 4) Include new rules regarding course standards for Continuing Education course offerings.

The proposed amendment is published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the proposed rule, with the changes indicated, is attached to this memorandum. Please post a

copy of the proposed rule in prominent places so that all individuals affected by the proposed changes will be informed.

Any member of the public has the right to submit written comments on the proposed rules. Please note that any person who submits a public comment on behalf of their community college should comply with their college's local process for submitting comments on a proposed rule. **Written comments on the rules must be received by no later than 5:00 p.m. on April 20, 2016.** Any member of the public has the right to request a hearing on the proposed rules. **Requests for a hearing must be received by no later than 5:00 p.m. on April 5, 2016.** Written comments and requests for hearing shall be directed to the following address: Q. Shanté Martin, 200 W. Jones Street, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by email to publiccomments@nccommunitycolleges.edu. Thank you for your attention to this matter.

CC16-012
E-mail Copy

Attachments



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 21 March 2016

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 1D Subchapter 300 – “Continuing Education”
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Specify whether the SBCC proposes to adopt amend, or repeal a rule:

Adopt (new rule)	Amend (change existing rule)	Repeal (delete entire rule)
	X	

Rationale for proposed adoption, amendment or repeal:	<p>The proposed amendment to 1D Subchapter 300 – “Continuing Education” will:</p> <ol style="list-style-type: none"> 1) Provide detailed descriptions of the core programs for Continuing Education: Workforce Continuing Education, Human Resources Development, and Community Service; 2) Define the terms “course”, “class”, and “registration;” 3) Rewrite the Program Management provision to bring clarity to the following topics: program accountability, faculty qualification, services to minors; and 4) Include new rules regarding course standards for Continuing Education course offerings.
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Proposed Effective Date of Rule	July 1, 2016
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1 **State Board of Community Colleges Code**
2 **Title 1 – COMMUNITY COLLEGES**

3
4 **CHAPTER D. EDUCATION PROGRAMS**

5
6 **SUBCHAPTER 300. CONTINUING EDUCATION**

7
8 **1D SBCCC 300.1 Definitions**

- 9 (a) “Continuing Education” – Continuing Education programs provide education and training
10 opportunities for targeted audiences. Courses are non-credit, short-term, and are offered in a
11 variety of instructional delivery modes and locations. For the purpose of this subchapter,
12 “Continuing Education” refers to the following programs: Workforce Continuing Education
13 Training, Human Resources Development, and Community Service.
14 (b) “Course” – Refers to the list of approved courses in the Combined Course Library maintained
15 by the North Carolina Community College System Office.
16 (c) “Class” - An individual course section or unit of instruction with a specific date and time
17 duration.
18 (d) “Register” – To complete the procedure defined by the college to sign up for a course section

19
20 *History Note: Authority G.S. 115D-5;*

21 *Eff. July 1, 2016.*

22
23 **1D SBCCC 300.2 Registration**

- 24 (a) Registration. Each college shall maintain an open-door registration process for individuals
25 who are either high school graduates or are at least 18 years of age. Officials of each college
26 shall make student registration determinations.
27 (1) Safety Exceptions. Boards of trustees may adopt policies refusing registration to any
28 individual if it is necessary to protect the health or safety of the individual or other
29 individuals. When making a health and safety determination, colleges may refuse
30 registration to an applicant when there is an articulable, imminent, and significant threat to

1 the individual or other individuals. Colleges refusing registration on the basis of a health
2 or safety threat shall document the following:

3 (A) Detailed facts supporting the rationale for denying registration;

4 (B) The time period within which the refusal to register shall be applicable and the
5 supporting rationale for the designated time period; and

6 (C) The conditions upon which the individual who is refused registration would be
7 eligible to be registered.

8
9 *History Note: Authority G.S. 115D-5;*

10 *Eff. July 1, 2016.*

11
12 **1D SBCCC 300.3 Program Classification Program Description**

13 ~~The following criteria are used for classifying the programs offered in the North Carolina~~
14 ~~Community College System.~~

15 (1) ~~Curriculum Programs:~~

16 (a) ~~A curriculum program is an organized sequence of courses leading to an~~
17 ~~associate degree, a diploma, or a certificate. All curriculum programs are~~
18 ~~designed to provide education, training, or retraining for the work force.~~

19 (i) ~~Associate degree programs are planned programs of study~~
20 ~~culminating in an associate in applied science, associate in arts,~~
21 ~~associate in fine arts, associate in science, or associate in general~~
22 ~~education degree.~~

23 (A) ~~The associate in applied science degree programs are~~
24 ~~designed to prepare individuals for employment. These~~
25 ~~programs involve the application of scientific principles in~~
26 ~~research, design, development, production, distribution, or~~
27 ~~service.~~

28 (B) ~~The associate in arts, associate in science, and associate in~~
29 ~~fine arts degree programs are designed to prepare students~~
30 ~~for transfer at the junior level to institutions offering~~
31 ~~baccalaureate degrees.~~

1 (C) ~~The associate in general education degree programs are~~
2 ~~designed for students who desire a general liberal arts~~
3 ~~education.~~

4 (ii) ~~The diploma programs are designed to provide entry-level~~
5 ~~employment training. A diploma program may be a stand-alone~~
6 ~~curriculum program title, or a college may award a diploma under~~
7 ~~the college's associate in applied science degree curriculum program~~
8 ~~for a series of courses taken from the program of study and~~
9 ~~structured so that a student may complete additional non-duplicative~~
10 ~~coursework to receive an associate in applied science degree.~~

11 (iii) ~~The certificate programs are designed to lead to employment or to~~
12 ~~provide skills upgrading or retraining for individuals already in the~~
13 ~~workforce. A certificate program may be a stand-alone curriculum~~
14 ~~program title, or a college may award a certificate under the college's~~
15 ~~associate degree or diploma curriculum program for a series of~~
16 ~~courses taken from the program of study.~~

17 (b) ~~Developmental Education programs consist of courses and support services~~
18 ~~which include diagnostic assessment and placement, tutoring, advising, and~~
19 ~~writing assistance. These programs are designed to address academic~~
20 ~~preparedness, workforce retraining, development of general and discipline-~~
21 ~~specific learning strategies, and affective barriers to learning.~~
22 ~~Developmental courses do not earn credit toward a degree, diploma, or~~
23 ~~certificate.~~

24 (2) ~~Continuing Education Programs:~~

25 (a) ~~Occupational Extension courses consist of single courses, each complete in~~
26 ~~itself, designed for the specific purposes of training an individual for full-~~
27 ~~or part-time employment, upgrading the skills of persons presently~~
28 ~~employed, and retraining others for new employment in occupational fields.~~

29 (b) ~~Community Service:~~

1 (i) ~~Community Service courses consist of single courses, each~~
2 ~~complete in itself, that focus on an individual's personal or leisure~~
3 ~~needs rather than occupational or professional employment.~~

4 (ii) ~~The cultural and civic, and visiting artist component of this program~~
5 ~~meets community needs through lecture and concert series, art~~
6 ~~shows, the use of college facilities by community groups, providing~~
7 ~~speakers to community organizations, and providing visiting artist~~
8 ~~activities for college communities. Visiting artists may be provided~~
9 ~~an opportunity to work as artists in residence to enhance local arts~~
10 ~~resources and promote the various visual, performing and literary~~
11 ~~arts in communities throughout North Carolina.~~

12 (e) ~~Self Supporting Programs:~~

13 (i) ~~A self-supporting course is not reported to the state for budget FTE~~
14 ~~since the cost of conducting the course is paid by students enrolled.~~

15 (ii) ~~Recreational programs are self-supporting courses which the college~~
16 ~~may provide at the request of the community but for which the~~
17 ~~college receives no budgetary credit. Funds appropriated as~~
18 ~~operating expenses for allocation to the colleges shall not be used to~~
19 ~~support recreation courses. The financing of these courses by a~~
20 ~~college shall be on a self-supporting basis, and membership hours~~
21 ~~produced from these activities shall not be counted when computing~~
22 ~~full time equivalent students for use in budget funding formulas at~~
23 ~~the state level.~~

24 (d) ~~Basic Skills Programs. The State Board and the community college system~~
25 ~~shall encourage persons to complete high school rather than seek testing for~~
26 ~~the High School Diploma Equivalency.~~

27 (i) ~~High School Equivalency programs consist of classroom~~
28 ~~instruction, learning laboratory courses, or a combination of~~
29 ~~activities designed to qualify a student for an adult high school~~
30 ~~diploma. An Agreement of Affiliation with a local public school~~

1 system is required for minors sixteen or seventeen years old. No
2 agreement is required for adults eighteen years old and older.

3 ~~(ii) General Educational Development (GED) testing programs consist~~
4 ~~of classroom instruction, or learning laboratory courses, or a~~
5 ~~combination of both designed to qualify a student to demonstrate~~
6 ~~competency on the General Educational Development (GED) tests~~
7 ~~and to receive a High School Diploma equivalency from the State~~
8 ~~Board. The State Board is responsible for the administration of the~~
9 ~~General Educational Development testing program in cooperation~~
10 ~~with the Office on Educational Credit of the American Council on~~
11 ~~Education. The procedures regulating the GED Testing Program set~~
12 ~~forth in the GED Examiner's Manual published by the General~~
13 ~~Educational Development Testing Service of the American Council~~
14 ~~on Education are hereby incorporated by reference. A copy of this~~
15 ~~manual is available for inspection in the Office of the System~~
16 ~~President, Community College System Office, 200 W. Jones Street,~~
17 ~~Raleigh NC 27603-1379. A copy of this manual may be obtained at~~
18 ~~a cost of fifteen dollars (\$15.00) from the GED Testing Service of~~
19 ~~the American Council on Education, One Dupont Circle NW, Suite~~
20 ~~250, Washington, DC 20036-1163.~~

21 ~~(iii) The Adult Basic Education (ABE) program is designed for adults~~
22 ~~who are functioning at or below the eighth grade educational level.~~
23 ~~The major objectives of the program are to enable adults to acquire~~
24 ~~the basic educational skills necessary to be fully competent in our~~
25 ~~society, to improve their ability to benefit from occupational training~~
26 ~~and to have greater opportunities for more productive and profitable~~
27 ~~employment, and to meet their own objectives for enrolling in the~~
28 ~~program. Classes are offered and focus on fundamental skills such~~
29 ~~as reading, writing, speaking, computing, critical thinking, and~~
30 ~~problem solving.~~

1 ~~(iv) — The English as a Second Language (ESL) program offers classes~~
2 ~~which accommodate the varied needs of the immigrant and refugee~~
3 ~~populations. Attention is given to both the cultural and linguistic~~
4 ~~needs as instruction is focused upon the formation of accurate,~~
5 ~~appropriate communication skills and upon the student's ability to~~
6 ~~function in the adult American community. Classes are offered at~~
7 ~~the beginning through the advanced levels of ESL. The curriculum~~
8 ~~is designed to develop the basic language skills of reading, writing,~~
9 ~~speaking, and listening. Instruction integrates the English language~~
10 ~~with topics that prepare students for everyday life, employment, and~~
11 ~~citizenship.~~

12 ~~(v) — The Compensatory Education (CED) program is designed for adults~~
13 ~~with mental retardation. The program is highly individualized and~~
14 ~~fosters a maximum level of independent living commensurate with~~
15 ~~personal ability. Instruction is offered in math, language, social~~
16 ~~science, health, community living, consumer education and~~
17 ~~vocational education.~~

18 ~~(e) — Customized Training Program.~~

19 ~~(i) — The Customized Training Program addresses company-specific~~
20 ~~training customized for job growth, technology investment, or~~
21 ~~productivity enhancement. Based on needs specified in G.S. 115D-~~
22 ~~5.1, Customized Training Programs shall address job-specific~~
23 ~~training.~~

24 ~~(ii) — The Small Business Center program provides training, counseling~~
25 ~~and referral services especially designed in content and delivery~~
26 ~~modes for small businesses, both existing and prospective.~~

27 ~~(f) — The Human Resources Development (HRD) program provides skill~~
28 ~~assessment services, employability skills training, and career development~~
29 ~~counseling to unemployed and underemployed adults. These courses shall~~
30 ~~address six core components as follows:~~

31 ~~(i) — assessment of an individual's assets and limitations;~~

- 1 (ii) — development of a positive self concept;
2 (iii) — development of employability skills;
3 (iv) — development of communication skills;
4 (v) — development of problem-solving skills; and
5 (vi) — awareness of the impact of information technology in the workplace.
6 (g) — ~~The Learning Laboratory programs consist of self-instruction using~~
7 ~~programmed texts, audio-visual equipment, and other self-instructional~~
8 ~~materials. A learning laboratory coordinator has the function of bringing~~
9 ~~the instructional media and the student together on the basis of objective~~
10 ~~and subjective evaluation and of counseling, supervising, and encouraging~~
11 ~~persons working in the lab.~~

12
13 ~~History Note: Authority G.S. 115D-1; 115D-2; 115D-5; S.L. 1995, c. 625; S.L. 2001, c. 424, s.~~
14 ~~30.3(b), (c);~~
15 ~~Eff. February 1, 1976;~~
16 ~~Readopted Eff. January 24, 1978;~~
17 ~~Amended Eff. September 1, 1993; September 1, 1982; August 17, 1981;~~
18 ~~Temporary Amendment Eff. June 1, 1997;~~
19 ~~Amended Eff. July 1, 1998;~~
20 ~~Temporary Amendment Eff. October 4, 2001;~~
21 ~~Amended Eff. June 1, 2009; April 1, 2003.~~

- 22
23 (a) Workforce Continuing Education Training. Workforce Continuing Education Training
24 programs are designed to provide instructional opportunities for individuals seeking to gain
25 new or upgrade current job-related skills. Programs can be delivered as a single course or
26 bundled as a series of courses that provide instruction around skill competencies that lead to a
27 recognized credential (licensure, certification, renewal, registry listing) or meets local
28 workforce labor needs.
29 (b) Human Resources Development. The Human Resources Development (HRD) program
30 provides skill assessment services, employability skills training, and career development
31 counseling to unemployed and underemployed adults. Each college shall operate a Human

1 Resources Development (HRD) program to provide assessment services, employability
2 training, and career development counseling to unemployed and underemployed individuals.

3 These courses shall address six core components:

4 (1) Assessment of an individual's assets and limitations;

5 (2) Development of a positive self-concept;

6 (3) Development of employability skills;

7 (4) Development of communication skills;

8 (5) Development of problem-solving skills; and

9 (6) Awareness of the impact of information technology in the workplace.

10 (c) Community Service. Community Service programs provide courses, seminars, and community
11 activities that contribute to an individual's cultural, civic, and personal growth.

12
13 History Note: Authority G.S. 115D-5;

14 Eff. July 1, 2016.

15
16 **1D SBCCC 300.4 Program Management**

17 (a) Program Accountability.

18 (1) Each college's local board of trustees shall adopt a Continuing Education Internal Program
19 Accountability Plan. At a minimum, the Continuing Education Internal Program
20 Accountability Plan shall define a system of checks and balances to prevent and detect
21 errors or irregularities when reporting hours for FTE purposes and establish a framework
22 for defining program quality and improvement procedures.

23 (2) The local board of trustees shall review the Continuing Education Internal Program
24 Accountability Plan at least once every three years from the date the local board of trustees
25 adopts the Continuing Education Internal Program Accountability Plan.

26 (3) A copy of the Continuing Education Internal Program Accountability Plan, including
27 amendments, shall be submitted to the Continuing Education Department at the System
28 Office upon adoption.

29 (b) Faculty. Colleges shall employ faculty so as to meet Southern Association of Colleges and
30 Schools' criteria and local college policies. All faculty providing instruction in programs with

1 external agency oversight must be a qualified instructor as established by the respective
2 agency or certifying entity.

3 (c) Services to Minors. For the purposes of this subsection, the word “minor” shall not include
4 minors who have graduated from high school. The major purpose of community colleges is to
5 serve students who have graduated from high school, have obtained a high school equivalency
6 diploma, or are beyond the compulsory age limit of the public school and have left public
7 school. However, a minor may enroll in Continuing Education course sections subject to the
8 following:

9 (1) Minors Age 16 and 17. A minor, age 16 or 17, may enroll in Continuing Education course
10 sections subject to the following conditions:

11 (A) Minors shall not displace adults.

12 (B) Minors shall pay the registration fees associated with the course section except for cases
13 where they meet eligibility requirements for a fee waiver.

14 (C) If the minor is enrolled in high school, the following restrictions apply:

15 (i) Colleges shall not designate Continuing Education course sections taken by the
16 high school student to provide partial or full credit towards meeting high school
17 graduation requirements.

18 (ii) Colleges shall not offer Continuing Education course sections that are specifically
19 scheduled for high school students except:

20 (I) Continuing Education course sections that maintain 90% (ninety percent) of
21 instructional hours within the summer reporting term as defined in 1G SBCCC
22 200.99(a)(1)(B).

23 (II) Self-supporting courses which may be provided during any reporting term.

24 (2) Minors Less than Age 16. A minor less than 16 years old may enroll in Continuing
25 Education course sections subject to the following conditions:

26 (A) Minors may enroll in self-supporting safe driving course sections during any reporting
27 term.

28 (B) A college may provide classes for minors less than 16 years old only during the summer
29 reporting term. These classes must be self-supporting and may not be designated by the
30 college to provide partial or full credit towards meeting high school graduation
31 requirements.

1 (d) Juvenile Justice. Colleges may provide Continuing Education course sections to juveniles of
2 any age who are committed to the Division of Juvenile Justice of the Department of Public
3 Safety, if the juvenile is otherwise qualified for registration in the Continuing Education class
4 and has the approval of the Director of the Youth Development Center to which the juvenile
5 is assigned.

6 (e) Once enrolled, minors shall be treated the same as all other students.

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8 *History Note: Authority G.S. 115D-5; G.S. 115D-20(4)(b)*

9 *Eff. July 1, 2016.*

10
11 **1D SBCCC 300.5 Course Standards**

12 (a) Master Course Schedule. Colleges shall maintain a master schedule, including days, time,
13 and location for all Continuing Education class offerings, including the physical address to
14 off-campus class locations.

15 (b) Course Approval Process. The provisions for the course approval process for Continuing
16 Education courses follow:

17 (1) Colleges seeking to add a new course to the Combined Course Library or seeking to modify
18 an existing course shall submit a new course or modification request to the North Carolina
19 Community College System Office. The North Carolina Community College System
20 Office shall maintain new course or modification request forms and guidance documents
21 and make them available to colleges upon request.

22 (2) The Continuing Education Leadership Committee, comprised of a rotating slate of
23 Continuing Education senior administrators from local colleges, will review all requests
24 for new courses or course modifications. The Continuing Education Leadership
25 Committee shall recommend approval of the new course or approval of the modification if
26 all of the following conditions are met.

27 (A) All requests for new courses and course modifications must meet the definition of
28 continuing education as defined in 1D SBCCC 300.1(a).

29 (B) All requests for new courses and course modifications must demonstrate workforce
30 need with local and state labor market data.

1 (C) New course requests shall not duplicate the scope of the description of existing
2 Combined Course Library courses.

3 For requests that comply with 1D SBCCC 300.5(b)(2)(A)–(C), the Continuing Education
4 Leadership Committee shall submit its recommendation to the Workforce Continuing
5 Education staff at the North Carolina Community College System Office with a copy to
6 the requesting college, and the Workforce Continuing Education staff shall submit the
7 recommendation to the State Board of Community Colleges for final approval.

8 (3) Once a course is approved and placed in the Combined Course Library, colleges do not
9 have to seek additional approval from the North Carolina Community College System
10 Office to offer the course as long as the course meets the standards set forth in this
11 Subchapter.

12 (c) Course Standards. All Continuing Education course sections shall be based on courses
13 maintained in the Combined Course Library. The course standards for Continuing Education
14 local course offerings follow:

15 (1) Course Title. A college may use a local course title to clarify the instructional content,
16 instructional methodology, and target audience.

17 (2) Course Description. A college may use a local course description to clarify the instructional
18 content, instructional methodology, and target audience as long as the content of the course
19 falls within the scope of the State Board approved course description listed in the
20 Combined Course Library.

21 (3) Scheduled Hours. Colleges shall not schedule hours that exceed the maximum approved
22 hours for instruction for the specific course within the Combined Course Library.

23 (d) Continuing Education Units. One Continuing Education Unit (CEU) is equal to ten contact
24 hours of participation in class.

25 (e) Course Articulation. In accordance with criteria set forth by the Southern Association of
26 Colleges and Schools Commission on Colleges (SACSCOC) and local college policies, a
27 college may award academic credit for course work taken on a noncredit basis only when there
28 is documentation that the noncredit course work is equivalent to a college designated credit
29 experience as determined by the college.

30 History Note: Authority G.S. 115D-5;

31 Eff. July 1, 2016.

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~~1D SBCCC 300.94 FACULTY~~

~~(a) General~~

~~(1) Colleges shall employ faculty members so as to meet Southern Association of Colleges and Schools' criteria.~~

~~(2) Colleges shall determine appropriate teaching and non-teaching loads for faculty and for technical assistants to the faculty so as to meet Southern Association of Colleges and Schools' criteria.~~

~~(3) The Principles of Accreditation: Foundations for Quality Enhancement Commission on Colleges, Southern Association of Colleges and Schools, current edition is hereby adopted by reference, including any subsequent amendments and editions of this book, to apply to community colleges. Copies for The Principles of Accreditation: Foundations for Quality Enhancement may be inspected in or obtained at no cost from the Office of the System President, Department of Community Colleges, 200 W. Jones Street, Raleigh, NC 27603-1379.~~

~~(b) Instructors for Extension Emergency Services Training. All instructors in the area of Emergency Services Training must be qualified as established by the respective emergency services certifying agency. Emergency services training means training delivered to personnel in law enforcement, fire and rescue services, and emergency medical services agencies.~~

~~REPEALED by the State Board of Community Colleges, eff. 1 July 2016.~~

History Note: Authority G.S. 115D-5.

Eff. February 1, 1976;

Amended Eff. March 1, 2007; July 1, 1998; September 1, 1993; August 17, 1981;

September 30, 1977; September 30, 1977;

Repealed Eff. July 1, 2016.

~~1D SBCCC 300.95 HUMAN RESOURCES DEVELOPMENT PROGRAM
CONTINUATION~~

~~Each college shall operate a Human Resources Development (HRD) program to provide assessment services, employability training, and career development counseling to unemployed~~

1 and underemployed individuals. FTE shall be generated from HRD programs. Each college shall
2 provide HRD instruction and support necessary for unemployed and dislocated workers to be
3 served within the college service areas.

4 REPEALED by the State Board of Community Colleges, eff. 1 July 2016.

5
6 *History Note: Authority G.S. 115D 5;*

7 *Eff. ~~November 1, 2005~~ November 1, 2005;*

8 *Repealed Eff. July 1, 2016.*

9
10 **~~1D SBCCC 300.96 — CONTINUING EDUCATION PROGRAM MANAGEMENT~~**

11 ~~(a) Continuing education programs shall provide lifelong learning experiences offering planned~~
12 ~~instructional responses to identified needs of targeted audiences. Instructional objectives shall~~
13 ~~specify the skills, knowledge and attitudes the learner should be able to apply upon satisfactorily~~
14 ~~completing the continuing education experience. Adequate educational facilities, instructional~~
15 ~~aids, and other instructional materials shall be provided to support continuing education courses.~~

16 ~~(b) Facilities where classes are held must provide appropriate environments which are conducive~~
17 ~~to learning. Continuing education classes offered in special settings (such as private homes or~~
18 ~~private home based businesses) other than generally accepted learning environments shall be~~
19 ~~approved by the college president or designee prior to the class being offered. Documentation of~~
20 ~~such approval shall be maintained at the college until released from all audits (REF: Public~~
21 ~~Records Retention & Disposition Schedule for institutions in the community college system).~~

22 ~~(c) Each college's local board of trustees must adopt a policy which requires the development and~~
23 ~~implementation of an internal audit plan. Each college is required to publish, maintain and utilize~~
24 ~~an internal audit plan. The college presidents shall periodically report to the board of trustees on~~
25 ~~the findings of the internal audit. The internal plan must be submitted to the Department for~~
26 ~~compliance review.~~

27 REPEALED by the State Board of Community Colleges, eff. 1 July 2016.

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29 *History Note: Authority G.S. 115D-1; 115D-5;*

30 *Eff. September 1, 1988;*

31 *Amended Eff. September 1, 1993; September 1, 1993;*

1D SBCCC ~~300.97300.6~~ 300.6 Instructional Service Agreements

(a) Level One Instructional Service Agreement.

(1) A college may offer continuing education courses in an area assigned to another college by providing a written, level one instructional service agreement under the following conditions:

(A) Resources are solely provided by the college requesting permission to enter into another college's service area; and

(B) The requesting college does not share the FTE with the other college(s).

For the purposes of this rule, "an area assigned to another college" shall include an online class that is set up to specifically target students in another college's service area.

(2) The level one instructional service agreement shall:

(A) Be approved by each local board of trustees unless the board has delegated authority to the president to enter into level one instructional service agreements:

(B) Be signed by the presidents of each participating college;

(C) Specify the course(s) or program(s) to be delivered into the other college's service area;

(D) Specify the plan for delivery of the instruction;

(E) Specify the conditions and time frame for termination of the agreement; and

(F) Be maintained on file at all colleges involved for compliance review purposes.

(b) Level Two Instructional Service Agreement.

(1) Two or more colleges may jointly offer continuing education courses by providing a written, level two instructional service agreement under the following conditions:

(A) Resources are shared between the participating colleges; and

(B) FTE may be shared between the participating colleges.

(2) The level two instructional service agreement shall:

(A) Be approved by each local board of trustees unless the board has delegated authority to the president to enter into level two instructional service agreements;

(B) Be signed by the president of each participating college;

(C) Specify the course(s) to be delivered to the other college's service area;

(D) Specify the plan for delivery of the instruction;

- 1 (E) Specify the proration of resources and FTE allocated for each college;
2 (F) Specify the conditions and time frame for termination of the agreement;
3 (G) Be filed with the System Office President prior to implementation of the course(s); and
4 (H) Be maintained on file at all colleges involved for compliance review purposes.
5

6 *History Note: Authority G.S. 115D-5; S.L. 1993, 2nd session, c. 769, p. 18, s. 18; S.L. 1995, c.*
7 *625;*
8 *Temporary Adoption Eff. October 31, 1994, for a period of 180 days or until the*
9 *permanent rule becomes effective, whichever is sooner;*
10 *Eff. May 1, 1995;*
11 *Temporary Amendment Eff. June 1, 1997;*
12 *Amended Eff. July 1, 2016; November 1, 2014; August 1, 2004; July 1, 1998.*
13

14 ~~**1D SBCCC 300.98 COURSES AND STANDARDS**~~

15 ~~REPEALED by the State Board of Community Colleges, eff. 1 July 2016.~~

17 ~~**1D SBCCC 300.99 EDUCATION SERVICES FOR MINORS**~~

18 ~~(a) The major purpose of community colleges is to serve students who have graduated from high~~
19 ~~school or are beyond the compulsory age limit of the public school and have left public school.~~
20 ~~However, a minor may seek admission to a community college subject to the conditions in this~~
21 ~~Section.~~

22 ~~(b) Drop out. A minor, 16 years old or older, who is not currently enrolled in a public or private~~
23 ~~educational agency may be admitted to a Basic Skills or Continuing Education program at a college~~
24 ~~if a North Carolina local public or private educational agency, where the minor now resides,~~
25 ~~determines that admission to a Basic Skills or Continuing Education program is the best~~
26 ~~educational option for the student and the admission of the student to a Basic Skills or Continuing~~
27 ~~Education program is approved by the college under one of the following conditions:~~

- 28 (1) ~~If the minor, 16 years old or older, has officially withdrawn from a public or private~~
29 ~~educational agency within the last six months, a college may admit the minor to a~~
30 ~~Basic Skills or Continuing Education program if the minor obtains a signed official~~
31 ~~withdrawal form from the local public or private educational agency and a notarized~~

1 petition of the minor's parent, legal guardian, or other person or agency having legal
2 custody and control. The petition shall certify the minor's residence, date of birth,
3 date of leaving school, name of last school attended, and the petitioner's legal
4 relationship to the minor.

5 (2) — If the minor, 16 years old or older, has officially withdrawn from a public or private
6 educational agency for at least six months, a college may admit the minor to a Basic
7 Skills or Continuing Education program without the release form from the public
8 or private educational agency. However, the minor must obtain a notarized petition
9 of the minor's parent, legal guardian, or other person or agency having legal custody
10 and control. The petition shall certify the minor's residence, date of birth, date of
11 leaving school, name of last school attended, and the petitioner's legal relationship
12 to the minor.

13 (3) — If the minor is an emancipated minor, the requirement for the release form from the
14 public or private educational agency and the requirement for the notarized petition
15 are waived. The minor must provide legal documentation of emancipation.
16 Admission requirements for an emancipated minor shall be the same as for an
17 applicant 18 years old or older.

18 (c) ~~Concurrent Enrollment.~~ Concurrent enrollment allows a high school student to be enrolled in
19 high school and in a local institution of higher education at the same time. A high school student,
20 16 years old or older, based upon policies approved by the local public or private board of
21 education and board of trustees, may be admitted to any curriculum course one hundred level and
22 above or any continuing education course, except adult basic skills, concurrently under the
23 following conditions:

24 (1) — Upon recommendation of the chief administrative school officer and approval of
25 the president of the college;

26 (2) — Upon approval of the student's program by the chief administrative school officer
27 and the president of the college; and

28 (3) — Upon certification by the chief administrative school officer that the student is
29 taking the equivalent of one-half of a full-time schedule and is making progress
30 toward graduation.

1 ~~(d) High school students, taking courses pursuant to Paragraph (c) of this Rule, shall not displace~~
2 ~~adults but may be admitted during any term on a space available basis to any curriculum course~~
3 ~~one hundred level and above or any continuing education course, except adult basic skills. Once~~
4 ~~admitted, they shall be treated the same as all other students.~~

5 ~~(e) Huskins. Huskins programs enrich high school students by providing college level academic,~~
6 ~~technical, and advanced vocational courses to high school students that would not otherwise be~~
7 ~~available to them. Local boards of trustees and local school boards may establish cooperative~~
8 ~~programs in areas they serve in order to provide college courses to high school students. College~~
9 ~~credits shall be awarded to those high school students upon successful completion of the courses.~~
10 ~~Cooperative programs shall be approved, prior to implementation, by the State Board or its~~
11 ~~designee.~~

12 ~~(f) Learn and Earn Online Program:~~

13 ~~(1) Definition of Credits. For the purposes of this section, credits mean curriculum~~
14 ~~courses 100 level or above. For the purposes of this section, credits do not include~~
15 ~~continuing education courses, cooperative education courses (COE), selected topics~~
16 ~~(SEL), or seminar topics (SEM).~~

17 ~~(2) Definition of Disabilities. For the purposes of this Section, disabilities shall mean~~
18 ~~"persons with disabilities" as defined in G.S. 168A-3(7a).~~

19 ~~(3) Student Eligibility. A student shall be permitted to enroll in any online courses~~
20 ~~through North Carolina community colleges for college credit, regardless of the~~
21 ~~college service areas in which the student resides under the following conditions:~~

22 ~~(A) The student must be enrolled in a North Carolina school or have completed~~
23 ~~all high school graduation requirements in a North Carolina school~~
24 ~~throughout the duration of the online course;~~

25 ~~(B) The student must be enrolled in the 9th, 10th, 11th, or 12th grades;~~

26 ~~(C) The student's enrollment in an online course for college credit is subject to~~
27 ~~space availability;~~

28 ~~(D) The student must meet the prerequisites, co-requisites and course admission~~
29 ~~requirements as published in the college's catalog at the time the student~~
30 ~~seeks to enroll in the online course;~~

1 (E) — A student enrolled in grades 9th, 10th, 11th, or 12th is participating in the
2 Learn and Earn Online program by virtue of enrolling in a Learn and Earn
3 Online course; and

4 (F) — High school students attending a nonpublic school may enroll in any Learn
5 and Earn Online course with space available that has been offered to but not
6 filled by any eligible public school student.

7 (4) — ~~Course Eligibility.~~

8 (A) — ~~Only online courses in the NCCCS Combined Course Library numbered~~
9 ~~100 and above are eligible for Learn and Earn Online credits, excluding~~
10 ~~cooperative education courses (COE), selected topics (SEL), and seminar~~
11 ~~topics (SEM).~~

12 (B) — ~~Only online courses that generate budget FTE are eligible for Learn and~~
13 ~~Earn Online credits.~~

14 (C) — ~~To be eligible for course credit under the Learn and Earn Online Program,~~
15 ~~courses must be the same as those delivered to other adult college students.~~

16 (5) — ~~Costs.~~

17 (A) — ~~A student enrolled in Learn and Earn Online shall be exempt from tuition~~
18 ~~and calculated as budget FTE regardless of the term during which the~~
19 ~~instruction is provided.~~

20 (B) — ~~North Carolina Community Colleges may seek reimbursement from the~~
21 ~~Department of Public Instruction for technology, course fees, and textbooks~~
22 ~~required for course participation as set out in S.L. 2009-451, s. 8.6(a).~~

23 (C) — ~~A student participating in the Learn and Earn Online program is exempt~~
24 ~~from any additional college fees.~~

25 (6) — ~~Coding. Enrollment in a Learn and Earn Online course shall be coded as T90920.~~

26 (7) — ~~Program Completion. If students meet the curriculum program requirements~~
27 ~~effective at the time of enrollment, they are awarded a certificate, diploma or~~
28 ~~degree. Students shall meet the curriculum program requirements that are~~
29 ~~applicable to the college from which they are seeking to obtain a certificate,~~
30 ~~diploma, or degree.~~

1 ~~(8) — Transfer of Learn and Earn Online courses. Learn and Earn Online courses listed~~
2 ~~in the North Carolina Comprehensive Articulation Agreement or listed in the North~~
3 ~~Carolina Independent Comprehensive Articulation Agreement shall be treated the~~
4 ~~same as all other courses listed in either Agreement.~~

5 ~~(9) — Transfer degree. Learn and Earn Online students who obtain a degree listed in the~~
6 ~~North Carolina Comprehensive Articulation Agreement or listed in the North~~
7 ~~Carolina Independent Comprehensive Articulation Agreement shall be treated the~~
8 ~~same as all other students who have obtained a degree listed in either Agreement.~~

9 ~~(10) — Persons with Disabilities. Learn and Earn Online students must abide by the~~
10 ~~college's disability eligibility standards, as set forth by the Americans with~~
11 ~~Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, Chapter~~
12 ~~1, Part 104, Subchapter E (34 C.F.R. 104.41 through 104.47).~~

13 ~~(g) — Intellectually Gifted and Mature Students. Students less than 16 years old who are mature~~
14 ~~enough to function well in an adult education setting and are intellectually gifted as evidenced by~~
15 ~~a score in the range from the 92nd percentile to the 99th percentile on an aptitude and an~~
16 ~~achievement test selected from a list of tests approved by the System Office may be admitted to~~
17 ~~community colleges. Tests included on the System Office approved list shall be selected from the~~
18 ~~Mental Measurements Year Book published by the Buros Institute of Mental Measurements. The~~
19 ~~student shall be ranked by an official of the student's school in the top 10 percent on the following~~
20 ~~behavioral characteristics: mature, observant, inquisitive, persistent, innovative, analytical,~~
21 ~~adaptable, leadership, desire to achieve, self confidence and communications skills. Students less~~
22 ~~than 16 years old shall not displace adults but may be admitted any term on a space available basis~~
23 ~~to any curriculum course one hundred level and above. Students admitted to community colleges~~
24 ~~under this Paragraph shall pay the same tuition and fees as other curriculum students.~~

25 ~~(h) — Except as authorized by G.S. 115D-20(4), colleges shall not start classes, offer summer school~~
26 ~~courses, or offer regular high school courses for high school students.~~

27 ~~(i) — A college may make available to persons of any age non-credit, non-remedial, enrichment~~
28 ~~courses during the summer reporting period. These courses shall be self-supporting and shall not~~
29 ~~earn credit toward a diploma, certificate, or degree at the college or high school.~~

30 ~~(j) — At the request of the director of a youth development center having custody of juveniles~~
31 ~~committed to the Department of Juvenile Justice and Delinquency Prevention, a college may make~~

1 available to these juveniles any course offered by that college if they meet the course admission
2 requirements. The director's request shall include the director's approval for each juvenile to enroll
3 in the course.

4 REPEALED by the State Board of Community Colleges, eff. 1 July 2016.

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6 *History Note: Authority G.S. 115D-1; 115D-5; 115D-20; S.L. 1995, c. 625; S.L. 2009-451, s.*

7 *7.10(j);*

8 *Eff. January 1, 1987;*

9 *Amended Eff. September 1, 1993;*

10 *Temporary Amendment Eff. June 1, 1997;*

11 *Amended Eff. July 1, 1998;*

12 *Temporary Amendment Eff. August 22, 2001;*

13 *Amended Eff. April 1, 2010, ~~April 1, 2003.~~ April 1, 2003;*

14 *Repealed Eff. July 1, 2016.*

DRAFT