State Board of Community Colleges Code (SBCCC)

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Title 1. Community Colleges

Chapter A. State Board Governance

SUBCHAPTER 100. DEFINITIONS

1A SBCCC 100.1 Reserved for Future Codification

SUBCHAPTER 200. STATE BOARD AUTHORITY

1A SBCCC 200.1 Mission of the Community College System

The mission of the North Carolina Community College System is to open the door to high quality, accessible educational opportunities that minimize barriers to post-secondary education, maximize student success, and improve the lives and well being of individuals by providing:

(a) education, training and retraining for the workforce, including basic skills and literacy education, occupational and pre-baccalaureate programs;

(b) support for economic development through services to and in partnership with business and industry; and

(c) services to communities and individuals which improve the quality of life.

History Note: Authority G.S. 115D 1; 115D 4.1; 115D 5; 115D 8;
Eff. September 1, 1993;
Amended Eff. August 1, 2016; August 1, 2000; July 1, 1995.

1A SBCCC 200.2 State Planning

The State Board shall review the priorities of the system and adopt a system-level plan on at least a biennial basis, coordinated with the budget cycle. The plan shall take into account the current and future needs of the system and clarify the priorities essential to carrying out the mission of the system.

History Note: Authority G.S. 115D-5;
Eff. September 1, 1993.

1A SBCCC 200.3 Authority to Waive a SBCC Code Provision

(a) The SBCC has the authority to waive any existing rule or portion of a rule in the SBCC Code for the following reasons:

1) To comply with federal or state law, and federal or state law requires adoption, amendment, or repeal in a time period less than the rulemaking time period allotted by the SBCC Code;
2) To address a serious or unforeseen threat to the public health or safety;
3) To address an unforeseen circumstance where the State Board finds that adherence to the notice and hearing requirements in the SBCC Code would be contrary to the public interest of students or other community college stakeholders; or
4) To launch a pilot program.

(b) The SBCC shall specify the basis for the waiver, the conditions of the waiver, and the duration of the waiver.

History Note: Authority G.S. 115D-5;
Eff. February 1, 2018.

1A SBCCC 200.4 Sound Fiscal and Management Practices

(a) Local boards of trustees shall adopt policies that assure a community college has sound fiscal and management practices. Policies to assure sound fiscal and management practices shall include at least the following:

1) Expending funds prudently and consistently with the approved budget.
2) Demonstrating stewardship of the institution's State financial resources by effectively executing the institution's budget to ensure that the percentage of State current operating funds remaining unexpended does not exceed five percent or five times the systemwide percentage, whichever is higher.
3) Ensuring that institutional fund accounts do not have a negative balance at the end of the fiscal year unless such an instance exists for a planned reason, such as an anticipated reimbursement. If any institutional fund account has a negative balance at year-end, the negative fund balance after the posting of all accrual entries shall be reviewed. In the event the negative balance is not due to a planned reason, the college shall develop a plan to rectify the negative balance, and the information shall be reported to the Board of Trustees at its first scheduled meeting following year-end.
4) Tracking expenditures consistent with the North Carolina Community College System's Chart of Accounts, as outlined in the NC Community College System Accounting Procedures Manual.
5) Providing financial reports to the local boards of trustees at intervals determined by the local board of trustees.
6) Maintaining a system of internal controls as prescribed by G.S. 143D-7.
7) Ensuring the college does not overdraw accounts by ensuring bank accounts are reconciled and any discrepancies and a plan for resolution are identified within 30 business days from the end of the prior month. In the event a college fails to comply with this requirement more than once during a fiscal year, such information shall be reported to the

Board of Trustees at its first scheduled meeting following the month of non-compliance.

8) Submitting complete and accurate financial statements to the North Carolina Office of the State Controller by the prescribed deadline.
9) Ensuring that audits are conducted consistent with G.S. 115D-20(9) and G.S. 115D-58.16.
10) Addressing any findings identified in audits, compliance reviews, SACSCOC reviews, or other monitoring reviews.
11) Ensuring that the college is actively seeking to fill leadership and other supervisory positions in a timely manner with individuals of high competence.
12) Monitoring staff turnover by providing an employee vacancy report for information to the local board of trustees at least biannually.

History Note: Authority G.S. 115D-5;
Eff. July 1, 2018.

1A SBCCC 200.5 System Advisory Council

To promote communication, transparency, and the consideration of diverse perspectives, the System Advisory Council is established as a standing body whose charge is to discuss and make recommendations to the State Board of Community Colleges on issues of system-wide or inter-college importance. The council will focus on capacity building, innovation, guidance, and support for the Strategic Plan.

(a) Membership: The System Advisory Council shall consist of the following members.

1) The Chair of the State Board of Community Colleges shall appoint four State Board members, including at least one member appointed to the State Board by the current Governor, one member appointed to the State Board by the House, and one member appointed to the State Board by the Senate.
2) The Chair of the North Carolina Association of Community College Trustees shall appoint four community college board of trustee members, including one member representing a college from the western (Trustee Association Regions 1 and 2 as defined in G.S. 115D-62); central (Trustee Association Regions 3 and 4), and eastern (Trustee Association Regions 5 and 6) regions, and one at-large member. Appointees shall represent at least one small (defined as Presidents' Salary Grade 1), medium (Salary Grade 2), and large college (Salary Grade 3).
3) The President of the North Carolina Association of Community College Presidents shall appoint four community college presidents including one member representing a college from the western (defined as Trustee Association Regions 1 and 2 as defined in G.S. 115D-62), central (Trustee Association Regions 3 and 4), and eastern (Trustee Association Regions 5 and 6) regions, as well as one at-large member. Appointees shall represent at least one small (defined as Presidents'

Salary Grade 1), medium (Salary Grade 2), and large college (Salary Grade 3).

4) The President of the North Carolina Comprehensive Community College Student Government Association or his or her designee shall be an ex-officio voting member.
5) The System President shall be an ex-officio, non-voting member, except in the case of a tie. The System President shall serve as the presiding officer.

(b) Terms. To establish regularly overlapping terms, two of the initial appointments by the Chair of the State Board, two of the initial appointments by the Chair of the North Carolina Association of Community College Trustees, and two of the initial appointments by the President of the North Carolina Association of Community College Presidents shall expire one year after the initial appointment. Each subsequent regular appointment by all appointing bodies shall be for a term of two years.

1) No member of the System Advisory Council shall serve more than two consecutive terms of two years. This limitation does not prohibit an individual from serving future terms after a period of non-service of at least one year.
2) All vacancies occurring on the System Advisory Council shall be filled for the remaining of the unexpired term by the appointing body making the original appointment.

(c) Meetings and Agendas. The System President shall be responsible for convening the System Advisory Council at least quarterly. The System President shall also convene the System Advisory Council at the request of four or more members of the System Advisory Council.

1) The System President shall be responsible for meeting coordination, including scheduling the meeting, developing the agenda based on recommendations from Council members, and ensuring appropriate staff are available to support the Council.

2) Any member of the System Advisory Council may submit agenda items for consideration at meetings. If the time allotted for the meeting does not allow for addressing all submitted agenda items, the System Advisory Council shall review the list of pending agenda items and prioritize items for future meetings.

History Note: Authority G.S. 115D-5;
Eff. August 1, 2018
Amend Eff. August 1, 2023

1A SBCCC 200.6 Delegation of Contractual Authority

The State Board of Community Colleges hereby delegates to the System President the authority to execute any contract that meets the following criteria:

1) Contracts that expend less than $250,000 and whose terms do not exceed one year;
2) Contract amendments that cumulatively increase the value of a contract by less than 10%; and
3) Any other contract if the SBCC has approved the purpose and amount.
4) The System Office shall provide at least biannually a report to the State Board listing any contracts executed by the President pursuant to this delegated authority.

History Note: Authority G.S. 115D-5;
Eff. September 1, 2019.

SUBCHAPTER 300. COLLEGE SERVICE AREAS

1A SBCCC 300.1 Definitions

The following definitions apply to this Subchapter:

(a) Service Area: The geographic area to which the State Board of Community Colleges has assigned community colleges the authority and responsibility to provide education and training services for constituents within that geographic area.

(b) Home college: The community college located in the service area in which the military installation is based.

History Note: Authority G.S. 115D-5;
Eff. August 1, 2016.

1A SBCCC 300.2 Establishing Service Areas for Colleges

(a) The State Board shall assign service areas to colleges for providing education and training services. The initial assignment of service areas to colleges shall take into account the past and present patterns of providing services, including existing agreements between colleges. The State Board may reassign a service area upon the recommendation of the System President. The recommendation shall be based upon an analysis of the service areas involved, including consultation with the presidents of the colleges and the county commissioners of the county(ies) that are affected.

(b) A college may offer education and training in an area assigned to another college using criteria set forth in 1D SBCCC 300.6 and 1D SBCCC 400.96.

(c) The State Board of Community Colleges shall review, at least every five years, service areas that include counties assigned to more than one community college to determine the feasibility of continuing to assign those counties to more than one community college. The State Board shall revise service areas as needed to ensure that counties are served effectively. The first review and any revisions shall be completed no later than March 1, 2016, and the State Board shall report its findings and any revisions to the Joint Legislative Education Oversight Committee no later than March 1, 2016. All subsequent reviews and revisions shall also be submitted to the Joint Legislative Education Oversight Committee.

History Note: Authority G.S. 115D-5; S.L. 2015-167, § 2.5, eff. July 23, 2015;
Eff. March 1, 1985;
Amended Eff. August 1, 2016; August 1, 2004; September 1, 1993.

1A SBCCC 300.3 Service Area Assignments

(a) The State Board of Community Colleges assigns college service areas as follows:

1) Alamance Community College – Alamance County
2) Asheville-Buncombe Technical Community College – Buncombe and Madison Counties
3) Beaufort County Community College - Beaufort, Hyde, Tyrrell, and Washington Counties
4) Bladen Community College – Bladen County
5) Blue Ridge Community College – Henderson and Transylvania Counties
6) Brunswick Community College – Brunswick County
7) Caldwell Community College & Technical Institute – Caldwell and Watauga Counties
8) Cape Fear Community College – New Hanover and Pender Counties
9) Carteret Community College – Carteret County
10) Catawba Valley Community College –Alexander and Catawba Counties
11) Central Carolina Community College – Chatham, Harnett, and Lee Counties
12) Central Piedmont Community College – Mecklenburg County
13) Cleveland Community College – Cleveland County
14) Coastal Carolina Community College – Onslow County
15) College of The Albemarle - Camden, Chowan, Currituck, Dare, Gates, Pasquotank, and Perquimans Counties
16) Craven Community College – Craven County
17) Davidson-Davie Community College – Davidson and Davie Counties
18) Durham Technical Community College – Durham and Orange Counties
19) Edgecombe Community College – Edgecombe County
20) Fayetteville Technical Community College – Cumberland County
21) Forsyth Technical Community College – Forsyth and Stokes Counties

22) Gaston College – Gaston and Lincoln Counties
23) Guilford Technical Community College – Guilford County
24) Halifax Community College – Halifax and Northampton (Townships of Gaston, Occoneechee, Pleasant Hill, and Seaboard) Counties
25) Haywood Community College – Haywood County
26) Isothermal Community College – Polk and Rutherford Counties
27) James Sprunt Community College – Duplin County
28) Johnston Community College – Johnston County
29) Lenoir Community College – Greene, Jones and Lenoir Counties
30) Martin Community College – Bertie (Townships of Indian Woods, Merry Hill, Windsor), and Martin Counties
31) Mayland Community College – Avery, Mitchell, and Yancey Counties
32) McDowell Community College – McDowell County
33) Mitchell Community College – Iredell County
34) Montgomery Community College – Montgomery County
35) Nash Community College – Nash County
36) Pamlico Community College – Pamlico County
37) Piedmont Community College – Caswell and Person Counties
38) Pitt Community College – Pitt County
39) Randolph Community College – Randolph County
40) Richmond Community College – Richmond and Scotland Counties
41) Roanoke-Chowan Community College – Bertie (Townships of Colerain, Mitchells, Roxobel, Snakebite, Whites, Windsor [continuing education courses only] and Woodville), Hertford, and Northampton (Townships of Jackson, Kirby, Rich Square, Roanoke, and Wiccacanee) Counties
42) Robeson Community College – Robeson County
43) Rockingham Community College – Rockingham County
44) Rowan-Cabarrus – Cabarrus and Rowan Counties
45) Sampson Community College – Sampson County
46) Sandhills Community College – Hoke and Moore Counties
47) South Piedmont Community College – Anson and Union Counties

48) Southeastern Community College – Columbus County
49) Southwestern Community College – Jackson, Macon, and Swain Counties
50) Stanly Community College – Stanly County
51) Surry Community College – Surry and Yadkin Counties
52) Tri-County Community College – Cherokee, Clay, and Graham Counties
53) Vance-Granville Community College – Franklin, Granville, Vance, and Warren Counties
54) Wake Technical Community College – Wake County
55) Wayne Community College – Wayne County
56) Western Piedmont Community College – Burke County
57) Wilkes Community College – Alleghany, Ashe, and Wilkes Counties
58) Wilson Community College – Wilson County

History Note: Authority G.S. 115D-5;
Eff. August 1, 2016.
Amended Eff. April 1, 2021;

1A SBCCC 300.4 Establishing Military Service Areas

Educational programs offered by community colleges on all military installations will be conducted by the home college. The home college by written agreement may contract with another college within the community college system to provide any additional educational services which may be required by the military installation located in the home college's area. When contracting with other colleges to provide additional educational services to military installations, home colleges shall give priority colleges adjacent to the military installation to be served.

History Note: Authority G.S. 115D-5;
Eff. September 30, 1977;
Amended Eff. August 1, 2016; September 1, 1993.

1A SBCCC 300.98 Establishing Military Service Areas

RECODIFIED at 1A SBCCC 300.4.

1A SBCCC 300.99 Instructional Service Agreements

REPEALED by the State Board of Community Colleges, eff. 1 November 2014.

History Note: Authority G.S. 115D-5; S.L. 1993, 2nd session, c. 769, p. 18, s. 18; S.L. 1995, c. 625;

Temporary Adoption Eff. October 31, 1994, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. May 1, 1995;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. August 1, 2004; July 1, 1998
Repealed Eff. November 1, 2014.

SUBCHAPTER 400 APPEAL PROCESS FOR AWARD OF THE NORTH CAROLINA TITLE II ADULT EDUCATION AND FAMILY LITERACY ACT FISCAL YEARS 2018 – 2021 COMPETITIVE GRANTS

1A SBCCC 400.1 Applicability

REPEALED by the State Board of Community Colleges, eff. May 1, 2025.

History Note: Authority G.S. 115D-5; 29 U.S.C. §§ 3302, 3305, 3321, and 3322;
Temporary Adoption Eff. June 20, 2018.
Repeal Eff. May 1, 2025

1A SBCCC 400.2 Standards for appeal

REPEALED by the State Board of Community Colleges, eff. May 1, 2025.

History Note: Authority G.S. 115D-5; 29 U.S.C. §§ 3302, 3305, 3321, and 3322;
Temporary Adoption Eff. June 20, 2018.
Repeal Eff. May 1, 2025

1A SBCCC 400.3 Evaluation of appeal

REPEALED by the State Board of Community Colleges, eff. May 1, 2025.

History Note: *Authority G.S. 115D-5; 29 U.S.C. §§ 3302, 3305, 3321, and 3322;*
Temporary Adoption Eff. *June 20, 2018*.
Repeal Eff. *May 1, 2025*

1A SBCCC 400.4 Review Panel

REPEALED by the State Board of Community Colleges, eff. May 1, 2025.

History Note: Authority G.S. 115D-5; 29 U.S.C. §§ 3302, 3305, 3321, and 3322;
Temporary Adoption Eff. June 20, 2018.
Repeal Eff. May 1, 2025

1A SBCCC 400.5 Informal Hearing Process

REPEALED by the State Board of Community Colleges, eff. May 1, 2025.

History Note: *Authority G.S. 115D-5; 29 U.S.C. §§ 3302, 3305, 3321, and 3322;*
Temporary Adoption Eff. June 20, 2018.
Repeal Eff. May 1, 2025

1A SBCCC 400.6 SBCC Final Agency Decision

REPEALED by the State Board of Community Colleges, eff. May 1, 2025.

History Note: *Authority G.S. 115D-5; 29 U.S.C. §§ 3302, 3305, 3321, and 3322;*
Temporary Adoption Eff. *June 20, 2018*.
Repeal Eff. *May 1, 2025*

CHAPTER B. COLLEGE OPERATIONS

SUBCHAPTER 100. DEFINITIONS

1B SBCCC 100.1 Definitions

The following definitions apply to this Chapter.

(a) "Traditional Instruction" – College curriculum or continuing education course in which 100% of the instruction is delivered face to face with the instructor in the physical presence of students.

(b) "Online Instruction" – College curriculum or continuing education course in which 100% of the instruction is delivered online.

(c) "Hybrid Instruction" – College curriculum or continuing education course in which greater than 50%, but less than 100% of the instruction is delivered online.

(d) Blended Instruction" – College curriculum or continuing education course in which less than or equal to 50% of the instruction is delivered online.

(e) "Hybrid Flexible (HyFlex)" –A multi-modal instructional delivery method where the college has the option to deliver the online portion of a curriculum or continuing education course synchronously, asynchronously, or both as long as 100% of the instruction is offered face to face with the instructor in a physical classroom. Students may choose to attend the regularly scheduled in-person session or the online option on a session-by-session basis.

History Note: Authority G.S. 115D-5;
Eff. October 1, 2019
Amended Eff.: November 1, 2023; December 1, 2022; September 01, 2022

SUBCHAPTER 200. ESTABLISHING AND CLOSING COLLEGES AND COLLEGE SITES

1B SBCCC 200.1 Establishing Colleges

A new college operating under Chapter 115D will be called a community college. An application for a new college must come from the county commissioners in the proposed administrative area. The application shall be sent to the state board which may direct the department to cooperate with the applicants in making a survey to determine the following:

1) Do the educational needs of the area justify the educational services proposed?
2) Can the existing public and private post-secondary institutions in the area meet the needs demonstrated?
3) If unmet educational needs exist that could be met by the proposed institution, will the projected student enrollment justify the proposed institution? As a standard, the projected enrollment should be a minimum of 400 full-time equivalent students in curriculum programs within three years after establishment.
4) Can adequate local current and capital expense funds be supplied? As a standard, the level of local current operating fund support should be equal to the existing median support for the institutions in the community college system.
5) Will the local public school tax support be affected adversely by the local support required for the proposed institution?
6) Do the boards of commissioners and boards of education in the area support the application?
7) Are the facilities proposed to house the new institution adequate?
8) Does the application fit the policy of reasonable geographic distribution in order to meet statewide needs? As a standard, no new institution shall be established within 25 miles of an existing institution within the community

college system, except where urban population density or natural barriers become overriding considerations.

9) Will adequate state funds become available to support the proposed new institution?

10) Can the immediate needs of an area best be served by an extension unit operating under contract with an existing institution?

When the survey is completed, the Department will report to the state board and make its recommendation(s). Representatives of the college and board(s) of county commissioners may appear before the State Board and make a presentation at the meeting that the Department's recommendation is considered. The State Board shall make its recommendation(s) for the establishment of a new college to the General Assembly, including a request for additional funds if needed.

History Note: Authority G.S. 115D-4; 115D-5; 115D-31 through 115D-36;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; January 1, 1988; November 1, 1983;
October 5, 1979.

1B SBCCC 200.2 Name

Trustees of all colleges hereinafter named or renamed shall use the full term, Community College, in the name given the college. Other than the term mentioned in this Rule, the Trustees have full authority to name or rename colleges. Changes in existing names shall be forwarded to the State Board specifying the specific date of the change prior to the effective date. Conformity shall be required before any state funds are authorized.

History Note: Authority G.S. 115D-2; 115D-5;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. September 1, 1993; December 1, 1984; October 5, 1979.

1B SBCCC 200.3 Establishing Multi-Campus Centers

(a) Definition. A multi-campus center ("MCC") is a convenience location in the community college service area to provide appropriate population and geographic access for community outreach, testing, faculty and staff offices, as well as literacy, continuing education, and curriculum instruction. Students may complete certificates, diplomas, and associate degrees at MCC locations. Comprehensive instructional support functions including, but not limited to libraries and student development services, are parts of the operation. An MCC must provide students the opportunity to complete at least one associate degree at the MCC.

(b) Purpose. The purpose of the SBCC's policy on MCCs is to help ensure that appropriate geographic access to community college programs and services is provided to students while minimizing the unnecessary duplication and proliferation of facilities and while minimizing the negative impact on existing community college campuses and centers.

(c) Establishment and Maintenance. To establish and maintain an MCC designation, colleges must satisfy all of the following criteria:

(1) The MCC is established in a location that provides geographic access to community college programs and services in a location within the college service area that is at least four (4) miles from the main campus or other MCC locations or the college must provide evidence that the MCC is established in a location where the main campus or other MCC locations cannot adequately provide community college programs and services. This provision only applies to MCCs established after the effective date of this rule.

(2) Colleges shall provide programs and services based on evidence of student demand and needs.

(3) Colleges shall obtain prior approval and maintain approval of the MCC from its institutional accrediting agency. Programs and services provided through MCCs shall comply with the standards and principles of its institutional accrediting agency.

(4) County government provides support for maintenance and operation of the MCC physical plant.

(5) The college has developed an instructional program and services plan including, but not limited to a description of programs, staffing, and instructional support functions.

(6) The SBCC determines that the MCC is unlikely to have a significant negative impact on institutions contiguous to the MCC. The college shall consult with community college institutions contiguous to the MCC, and the community college institutions that are contiguous to the MCC may provide evidence that the MCC has or is likely to have a significant negative impact on college or program specific enrollment.

(7) Students enrolled at an MCC must be able to complete at least one associate degree at the MCC.

(8) Evidence that the duplication of instructional support and other cost expenses are justifiable from cost effectiveness and quality of support services perspectives.

(9) The MCC must enroll a minimum of 300 (curriculum, occupational extension, or basic skills) budget FTE via traditional, blended, or hybrid instruction originating from and delivered at that MCC location. If an MCC drops below the minimum budget FTE (Level I MCC minimum is 300 and Level 2 MCC minimum is 1,201), the System Office will provide the college president with a written notification that this drop occurred after that year's budget allocations are approved by the State Board. If the MCC's budget FTE remains below the minimum in the subsequent fiscal year, for a Level 1 MCC, the budget allocation for that MCC will be reduced by fifty percent (50%), and for a Level 2 MCC, the budget allocation will be reduced by 50% of the difference between Level 2 and Level 1 funding. If a Level 2 MCC's budget FTE continues to remain below the minimum in the third fiscal year, the MCC will be recategorized as a Level 1 MCC and its budget allocation will be decreased to the Level 1 funding. If a Level 1 MCC's budget FTE continues to remain below the minimum in the third fiscal year, the MCC will no longer be designated as an MCC, and its budget allocation will be eliminated. A college must follow the MCC approval process to re-establish an MCC in any future year.

(10) The physical facility or facilities for the MCC must either be owned or leased on a long-term basis by the college.

(d) The College of The Albemarle Dare County Campus and Gaston College Kimbrell Campus and Textile Technology Center MCCs established by the General Assembly are exempted from 1B SBCCC 200.3(c)(9).

(e) Colleges shall comply with the following steps to obtain approval for MCC designation.

(1) Step 1 – Initial State Board Review and Recommendation. Community colleges seeking a MCC designation must submit their application to the State Board of Community Colleges ("State Board") for approval by September 15th of each year. Community colleges' applications shall include information responding to the criteria specified in 1B SBCCC 200.3(c)(1) - (c)(10).

(A) If a community college meets all of the criteria specified in 1B SBCCC 200.3(c), then the State Board shall recommend approval of the MCC designation.

(B) If a community college does not meet all of the criteria specified in 1B SBCCC 200.3(c)(1) – (c)(10), but provides evidence of being able to meet all of the criteria by the enactment of the budget for that fiscal year, the State Board shall recommend conditional approval. The State Board's recommendation for conditional approval shall specify the criteria in 1B SBCCC 200.3(c)(1) – (c)(10) the college must satisfy to receive final State Board approval that is contingent upon the General Assembly appropriating funds.

(2) Step 2 - Appropriation of Funds by the General Assembly. If the State Board recommends the MCC for approval or for conditional approval, the System Office shall include the State Board's recommendation in the budget request provided to the Office of State Budget and Management and to the General Assembly. If the General Assembly appropriates funds for the MCC, the State Board's recommendation moves to Step 3. If the General Assembly does not appropriate funds, the college shall annually certify in writing to the System Office by September 15th that there are no changes in the MCC application,

and the System Office shall resubmit the college's MCC request as a part of the annual budget process in subsequent years, unless the college withdraws its request.

(3) Step 3 - State Board Approval. If the General Assembly appropriates recurring funds to support the MCC consistent with the existing funding formula and if the college satisfies any conditions specified by the State Board by the enactment of the budget for that fiscal year, the State Board shall approve the MCC designation. If the State Board approves the MCC designation, the State Board shall allocate recurring funds to the college for the newly approved MCC.

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

Eff. May 1, 2019.

Amended Eff. August 1, 2025; October 1, 2019

1B SBCCC 200.99 Community College Closure: Teach-Out Plan And Records Preservation

(a) Any community college which closes shall inform each student and each applicant of its pending closure at least 90 days prior to closure.

(b) Prior to closure, college officials shall help students identify equivalent programs and provide assistance in transferring to other community colleges. A student who is displaced due to a community college closing may transfer to any other community college which offers the student's program without loss of credits or quality points. Community colleges shall give priority admission and placement to transfer students who have been displaced due to a community college closing.

(c) Before closing, the college shall file a copy of all student permanent academic and financial aid records with the Department of Cultural Resources in accordance with the records retention process.

History Note: Authority G.S. 115D-5; P.L. 102-325;
Eff. December 1, 1995.

SUBCHAPTER 300. BOARD OF TRUSTEES AUTHORITY

1B SBCCC 300.1 Authority

(a) Each college within the system shall operate under the direction of a board of trustees, a corporate body, which derives its authority from the law and rules of the State Board.

(b) All power and authority vested by law in the State Board which relates to the internal administration, regulation, and governance of any individual college of the community college system are hereby delegated to the board of trustees of such college with the following exceptions and reservations:

1) Power or authority that is non-delegable as a matter of law;
2) Power or authority in matters of systemwide or inter-college importance is reserved for determination by the State Board;
3) The State Board reserves the right to rescind any power or authority as it deems necessary in accordance with G.S. 150B; and

(4) The governing authority of the State Board pertaining to the assurance of:

a. fiscal accountability
b. program accountability, and
c. satisfaction of state priorities.

Note: Substance of former 23 SBCCC 2A .0003 and 2B .0303 was incorporated into this Rule.

History Note: Authority G.S. 115D-3; 115D-5; 115D-8; 115D-12; 115D-25; 150B-22 through 150B-37;

Eff. September 1, 1993.

1B SBCCC 300.2 Authorization

The boards of trustees of community colleges as bodies corporate are authorized to do all things necessary and proper to organize and operate colleges consistent with the law and the rules of the State Board.

History Note: Authority G.S. 115D-5; 115D-14;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; December 1, 1984; September 30, 1977.

SUBCHAPTER 400. PROGRAM ACCOUNTABILITY

1B SBCCC 400.1 Institutional Accreditation

All colleges shall obtain and maintain accreditation with an agency or association that accredits institutions of higher education and in accordance with North Carolina law. The System Office shall provide biannually a report to the State Board listing any accreditation actions taken by institutional accreditors with regards to a North Carolina community college. The System President, when requested, will provide assistance to colleges seeking institutional accreditation.

History Note: Authority G.S. 115D-5;
Eff. *October 1, 2018*
Amended Eff. *August 1, 2025*.

1B SBCCC 400.2 College Planning

Each community college shall maintain an ongoing planning process. At a minimum, college plans shall address program and facility needs; shall include the college's mission, goals and objectives, consistent with the mission of the System and with the State Board's priorities; and shall provide for evaluation of student outcomes.

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

Eff. October 1, 2018

1B SBCCC 400.3 Program Review

Colleges shall monitor the quality and viability of all its programs and services. Colleges shall review each curriculum program, each program area within continuing education, and their Basic Skills programs at least every five years to determine program strengths and weaknesses and to identify areas for program improvement. The program review process shall be consistent with the requirements of the regional accrediting agency.

History Note: Authority G.S. 115D-5;
Eff. October 1, 2018

1B SBCCC 400.4 Provision Of Information To The System Office

REPEALED by the State Board of Community Colleges, eff. 1 June 2022.

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

Eff. October 1, 2018

Repealed Eff. June 1, 2022

1B SBCCC 400.5 Performance Accountability

(a) The System Office shall collect data on the outcomes of the performance measures required by G.S. 115D-31.3 and report annually to the State Board of Community Colleges on each college's outcomes on these performance measures.

(b) Each college shall publish its data on all performance measures annually in its electronic catalog or on the college's public website.

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

Eff. October 1, 2018

1B SBCCC 400.96 Accreditation By The Southern Association

REPEALED by the State Board of Community Colleges, eff. October 1, 2018.

History Note: Authority G.S. 115D-1; 115D-5;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. September 1, 1993; December 1, 1984; July 1, 1980.
Repeal Eff. October 1, 2018

1B SBCCC 400.97 College Planning

REPEALED by the State Board of Community Colleges, eff. October 1, 2018.

History Note: Authority G.S. 115D-1; 115D-5;
Eff. May 1, 1982;
Amended Eff. September 1, 1993.
Repeal Eff. October 1, 2018.

1B SBCCC 400.98 Program Review

REPEALED by the State Board of Community Colleges, eff. October 1, 2018.

History Note: Authority G.S. 115D-5; 115D-31.3; 1999 S.L., c. 237, s. 9.2; 1993 S.L., c. 321, s. 109; S.L. 1995, c. 625;

Eff. February 1, 1990;

Amended Eff. August 1, 1995; September 1, 1993;

Temporary Amendment Eff. June 1, 1997;

Amended Eff. July 1, 1998;

Temporary Amendment Eff. December 6, 1999;

Temporary Amendment Expired September 30, 2000;

Amended Eff. May 1, 2009; August 1, 2001.

Repeal Eff. October 1, 2018.

1B SBCCC 400.99 Provision Of Information To The Department Of Community Colleges

REPEALED by the State Board of Community Colleges, eff. October 1, 2018.

History Note: Authority G.S. 115D-5;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. September 1, 1993; December 1, 1984;
Repeal Eff. October 1, 2018.

SUBCHAPTER 500. STUDENT RIGHTS AND RESPONSIBILITIES

1B SBCCC 500.1 Excused Absence for Military Service

Each community college shall adopt a policy to give an excused absence to any student who is in the United States Armed Forces who has received temporary or permanent re-assignment as a result of military operations and to any student who is a National Guard service member placed onto State active duty status during an academic term for the period of time the student is on active duty. The policy shall further provide the following:

(a) Colleges shall provide the student the opportunity to make up any test or other work missed during the excused absence.

(b) Colleges shall give the student the option, when feasible, to continue classes and coursework during the academic term through online participation for the period of time the student is placed on active duty.

(c) Colleges shall give the student the option of receiving a temporary grade of "incomplete (IN)" or "absent from the final exam (AB)" for any course that the student was unable to complete as a result of being placed on State active duty status; however, the student must complete the course requirements within the period of time specified by the college to avoid receiving a failing grade for the course.

(d) Colleges shall permit the student to drop, with no penalty, any course that the student was unable to complete as a result of being placed on State active duty status.

(e) Colleges shall permit the student to drop, with no financial penalty, any course that the student was unable to complete as a result of the excused absence as set forth in 1E SBCCC 900.4.

History Note: Authority G.S. 115D-5(x);
Temporary Adoption Eff. July 1, 2017;
Amended Eff. November 1, 2017.

1B SBCCC 500.2 Education Records of Minor Students

(a) Definitions – The following definitions apply in this section:

(1) Dependent – As defined in section 152 of the federal Internal Revenue Code of 1986.

(2) Education records – As defined in 34 C.F.R. § 99.3.

(3) FERPA – Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

(4) Minor student – A student who is under the age of 18 and a dependent of his or her parent.

(5) Parent – The parent, guardian, or an individual acting as a parent in the absence of a parent or guardian of the minor student.

(b) Each community college shall adopt a policy that requires a minor student to complete a form, prior to registration in any course, acknowledging the following:

(1) To the extent allowed under FERPA, the education records of the minor student shall be provided to the student's parent as long as the parent has not opted out of receiving the education records.

(2) To the extent allowed under FERPA, the education records of the minor student shall be provided to the school administrators and school counselors at the school in which the student is dually enrolled.

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

Eff. November 1, 2025

1B SBCCC 500.98 Educational Guarantee

Local boards of trustees may adopt educational guarantee policies for their colleges. Any educational guarantee policy adopted by a board of trustees shall:

1) Be developed in an atmosphere that provides maximum input from faculty, staff, students, employers, university representatives, and community leaders.
2) Identify the programs or activities to be guaranteed. This may include the entire program or specific courses. The goal of the system is to include all programs at all community colleges.
3) Define the skills, knowledge, or credits to be guaranteed. This may include the guarantee to transfer earned credits taken in transfer programs and the guarantee of technical knowledge and skills needed for successful employment in occupations for graduates.
4) Define the population of students who will receive guarantees. This shall include the identification of students, both full-time and part-time, for whom the guarantee applies.
5) Define any special conditions of the guarantee. This shall include a time limit and grade achievement.
6) Describe how the guarantee may be invoked and how it will be honored.
7) Define the educational services or other benefits a student who seeks the guarantee will receive. This may include reimbursement from non-state funds, re-enrollment, tutoring, or counseling.
8) State that re-enrolled students shall not pay tuition or fees associated with re-enrollment or other related services. Budget FTE shall not be earned for re-enrolled students.

(9) Set forth the process to be used by students to invoke the guarantee and the steps to be used by the college to improve the programs in question.

History Note: Authority G.S. 115D-5; S.L. 1995, c. 625;
Eff. December 1, 1995;
Temporary Amendment Eff. June 1, 1997;

Amended Eff. July 1, 1998.

1B SBCCC 500.99 School Absence for Religious Observances

Each community college shall adopt a policy that authorizes a minimum of two excused absences each academic year for religious observances required by the faith of a student. The policy may require that the student provide written notice of the request for an excused absence a reasonable time prior to the religious observance. The policy shall also provide that the student shall be given the opportunity to make up any tests or other work missed due to an excused absence for a religious observance.

History Note: Authority G.S. 115D-5;
Temporary Adoption Eff. November 2, 2010;
Eff. April 1, 2011.

SUBCHAPTER 600. GENERAL COLLEGE OPERATIONS

1B SBCCC 600.99 Intercollegiate Athletics

(a) No college shall operate an intercollegiate athletic program or team unless the college maintains a membership in good standing with the National Junior College Athletic Association and Region 10. For the purposes of this Rule, "intercollegiate athletic program or team" does not include club teams.

(b) A college shall not participate in intercollegiate athletics unless any foundation associated with the college pursuant to G.S. 115D-20(9) adopts a policy requiring that the total amount of all athletic scholarships awarded to an individual student- athlete does not exceed the participating student's expenses for tuition, college fees, and course-related books and materials required for the courses in which that student is enrolled.

(c) A college shall not participate in intercollegiate athletics unless the total amount of all athletic scholarships the college awards plus the total amount of all athletic scholarships awarded by any foundation associated with the college pursuant to G.S. 115D-20(9) does not exceed the participating student's expenses for tuition, college fees, and course-related books and materials required for the courses in which that student is enrolled.

(d) State funds shall not be used to create, support, maintain, or operate an intercollegiate athletics program.

(e) Colleges shall neither provide nor offer room and board as part of an intercollegiate athletic scholarship to any student participating in an intercollegiate athletics sport except for temporary room and board associated with specific athletic events.

(f) For the purposes of this Rule, tuition waivers granted are limited to those authorized by statute. Tuition waivers obtained by students participating in any intercollegiate athletics sport shall be deemed to be a scholarship for tuition.

History Note: Authority G.S. 115D-5;
Eff. August 1, 2009.

SUBCHAPTER 700. INFORMATION SECURITY PROGRAM

1B SBCCC 700.1 Introduction

All community colleges shall establish, operate, and maintain a local Information Security Program (ISP) to ensure the confidentiality, integrity, and availability of college data, based on classification, and those related information systems and services that are necessary to the support of the mission of the college and the students while maintaining compliance with local, State and federal standards, policies and laws.

History Note: Authority G.S. 115D-5
Eff. June 1, 2022

1B SBCCC 700.2 Definitions

The following definitions apply to this Chapter.

(a) Chief Information Officer (CIO) - Chief information officer (CIO), may also be known as the information technology (IT) director, and is the IT leader at a college who oversees the work related to information technology and computer systems to support college goals.

(b) Chief Information Officers Association (CIOA) – Refers to a group of North Carolina community college chief information officers and/or IT leaders who meet regularly to collaborate on IT issues on their campuses.

(c) Chief Information Security Officer (CISO) - A chief information security officer (CISO) is the leader responsible for ensuring information assets and technologies are adequately protected.

(d) (d)Center for Internet Security (CIS) - CIS is an independent, global nonprofit organization focused on IT security. The community college system utilizes CIS resources as tools to prioritize and track cybersecurity maturity and improvement.

(e) Enterprise Resource Planning (ERP) Executive Steering Committee – An advisory committee created to address the legislative mandate to plan and design a modernized ERP for the community colleges. The ERP system must, at a minimum, include student information system, core financial management, grants, human resource management, and payroll.

(f) Institutional Information Processing System Users Group (IIPS) – is a group of community college employees, trustees, and friends of the North Carolina Community College System (NCCCS) and/or persons officially associated with the community colleges to promote communications, collaboration, and professional development or educational opportunities among academic and administrative computer users within the North Carolina Community College System.

(g) Information Requirements Oversight Council (IROC) -- A working group focused on supporting processes to review, validate, and prioritize enterprise

impacting IT projects, Requests for Change (RFCs) and other IT enabled capabilities within the North Carolina Community College System.

(h) Information Security Office (ISO) – The System Office team supporting cybersecurity efforts for the college system.

(i) Information Technology Security Committee (ITSC) – Committee comprised of representatives from the CIOA, IIPS, and System Office leadership team who support the ERP Executive Steering Committee.

(j) National Institute of Standards and Technologies (NIST) – a federal government agency charged with advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life. NIST publishes the Special Publication, Security and Privacy Controls for Information Systems and Organizations (SP800-53), which is the security standard adopted by the North Carolina Department of Information Technology.

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

Eff. June 1, 2022

1B SBCCC 700.3 Community College System Cybersecurity Framework

(a) Each community college shall use the Statewide Information Security Manual (SISM) published by the North Carolina Department of Information Technology as the principal cybersecurity framework for a system-wide information security and risk management program. System-wide modifications and deviations from this standard shall be reviewed, approved, and maintained by the Information Technology Security Committee (ITSC).

(b) The Center for Internet Security (CIS) Controls shall be used by colleges as a resource for implementing a prioritized and structured methodology of assessing local security posture and maturity and for creating plans for continuous improvement.

(c) The colleges shall use CIS Security Implementation Groups (IGs) to prioritize implementation of the CIS Critical Security Controls. The IGs are divided into three (3) groups: Implementation Group 1 (IG1), Implementation Group 2 (IG2), and Implementation Group 3 (IG3). Implementation Group 1 (IG1) is the minimum requirement for all colleges and colleges shall incorporate a model of continuous improvement to achieve higher levels of compliance appropriate to the resources and business of the college.

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

Eff. June 1, 2022

1B SBCCC 700.4 College Information Security Responsibility

(a) Community College Presidents shall designate, authorize, and require at least one person to do all of the following:

1) Assess and understand the college's information security risk.
2) Establish and maintain the college's information security program and ensure compliance with State and federal information security laws.
3) Act as the primary point of contact for the college on issues related to information security.
4) Present professionally sound and timely advice to college leadership regarding appropriate action to support the Information Security Program and the mission of the college.

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

Eff. June 1, 2022

1B SBCCC 700.5 Enterprise Resource Planning (ERP) Executive Steering Committee

(a) The ERP Executive Steering Committee is established to serve as an advisory body

(b) The ERP Executive Steering Committee shall be composed of the following members:

1) Five community college presidents, recommended for appointment by the President of the North Carolina Association of Community College Presidents (NCACCP).
2) The North Carolina Community College President and the System Office Chief of Staff, Chief Financial Officer, Chief Academic Officer, Chief Information Officer, and the Vice President of Economic Development.
3) One representative recommended for appointment by Association of Community College Business Officers.
4) One representative recommended for appointment by the Institutional Information Processing System Users Group (IIPS).
5) One representative recommended for appointment by the Chief Information Officer Association.
6) One representative recommended for appointment by the Community College Planning and Research Organization.

(c) Members of the ERP Executive Steering Committee shall serve for three-year terms. When there is a vacancy on the ERP Steering Committee the appropriate recommending body shall make a new recommendation for appointment to the Steering Committee.

(d) The System Office may provide resources, supplies, and support to the ERP Steering Committee.

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

Eff. June 1, 2022

1B SBCCC 700.6 Information Technology Requirements Oversight Council (IROC)

(a) The Information Technology Requirements Oversight Council (IROC) is established to review, validate, and prioritize strategic demands and enterprise functional and technical projects; change requests significantly modifying the scope of thse efforts; and other technology enabled capabilities where system-wide governance serves the best interest of the North Carolina Community College System.

(b) The IROC shall do all of the following:

1) Make decisions based on recommendations from the Information Technology Review Board (ITRB).
2) Review, prioritize, and approve the status of NCCCS strategic demands, IT projects, and programs to develop an optimally resourced and balanced IT portfolio. The IROC will consider strategic planning efforts relative to current needs to achieve desired future State outcomes and capabilities.

(c) Identify or direct the development of recommendations for community college system-wide capabilities, related strategies, and standards.

(d) Provide a structured approach for input from stakeholders into the enterprise demand and IT project process to ensure a capability based decision-making process.

(e) The IROC shall be composed of the following six permanent members employed by the NC Community College System Office:

1) NC Community College System Office Chief of Staff. The Chief of Staff serves as Chair to the Council.
2) NC Community College System Office Chief Academic Officer.
3) NC Community College System Office Chief Information Officer.
4) NC Community College System Office Chief Financial Officer.
5) NC Community College Vice-President of Economic Development.
6) NC Community College Vice-President of Strategic Initiatives.

(f) The IROC shall also be comprised of the following rotating members.

1) A System Office executive focusing on college institutional research and effectiveness recommended for appointment by the NCCCS Chief of Staff.
2) A System Office executive focusing on curriculum instructional design recommended for appointment by the NCCCS Chief Academic Officer.
3) A System Office executive focusing on continuing education recommended for appointment by the NCCCS Chief Academic Officer.
4) A System Office executive focusing on College and Career Readiness recommended for appointment by the Chief Academic Officer.
5) A System Office executive focused on College and Career Readiness as recommended for appointment by the Chief Academic Officer.
6) A System Office executive focused on College Student Services as recommended for appointment by the Chief Academic Officer.
7) A System Office executive focused on Information Technology as recommended for appointment by the Chief Information Officer.
8) A System Office executive focused on College Business Office or Administrative Services as recommended for appointment by the Chief Financial Officer.
9) A System Office executive focused on Economic Development as recommended for appointment by the Vice-President of Economic Development.
10) The President of the Chief Information Officers Association (COIA)
11) The President of the Institutional Information Processing System Users Group (IIPS).

(g) Rotating Members serve a three-year appointment. Initial member appointments were staggered evenly for one, two, and three years to ensure continuity of knowledge and decision-making capabilities.

(h) When there is a vacancy on the IROC the appropriate recommending body would make a new recommendation for appointment to the IROC.

(i) The System Office may provide resources, supplies, and support to the IROC.

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

Eff. June 1, 2022.

1B SBCCC 700.7 Information Technology Security Committee Governance

(a) The Information Technology Security Committee (ITSC) is established to serve as an advisory body to the Executive Steering Committee and the State Board of Community Colleges addressing any of the following.

1) Information technology use and protection, including but not limited to data governance, privacy, compliance, cybersecurity, and IT standards.
2) System-wide and enterprise deviations to established security standards.
3) System-wide and enterprise risk management.
4) System-wide enterprise solutions, configuration management.
5) Areas of improvement for information technology security and related funding needs for the enterprise.

(b) The ITSC shall be comprised of all of the following:

1) Two Permanent Members employed by the NC Community College System Office as follows:
    a. The Senior Vice President and Chief Information Officer.
    b. The Associate Vice President, Chief Information Security Officer, who serves as the Committee Chair.
2) Eight rotating members to provide information technology leadership representation from the community college campuses. Rotating members are appointed for three years. Initial rotating member appointments were staggered evenly for one, two, and three years to ensure continuity of knowledge and decision-making over time.
3) Recommendations for appointments shall be made by the following community college associations:
    a. Three recommendations from the College Chief Information Officers Association (CIOA).
    b. Three recommendations from the College Institutional Information Processing System (IIPS) Users Group.

c. Two recommendations from the ERP Executive Steering Committee (ESC). These appointments run concurrent to appointed service on the ESC.

4) Associate Members may be appointed by the Committee Chair as needed for a specified duration to meet specific strategic needs or purposes.

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

Eff. June 1, 2022

1B SBCCC 700.8 Data Governance Committee

(a) The Data Governance Committee serves as an advisory and decision-making body that is charged with building and maintaining effective data systems to ensure data quality, efficient processes, and effective reporting capabilities within the North Carolina Community College System. The Data Governance Committee approves data definitions, recommendations on data entry processes and implementation guidelines to ensure consistent data collection and timely data reporting.

(b) The Data Governance Committee shall be composed of the following members, each of whom shall serve for a three-year term:

1) One college president, who will serve as Chair, appointed by the President of the North Carolina Association of Community College Presidents (NCACCP).
2) One instructional administrator appointed by the President of the North Carolina Association of Community College Instructional Administrators (NCACCIA).
3) One continuing education administrator and one basic skills director appointed by the President of the North Carolina Community College Adult Educators Association (NCAEA).
4) One student development administrator appointed by the President of the Student Development Administrators Association (NCSDAA).
5) One chief financial officer appointed by the North Carolina Association of Community College Business Officers (ACCBO).
6) Three institutional research/institutional effectiveness officers appointed by the Community College Planning and Research Organization (CCPRO).
7) One chief information officer appointed by the Chief Information Officer Association (CIOA).
8) One representative appointed by the Institutional Information Processing System Users Group (IIPS).

9) The designee of the North Carolina Community College System President, representing the executive division.
10) A designee from each of the System Office's other divisions appointed by the division vice president.

Current members serving on the Data Governance Committee as of the effective date of this rule shall serve the remainder of their terms. Thereafter, as terms expire, or when a vacancy occurs prior to the expiration of a term, members of the Data Governance Committee shall be appointed in accordance with this rule.

(c) No member of the Data Governance Committee shall serve more than two consecutive terms of three years on this Committee. This limitation does not prohibit an individual from serving future terms after a period of non-service of at least one year. This sub-section shall not apply to System Office designees.

(d) The Data Governance Committee shall notify colleges of the committee's proposed recommendations that address data definitions and quality issues through numbered memos, as necessary. Colleges may provide written comments for a period of no less than 10 business days from the date of notification of a proposed recommendation.

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

Eff. June 1, 2022.

1B SBCCC 700.9 Provision of Information to the System Office

(a) Purpose. To ensure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions, the State Board must have timely access to accurate data that is comparable across institutions. The purpose of this policy is to establish rules governing the consistent collection and reporting of data to fulfill reporting requirements, assess compliance, and to evaluate education programs.

(b) Annual Reporting Plan. No later than May 1st of each year, the System Office shall publish the Annual Reporting Plan for the upcoming fiscal year. This plan shall include a list of information requirements, associated deadlines, and a description of how the System Office will use the information. If a requirement involves transmission of raw data, the plan shall also include an appendix listing the data elements collected. The System Office may amend the plan, as needed, provided colleges are provided notice of at least 20 business days for any newly added requirement.

(c) Reports. The trustees and the president of each college are responsible for ensuring information outlined in the Annual Reporting Plan and any ad hoc information requirements requested by the System Office are provided in a timely manner and in the format prescribed by the System President. Required data elements shall conform with the NCCCS Data Dictionary, where applicable.

(d) Reporting Accountability. The System Office shall provide annually to each college president a summary of the college's compliance with this rule for information requirements on the Annual Reporting Plan. The summary shall include whether information was complete, conformed to the definitions in the NCCCS Data Dictionary (if applicable), and provided by the deadline. The System Office shall provide implementation assistance to colleges struggling with compliance. Refusal to provide information in accordance with the Annual Reporting Plan or failure to remedy a multi- year pattern of submitting late,

incomplete, or non-conforming information shall constitute non-compliance under 1H SBCCC 200.2(a)(4).

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

Eff. June 1, 2022.

1B SBCCC 700.10 Information Security References

The System Office shall maintain and publish on its website a list of references to cybersecurity and compliance resources for the community college system.

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

Eff. June 1, 2022.

CHAPTER C. PERSONNEL

SUBCHAPTER 100. DEFINITIONS

1C SBCCC 100.1 Reserved For Future Codification

SUBCHAPTER 200. PERSONNEL POLICIES

1C SBCCC 200.94 Local College Personnel Policies

(a) Each local board of trustees shall adopt, publish, and implement personnel policies, consistent with all applicable statutes, rules, and regulations, addressing the following issues:

1) Adverse weather;
2) Annual leave (vacation);
3) Drug and alcohol use;
4) Civil leave;
5) Communicable disease;
6) Compensatory leave;
7) Definitions of the employment categories and benefits for each:
    a. Full-time permanent,
    b. Part-time permanent,
    c. Full-time temporary, and
    d. Part-time temporary;
8) Disciplinary action addressing suspension and dismissal;
9) Educational leave (reference 1C SBCCC 400.6);
10) Employee evaluation process;
11) Employee grievance procedures;
12) Employee personnel file;
13) Hiring procedures (describing procedures used for employment of both full- and part-time employees);
14) Leave transfer;
15) Leave without pay;
16) Longevity pay plan (reference 1C SBCCC 400.8);
17) Military leave (reference 1C SBCCC 400.7);
18) Nepotism (reference 1C SBCCC 200.98);
19) Non-reappointment;
20) Other employee benefits;
21) Paid Parental Leave, in compliance with N.C.G.S. § 126-8.6;

22) Political activities of employees (reference 1C SBCCC 200.99);
23) Professional development;
24) Reduction in force;
25) Salary determination methods for full- and part-time employees that address at least the following:
    a. Provisions and criteria for salary determination,
    b. Requirements for annual salary review, and
    c. Establishment of salary formulas, ranges, or schedules;
26) Sexual harassment;
27) Tuition exemption (reference 1E SBCCC 300.1);
28) Sick leave consistent with provisions of the State Retirement system;
29) Secondary Employment that addresses conflict with the employee's primary job responsibilities and institutional resources (the local board of trustees shall approve or disapprove any secondary employment of the president; the president or any member of the college's senior administration designated by the president shall approve or disapprove secondary employment of all full- time employees); and
30) Shared leave consistent with subsection (c) of this section.
31) Providing a preference for veterans, as defined in G.S. 128-15, in hiring decisions.

(b) Each local board of trustees shall submit copies of these policies, including amendments, to the NC Community College System President's office upon adoption.

(c) Shared Leave Policy

1) Purpose: The purpose of the Voluntary Shared Leave Program is to allow an employee to donate leave, as allowed in this rule, to an employee who has been approved to receive leave through the Voluntary Shared Leave Program because of a medical condition of the employee or of a member of the employee's immediate family

that will require the employee’s absence for a prolonged period of time.

2) In cases of a prolonged medical condition an employee may apply for or be nominated to become a recipient of leave transferred from the vacation leave account of another employee, from the sick leave or vacation account of an immediate family member as defined in section of this (c)(8) of this Subchapter or from the sick leave account of a non-family member as provided in (c)(11)(B) of this Rule. For purposes of this Rule, prolonged medical condition means medical condition that is likely to require an employee's absence from duty for a period of at least 20 consecutive workdays. If an employee has had previous absences for the same condition that has caused the employee to not have enough leave to cover the new need for leave or if the employee has had a previous, but different, prolonged medical condition within the last 12 months, the college may waive the requirement that the employee be absent from duty for a period of 20 consecutive workdays to participate in the program.
3) An employee who receives benefits from the Disability Income Plan of North Carolina (DIPNC) is not eligible to participate in the shared leave program. Shared leave, however, may be used during the required waiting period and following the waiting period provided DIPNC benefits have not begun.
4) Participation in the voluntary shared leave program shall be limited to 1,040 hours, (prorated for part-time employees), either continuously or, if for the same condition, on a recurring basis. However, management may grant employees continuation in the program, month by month, for a maximum of 2,080 hours, if management would have otherwise granted leave without pay.
5) An employee on workers' compensation leave who is drawing temporary total disability compensation may be eligible to

participate in the voluntary shared leave program. Use of donated leave under the workers' compensation program shall be limited to use with the supplemental leave schedule as described in 25 NCAC 01E .0707.

6) The employee shall exhaust all available leave before using donated leave.
7) Non-qualifying conditions: This leave does not apply to short-term or sporadic conditions or illnesses that are common, expected or anticipated as determined by the college president or the college president’s designee. This includes such things as sporadic, short-term recurrences of chronic allergies or conditions; short-term absences due to contagious diseases; or short-term, recurring medical or therapeutic treatments. These examples are illustrative, not all inclusive. Each case must be examined and decided based on its conformity to the intent of this Rule and must be applied consistently and equitably.
8) For purposes of this Section, immediate family means:
    a. Spouse: A husband or wife;
    b. Parent:
        i. a biological or adoptive parent; or
        ii. an individual who stood in loco parent is (a person who is in the position or place of a parent) to an employee when the employee was a child; or
        iii. a step-parent; or
        iv. in-law relationships;
    c. Child: a son or daughter who is
        i. a biological child; or
        ii. an adopted child; or
        iii. a foster child (a child for whom the employee performs the duties of a parent as if it were the employee's child);

iv. step-child (a child of the employee's spouse from a former marriage); or

v. a legal ward (a minor child placed by the court under the care of a guardian); or

vi. a child of an employee standing in loco parentis; or

vii. in-law relationships;

b. Sister or brother - biological, adoptive (including step-, half- or in-law relationships);

c. Grandparents, great grandparents, grandchildren, great grandchildren (including step relationships); and

d. Other dependents living in the employee's household.

9) Administration

a. All colleges shall develop policies and procedures to implement the voluntary shared leave program.

b. Colleges shall not establish a leave "bank" for use by unnamed employees. Leave shall be donated on a one-to-one personal basis.

10) Qualifying to Participate in Voluntary Shared Leave Program. To participate in the Voluntary Shared Leave Program, an employee shall meet the following conditions:

a. A donor or recipient shall have a half-time or more permanent, probationary, or time-limited appointment (The limitation and leave balance for permanent parttime employees shall be prorated);

b. A recipient shall apply or be nominated by a fellow employee to participate in the program;

c. A recipient shall produce medical evidence to support the need for leave beyond the available accumulated leave; and

d. The parent college shall review the merits of the request and approve or disapprove according to these Rules.

11)Donor Guidelines

a. An employee of a community college may donate vacation leave, bonus leave or sick leave to an immediate family member in any State agency, public school or community college. An employee of a community college may donate vacation or bonus leave to a coworker's immediate family member who is an employee in a state agency or public school provided the employee and coworker are at the same college. An employee may donate vacation, bonus or sick leave to another employee at a community college in accordance with the provisions of (c)(11)(B) of this Rule.
b. An employee of a community college may donate up to five days of sick leave to a non-immediate family member employee of a community college. The combined total of sick leave donated to a recipient from non-immediate family member donors shall not exceed 20 days per year as defined by local college policy. Donated sick leave shall not be used for retirement purposes. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave.
c. The minimum amount of sick leave or vacation leave to be donated is four hours. An employee family member donating sick leave to a qualified immediate family member under the Voluntary Shared Leave program may donate up to a maximum of 1040 hours but may not reduce the sick leave account below 40 hours.
d. The maximum amount of vacation leave allowed to be donated by one individual is the amount of the individual's annual accrual rate. However, the amount donated shall not reduce the donor's vacation leave balance below one-half of

the annual vacation leave accrual rate. Bonus leave may be donated without regard to this limitation.

e. An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving, or using annual leave under this program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal on the basis of personal conduct. The donation of leave is confidential, and only those individuals authorized under G.S. 115D- 29 to access employee personnel file information may view donation information consistent with G.S. 115D-29. Recipients of voluntary shared leave shall not have access to information about individuals who donated leave. The employee donating leave shall not receive remuneration for the leave donated.

12) Leave Accounting Procedures. The following conditions shall control the accounting and usage procedures for leave donations in the Voluntary Shared Leave program:

a. The community college may establish a specific time period during which leave can be donated.

b. All leave donated shall be credited to the recipient's sick leave account and is available for use on a current basis or may be retroactive for up to 60 calendar days to substitute for advanced vacation or sick leave already granted to the recipient or to substitute for leave without pay. Donated leave shall be applied to advanced leave before applying it to leave without pay.

c. At the expiration of the medical condition, as determined by the community college, any unused leave in the recipient's donated leave account shall be treated as follows:
    i. The recipient's vacation and sick leave account balance shall not exceed a combined total of 40 hours (prorated for part-time employees).
    ii. Any additional unused donated leave shall be returned to active (working or on leave without pay) donor(s) on a pro rata basis and credited to the leave account from which it was donated.
d. If a recipient separates due to resignation, death, or retirement from state government, participation in the program ends. Donated leave shall be returned to active donor(s) on a pro rata basis.

(d) Holiday Leave Policy

1) Full-time employees who are eligible to earn annual leave pursuant to local college policy shall receive pay for a maximum of 12 paid holidays per fiscal year. Local boards of trustees shall determine the number of paid holidays for those employees eligible to earn annual leave up to a maximum of 12 paid holidays per fiscal year. Part-time employees who are eligible to earn annual leave pursuant to local college policy shall receive pay for paid holidays on a pro-rata basis.
2) Colleges shall only pay holiday leave to eligible employees who are:
    a. In pay status through the day on which the holiday is scheduled, or
    b. On a leave of absence without pay, but were in pay status for half or more of the workdays in the month.

Local community college boards of trustees shall determine when holidays are scheduled on the college calendar and may require employees to take annual leave, special leave granted by the General Assembly, accumulated

compensatory leave, or leave without pay during time on days other than holidays when classes are not scheduled to be in session.

History Note: Authority G.S. 115D-5; 115D-20; 115D-25.3;
Eff. September 1, 1993;
Amended Eff. February 1, 2025; June 1, 2023; July 1, 2018; May 1, 2017; May 1, 2008; May 1, 2005; January 1, 1996.

1C SBCCC 200.95 Civil Rights

(a) The colleges shall comply with the provisions of the Civil Rights Act of 1964 and other acts banning discrimination because of race, national origin, color, religion, sex, disability, age or political affiliation.

(b) Compliance Forms. All colleges shall maintain up-to-date compliance forms for the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and Title IX of the Education Amendments of 1972.

History Note: Authority G.S. 115D-5; P.L. 88-352, as amended; P.L. 92-318; P.L. 93- 608; P.L. 95-555;
P.L. 101-336; P.L. 102-166; S.L. 1995, c. 625;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. July 1, 1998; September 1, 1993; July 1, 1981; July 1, 1980; January 14, 1980.

1C SBCCC 200.96 Equal Employment Opportunity

The employment and assignment of all college personnel shall be solely on the basis of qualifications and without regard to race, national origin, color, religion, sex, disability, age, or political affiliation.

History Note: Authority G.S. 115D-5; 45 C.F.R. 676.52;
Eff. February 1, 1976;
Readopted with Change Eff. January 5, 1978;
Amended Eff. September 1, 1993; July 1, 1981.

1C SBCCC 200.97 Employment Of Women And Minorities In Administrative Positions

The community colleges shall seek to employee women and minorities in administrative positions.

History Note: Authority G.S. 115D-5; P.L. 88-352;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. September 1, 1993; January 14, 1980.

1C SBCCC 200.98 Employment Of Relatives

A college shall not employ two or more persons concurrently who are closely related by blood or marriage in positions which would result in one person of such family relationship supervising another closely related person or having a substantial influence over employment, salary or wages, or other management or personnel actions pertaining to the close relative. "Closely related" is defined to mean mother, father, brother, sister, son, daughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, grandmother, grandfather, grandson, granddaughter, uncle, aunt, nephew, niece, husband, wife, step-parent, step-child, step-brother, step-sister, guardian or ward. With respect to the concurrent service of closely related persons within the same academic department or other comparable college subdivision of employment, neither relative shall be permitted, either individually or as a member of a committee, to participate in the evaluation of the other relative.

History Note: Authority G.S. 115D-5; 115D-20;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. September 1, 1993; August 17, 1981.

1C SBCCC 200.99 Political Activities Of Employees

(a) As an individual, each employee of the community college system retains all rights and obligations of citizenship provided in the Constitution and laws of North Carolina and the Constitution and laws of the United States. Therefore, the State Board encourages employees of the system to exercise their rights and obligations of citizenship.

(b) Each local board of trustees shall develop a policy on the political activities of its employees, except for the president, that meets the following criteria and submit that policy to the System President to determine if the policy meets these criteria:

1) Employees who decide to run for public offices shall notify the board of trustees through the president of their intentions to run and certify that they will not campaign or otherwise engage in political activities during their regular work hours or involve the college in their political activities.
2) Any employee, who is elected to a part-time public office, shall certify through the president to the board of trustees that the office will not interfere with his carrying out the duties of the position with the college, or request leave.
3) Any employee, who is elected or appointed to a full-time public office or the General Assembly, shall be required to take a leave of absence without pay upon assuming that office. The length of the leave of absence shall be determined by the local board of trustees.
4) Any employee who becomes a candidate for public office shall be prohibited from soliciting support during regular work hours. The employee in question is prohibited from soliciting support on college property unless otherwise authorized by the local board of trustees.

(c) Political activities of college presidents.

1) Any college president, who decides to run for public office, shall notify the local board of trustees of the intention to run and certify that no campaigning or political activities will be engaged in during regular

work hours and that the college will not be involved in the president's political activities.

2) Any college president, who is elected to a part-time public office, shall certify to the local board of trustees that the office will not interfere with carrying out the duties of the college presidency, or request leave.
3) Any college president, who is elected or appointed to a full-time public office or to the General Assembly, shall be required to take a leave of absence without pay upon assuming that office. The length of the leave of absence shall be determined by the local board of trustees.
4) Any college president, who is a candidate for public office, is prohibited from soliciting support during regular work hours. The president in question is prohibited from soliciting support on college property unless otherwise authorized by the local board of trustees. The authorization must be on a case-by-case basis.
5) The local board of trustees shall notify the state board if the college president should become a candidate for public office or if the college president is elected or appointed to a public office.

(d) Definitions as used in this Rule.

1) Public office means any national, state or local governmental position of public trust and responsibility, whether elective or appointive, which is created or prescribed or recognized by constitution, statute, or ordinance.
2) Membership in the General Assembly is a full-time public office under this Rule.

History Note: Authority G.S. 115D-5; 115D-20;
Eff. September 1, 1988;
Amended Eff. September 1, 1993.

1C SBCCC 200.100 Paid Parental Leave

(a) For the purpose of this Section, the following definitions shall apply.

(1) “Child” means a newborn biological Child or a newly-placed adopted, foster or otherwise legally placed Child under the age of 18, whose Parent is an eligible employee.

(2) “Parent” means:

(A) the mother or father of a Child through birth or legal adoption; or

(B) an individual who cares for a Child through foster or other legal placement under the direction of a government authority.

(3) “Public safety concern” means a significant impairment to the agency’s ability to conduct its operations in a manner that protects the health and safety of North Carolinians.

(4) “Qualifying event” means when an employee becomes a Parent to a Child.

(b) Relationship to Other Sections and Policies.

(1) This Section states the terms and conditions only for paid parental leave that is provided under G.S. 126-8.6 and for colleges who are required to adopt Sections and policies that are “substantially equivalent” to those promulgated by the NC Office of State Human Resources.

(2) The paid parental leave provided under this Section can be in addition to any other leave authorized by State or federal law or run concurrently. Nothing in this Section shall prohibit a college, if authorized, from providing paid parental leave in amounts greater than as required by this Section.

(c) Eligibility for Paid Parental Leave.

(1) Employees who become Parents via childbirth, adoption, foster care, or another legal placement are eligible for Paid Parental Leave if:

(A) Employee is in a permanent, time-limited, or probationary appointment. Temporary employees are not eligible for Paid Parental Leave under this Section.

(B) At the time of the qualifying event, the employee meets each of the following conditions:

(i) For the immediate 12 preceding months, the employee has been

employed without a break in service, as defined by 25 NCAC 01D .0114, by the State of North Carolina in a permanent, time-limited, or probationary appointment.

(I) Periods of worker's compensation or short-term disability months preceding the qualifying events do not make the employee ineligible for Paid Parental Leave.

(II) Periods of leave without pay, as defined in 25 NCAC 01E. 1100, shall not constitute a break in service.

(ii) The employee has been in pay status with the State of North Carolina for at least 1,040 hours during the previous 12-month period becoming eligible for Family and Medical Leave.

(I) Exhaustion of Family and Medical Leave does not affect eligibility for Paid Parental Leave.

(d) Leave Available to Full-Time Employees.

(1) Full-time employees eligible for Paid Parental Leave under this Section may take,

in their discretion, up to the following amounts of leave:

(A) Eight weeks of paid leave after a parent gives birth to a child.

(B) Four weeks of paid leave after any other qualifying event.

(2) Each week of paid parental leave under this Section shall result in compensation at 100% of the eligible employee's regular, straight-time weekly pay excluding shift differential, premium pay, or overtime.

(e) Leave Available to Part-Time Employees.

(1) Part-time employees (regardless whether they work half-time or more) shall receive Paid Parental Leave under this Section if the employee meets all other requirements for eligibility.

(2) Part-time employees eligible for Paid Parental Leave under this Section may take, in their discretion, a prorated leave amount of:

(A) Four weeks of paid leave after a Parent gives birth to a Child.

(B) Two weeks of paid leave after any other qualifying event.

(3) Each week of Paid Parental Leave under this Section shall result in compensation at 100% of the eligible employee's regular, straight-time weekly pay excluding shift differential, premium pay, or overtime.

(f) Use of Other Leave.

(1) The Paid Parental Leave provided under this Section shall not be counted against or deducted from the employee's sick, vacation, or other accrued leave. The Paid Parental Leave provided under this Section can be in addition to any other leave authorized by law, Section, or policy or run concurrently. Whether an employee has exhausted Family and Medical Leave does not affect eligibility for Paid Parental Leave under this Section.

(g) Requesting Use of Paid Parental Leave.

(1) Eligible employees may take Paid Parental Leave in one continuous period or may take intermittent use of Paid Parental Leave. Requests for intermittent use of Paid Parental Leave are subject to the agency's approval as stated in Paragraph (4) of this Section.

(2) Whenever possible, eligible employees shall notify their agency at least 10 weeks in advance of their intention to use Paid Parental Leave. Employees may withdraw their request for Paid Parental Leave at any time.

(3) Absent unusual circumstances, the employee shall be required to comply with agency leave request procedures.

(4) The agency shall not deny, delay, or require intermittent use of Paid Parental Leave to employees who gave birth and seek to use Paid Parental Leave in one continuous period.

(5) For all other employees, the agency may delay providing Paid Parental Leave or may provide Paid Parental Leave intermittently if it determines that providing the leave will cause a public safety concern. For example, the extension of Paid Parental Leave to an eligible employee who did not give birth may constitute a Public Safety Concern if:

(A) Providing the Paid Parental Leave would result in agency staffing levels below what is required by federal or state law to maintain operational

safety; or

(B) Providing the Paid Parental Leave may impact the health or safety of staff, patients, residents, offenders, or other individuals the agency is required by law to protect; and

(C) The agency has been unable to secure supplemental staffing after requesting or diligently exploring alternative staffing options.

(6) If the agency determines that it must delay Paid Parental Leave, or make Paid Parental Leave intermittent, because of a public safety concern under Paragraph 5 of this Section, the agency shall provide Paid Parental Leave as soon as practical following the Qualifying Event.

(7) If both Parents are eligible employees, each may receive Paid Parental Leave. Both Parents may take their leave simultaneously or at different times, pending no Public Safety Concern.

(h) Leave Usage.

(1) Paid Parental Leave may be used only once for a Qualifying Event within a 12 month period. The fact that a multiple birth, adoption, or other legal placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the total amount of Paid Parental Leave granted for that event.

(2) Unused Paid Parental Leave is forfeited 12 months from the date of the Qualifying Event.

(3) Paid Parental Leave shall not accrue or be donated to another employee.

(4) Employees shall not be paid for the leave provided by this Section upon separation

from the employer. The leave provided by this Section shall not be used for calculating an employee's retirement benefits and shall not accrue or be donated as voluntary shared leave.

(5) Leave usage must be recorded in the same required increments as all other time.

(6) If the employee requires leave before the actual birth or adoption due to medical reasons or to fulfill legal adoption obligations, other available leave balances shall be utilized in accordance with the agency's leave policies. Paid Parental Leave shall not be used prior to the Qualifying Event.

(i) Use of Leave for Adoptions or Foster Care Placements.

(1) When a child is given up for adoption or placed in foster care, from that point forward, the birth parent shall continue to be eligible for the paid parental leave listed in Subsection (d) or (e).

(2) When a prospective adoptive parent or foster parent expects an adoption or placement, but it does not occur, it does not produce paid parental leave under this Section. However, if the employee requires leave for bereavement, other available leave balances shall be utilized in accordance with the agency's leave policies.

(j) Miscarriage, Stillbirth, and Death After Childbirth

(1) When a fetus dies during the first twelve weeks of pregnancy, it is not a Qualifying Event for paid parental leave under this Section.

(2) When a fetus dies during or after the thirteenth week of pregnancy, but before childbirth:

(A) If the birth parent meets the eligibility requirements in Subsection (c) of this Section, the birth parent may receive the paid parental leave listed in Subsection (d) or (e) of this Section. This leave is eight weeks for a full-time eligible state employee.

(3) When a child dies after childbirth, each parent of the child who meets the eligibility requirements in Subsection (c) of this Section shall receive the full paid parental leave listed in Subsection (d) or (e). The paid parental leave will not be ended at the time of the child's death.

(A) If the birth parent meets the eligibility requirements in Subsection (c) of this Section, the birth parent may receive the paid parental leave listed in Subsection (d) or (e) of this Section. This leave is eight weeks for a full-time employee.

(4) In any of the situations above, if the employee requires leave for bereavement or recovery, other available leave balances shall be utilized in accordance with the agency's leave policies.

History Note: Authority G.S. 115D-D and G.S. 126-8.6;

Temporary Adoption Eff. July 1, 2023

Eff. May 1, 2025

SUBCHAPTER 300. EMPLOYMENT/HIRING PRACTICES

1C SBCCC 300.1 Presidential Selection Process

(a) Once a college presidential vacancy occurs or is anticipated, the board of trustees shall notify the System President and invite the System President or the System President's designee to meet with the board of trustees to discuss legal requirements and other procedural matters while also providing technical assistance to the board of trustees as needed.

(b) In the selection of the college president, the board of trustees shall, at minimum, consider general input from college and community stakeholders on the desired attributes of a college president and evaluate more than one candidate for the position. The State Board may waive this requirement at the request of the board of trustees if the State Board determines it is in the college's interest to do so.

(c) The board of trustees shall submit at least one candidate to the System President for review at least ten business days prior to the next regularly scheduled SBCC Personnel Committee meeting or at least ten business days prior to a special called SBCC Personnel Committee meeting.

(d) While completing the review process, the System President or the System President's designee shall confirm that the board of trustees completed a background check to include the following:

1) Social security number verification,
2) Criminal history check,
3) Civil litigation history check,
4) Education verification,
5) Employment verification, and
6) Personal credit history check.

(e) Upon completion of the review process, the System President shall present the name(s) of candidate(s) to the Personnel Committee of the SBCC for consideration and assessment.

(f) The State Board delegates authority to its Personnel Committee to consider and assess the candidates submitted by the System President. Following

consideration, assessment, and approval of the candidate(s), the Personnel Committee Chair of the SBCC or the SBCC Chair shall authorize the System President to communicate the Personnel Committee's or the SBCC's assessment to the board of trustees.

(g) The board of trustees shall proceed with the final election process and submit the board of trustees' final election to the SBCC for approval. The board of trustees shall submit the board's recommendation in writing to the System President at least five business days prior to the next meeting of the SBCC.

(h) The SBCC shall act upon the board of trustees' election at the SBCC's regularly scheduled or special called meeting following receipt of the local board's election unless delayed for cause as determined by the SBCC.

(i) The System Office shall convey in writing to the Chair of the board of trustees the SBCC's action on the board of trustees' election. The action of the SBCC is final.

(j) Until the SBCC votes to approve the final candidate and communicates its approval to a college, no college shall publicly communicate or publicly confirm or deny the name of the final candidate submitted to the SBCC for approval.

(k) No college shall execute a contract prior to SBCC action to approve the local board's presidential election without a provision specifying that the effective date of the contract is subject to the SBCC's approval of the presidential election.

History Note: Authority G.S. 115D-5 and 115D-20

Eff. October 1, 2018.

Amended Eff. September 1, 2024; February 1, 2020

1C SBCCC 300.2 Evaluation Of Presidents

(a) Methodology and Instrumentality. Each local board of trustees shall evaluate the performance of its president annually. The evaluation instrument and methodology shall be selected by the local board, but the evaluation shall, at a minimum, include the following categories:

1) General administration;
2) Relationships including:
    a. Internal relationships with faculty, staff, students, and trustees; and,
    b. External relationships with business and industry, the media, governmental bodies, and the general public;
3) Personal attributes;
4) Personnel administration;
5) Fiscal and facilities administration; and,
6) Academic administration.

(b) Reporting Requirements. Prior to June 30 of each year, each college board of trustees shall, in writing, notify the State Board of the following:

1) The time period for which its president was evaluated and the date the evaluation was completed;
2) Description of the methodology used for the evaluation;
3) Certification that the evaluation included a written assessment of the president's performance in each of the categories identified in Paragraph (a) of this Rule;
4) Certification that the full board received a copy and discussed the evaluation results and the results were discussed with the president;
5) Certification that the full board received a copy of and reviewed the president’s contract if the president has a contract;
6) A listing of board members in attendance at the meeting when the president’s evaluation was conducted; and

7) Certification that appropriate action, as defined by the local board, has been taken if the president's performance is less than satisfactory in any of the categories identified in Paragraph (a) of this Rule.

(c) If the president has a contract, local boards of trustees shall note in the meeting minutes that they have reviewed the president's contract.

History Note: Authority G.S. 115D-5; 115D-20;
Eff. September 1, 1993;
Amended Eff. October 1, 2018, October 1, 2006.
Eff. November 5, 2019.

1C SBCCC 300.3 Faculty Standards

(a) General

(1) Colleges shall employ faculty members consistent with the standards established by its institutional accrediting agency.

(2) Colleges shall determine appropriate teaching and non-teaching loads for faculty and for technical assistants to the faculty consistent with standards established by the college's institutional accrediting agency.

(3) The standards established by the college's institutional accrediting agency are hereby adopted by reference to apply to community colleges, including any subsequent amendments, editions, and associated guidelines

(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.

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.
Amended Eff. August 1, 2025; January 1, 2020.

1C SBCCC 300.4 Re-Employment Of Retired Persons

Retired persons may be re-employed in accordance with social security regulations, and policies regulating the State Employees' Retirement System.

History Note: Authority G.S. 115D-5; 115D-22; Eff.
February 1, 1976.
Eff. November 5, 2019.

1C SBCCC 300.5 Presidential Reelection Approval Process

(a) When a local board of trustees reelects its college president by the renewal or extension of an existing employment contract with its college president (the "Existing Presidential Contract"), such board of trustees shall request that the State Board of Community Colleges (SBCC) approve such reelection by taking the following actions:

1) The local board of trustees shall ensure that any motion to approve a proposed presidential contract renewal or extension notes that such reelection is contingent upon the approval of such reelection by the SBCC.
2) The Chair of the local board of trustees shall submit on college letterhead a letter of intent notifying the SBCC of its approval of a proposed presidential contract renewal or extension at least ninety (90) days prior to the expiration of the Existing Presidential Contract. The letter of intent shall include the following:
    a. The expiration date of the Existing Presidential Contract;
    b. The new expiration date resulting from the proposed presidential renewal or extension;
    c. Any contractual provision empowering the local board of trustees to renew or extend the Existing Presidential Contract and thereby enter into the proposed presidential contract renewal or extension;
    d. Any new contractual provision, or modification of any contractual provision allowing for the amendment of the Existing Presidential Contract, that allows for the Existing Presidential Contract's subsequent renewal or extension;
    e. An affirmation that the local board of trustees approved the proposed presidential contract renewal or extension at a properly noticed and scheduled meeting;
    f. An affirmation that the proposed presidential contract renewal or extension includes a clause conditioning its effectiveness upon

the approval of the reelection of the college president by the SBCC;

g. An affirmation that the local board of trustees has completed the college president's evaluation in compliance with 1C SBCCC 300.2;
h. An affirmation that the local board of trustees has complied with the requirements for sound fiscal management practices, as codified in 1A SBCCC 200.4; and
i. A request that the SBCC approve the reelection of the college president.

3) The SBCC may request additional materials or information from the local board of trustees as reasonably necessary to consider the approval of the reelection of the college president.

(b) If a local board of trustees reelects its college president but does not have an Existing Presidential Contract with such college president, such board of trustees shall request that the SBCC approve the reelection of such college president by taking the following actions:

1) The local board of trustees shall, at a properly noticed and scheduled meeting each calendar year, vote to request that the SBCC approve the reelection of such college president.
2) The local board of trustees shall ensure that any motion to approve such request notes that the reelection of such college president is contingent upon the approval of such reelection by the SBCC.
3) If the local board of trustees approves such request, the Chair of the local board of trustees shall submit on college letterhead a letter of intent notifying the SBCC of its request that the SBCC approve the reelection of the college president at least ninety (90) days prior to the end of such community college's fiscal year. The letter of intent shall include the following:
    a. Whether the local board of trustees is actively negotiating the terms of a future contract with such college president;

b. An affirmation that the local board of trustees approved the request to approve the reelection of the college president at a properly noticed and scheduled meeting;
c. An affirmation that the local board of trustees has taken substantial measures to memorialize any binding understandings between the board of trustees and the college president with respect to such college president's employment and a detailed description of such measures.
d. An affirmation that the local board of trustees has completed the college president's evaluation in compliance with 1C SBCCC 300.2; and
e. An affirmation that the local board of trustees has complied with the requirements for sound fiscal management practices, as codified in 1A SBCCC 200.4.

4) The SBCC may request additional materials or information from the local board of trustees as it may reasonably deem necessary to consider the approval of the reelection of the college president.

(c) Following the request of a local board of trustees that the SBCC approve the reelection of its college president, the SBCC shall take the following actions:

1) The SBCC shall add the approval of the reelection of such college president on the agenda for the regularly scheduled SBCC meeting following receipt of the local board's letter of intent; provided that, such letter of intent is received by the SBCC not less than five (5) business days prior to such meeting. The SBCC may delegate initial consideration of such letter of intent to its Personnel Committee.
2) Following the approval or denial of the approval of any college president's reelection by the SBCC, the System Office President or their designee shall convey the SBCC's decision in writing to the Chair of the local board of trustees within five (5) business days of such decision.

3) The decision of the SBCC to approve or deny the approval of the reelection of a college president is final; provided, however, that:
    a. nothing in this section may preclude the withdrawal of an approval request and resubmission thereof prior to a final decision by the SBCC (notwithstanding anything contained in this subsection, any resubmission of an approval request must comply with the requirements of this code provision as though it were a new approval request);
    b. nothing in this section may preclude the postponement of action by the SBCC on any approval request (notwithstanding anything contained in this subsection, the SBCC may not postpone action on any request to approve a reelection beyond the expiration of an Existing Presidential Contract under subsection (a) or the end of the applicable fiscal year under subsection (b)); and
    c. any decision by the SBCC not to approve a local board of trustees' request to approve the reelection of a college president or extend or renew such college president's contract shall have no effect on the enforceability of an Existing Presidential Contract (or the existing terms and conditions of employment in the absence of an Existing Presidential Contract), which will, in each case, remain in force in accordance with its terms.

(d) The SBCC shall not approve the reelection of a college president unless it has received a request to approve such college president's reelection from the applicable local board of trustees, in compliance with this Section.

(e) In consideration of the approval of the reelection of a college president, it shall be the intent of the SBCC to ensure that such decision is properly supported by the materials submitted to the SBCC. It shall not be the intent of the SBCC to substitute its judgment for that of the local board of trustees in such local board of trustees' reelection of its college president.

History Note: Authority G.S. 115D-5 and 115D-20.

Eff. August 1, 2024

1C SBCCC 300.96 Administrative

REPEALED by the State Board of Community Colleges, eff. 1 January 2020.

History Note: Authority G.S. 115D-1; 115D-2; 115D-5;
Eff. February 1, 1976;
Amended Eff. August 17, 1981; September 30, 1977.
Repealed Eff: January 1, 2020.

SUBCHAPTER 400. SALARIES AND BENEFITS

1C SBCCC 400.1 Definitions

The following definitions apply to this subchapter:

(a) Base Salary" – A fixed amount or a rate of compensation paid to an employee for work performed, excluding benefits and any other payments or allowances, such as longevity and bonuses.

(b) "Bonus Pay" – A lump sum payment provided to employees, excluding longevity pay. Compensation provided to an employee for work in addition to the employee's normal duties is not considered "bonus" pay

(c) "Longevity Pay" – A lump sum payment provided to recognize long-term State service, as provided by 1C SBCCC 400.8.

History Note: Authority G.S. 115D-5;
Eff. October 1, 2018.

1C SBCCC 400.2 College President Salaries

(a) Upon hire and each fiscal year thereafter, the college board of trustees shall set the college president's salary, consistent with the parameters set forth in this rule.

(b) The college board of trustees shall pay the college president a base salary from State funds consistent with the following provisions:

1) The State Board shall adopt State salary grades for college presidents that are based on institutional size. The System President shall determine annually the proper salary grade for the president of each college based on its institutional size. Institutional size is defined as the sum of:

    a. The higher of the number of curriculum budget FTE as defined 1G SBCCC 100.1(4) for the prior reporting year or the average of the number of curriculum budget FTE for the prior two reporting years;

    b. The higher of the number of continuing education budget FTE as defined by 1G SBCCC 100.1(4) for the prior reporting year or the average of the number of continuing education budget FTE for the prior two reporting years; and

    c. The higher of the number of curriculum and continuing education non-budget annual FTE for the prior reporting year or the average of the number of curriculum and continuing education non-budget annual FTE for the prior two reporting years.

2) For each salary grade, the State Board shall adopt a salary that all presidents assigned to that grade shall be paid from State funds, except as provided by provision (b)(3). The State Board shall adjust the prescribed salary for each grade annually consistent with legislative action.

3) If the salary paid from State funds to a college president in FY 2012-13 exceeds the salary adopted by the State Board for that college's salary grade, the State Board shall allocate from State funds an amount that equals his or her FY 2012- 13 salary supported from State funds adjusted for any subsequent legislative salary adjustment enacted into law by the General Assembly until such time that the president separates from that college.

(c) Boards of trustees shall pay an acting or interim president from State funds an amount equal to the salary prescribed by the State Board for that college's salary grade.

(d) Boards of trustees shall not provide bonus pay to the college president using State funds unless authorized by the General Assembly.

(e) Boards of trustees may supplement the base salary paid from State funds for permanent, acting, or interim college presidents, using non-State funds, if not prohibited by the non-State fund source. The supplement may be in the form of supplemental base salary or bonus pay.

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

Eff. October 1, 2018

1C SBCCC 400.3 College Employee Rates of Pay

(a) The State Board shall adopt a minimum and maximum base salary amount of State funds which may be paid to any individual working in a college. The State Board shall also adopt minimum salaries for curriculum faculty based on educational level.

(b) The college president shall establish the rate of pay for college employees consistent with the college's local human resources policy required by 1C SBCCC 200.94, the parameters established by the State Board in subsection (a) of this rule, and any applicable legislation enacted by the General Assembly.

(c) Salary increases shall be granted consistent with local policy and the requirements set forth by the General Assembly.

(d) Colleges shall not provide bonus pay to college employees using State funds unless authorized by the General Assembly.

(e) Colleges may supplement the base salary paid from State funds for college employees using non-State funds, if not prohibited by the non-State fund source. The supplement may be in the form of supplemental base salary or bonus pay.

History Note: Authority G.S. 115D-5;
Eff. October 1, 2018
Amended Eff. June 1, 2019.

1C SBCCC 400.4 Reporting Of College Employee Salaries

Colleges shall certify and report annually to the System Office information about college employee pay as of the prescribed reporting date and in the format prescribed by the System Office.

History Note: Authority G.S. 115D-5;
Eff. October 1, 2018

1C SBCCC 400.5 Contract Buy Outs

(a) Boards of trustees shall not use state funds to buy out contracts, unless required by a court of competent jurisdiction. The parties entering into a contract are responsible for implementing the contract. Therefore, should it become necessary to terminate employment prior to the expiration of a contract and if it is necessary to buy out the contract, such payment shall not be paid from state funds.

(b) For an employee who is separated from the college for unsatisfactory job performance, a college may provide up to two weeks' pay from the same funding source as the employee's base salary in lieu of notice. Such pay in lieu of notice is applicable only to dismissals or non-renewals for unsatisfactory job performance.

(c) An individual in a state-funded position whose employment is terminated prior to the expiration of a contract may not be re-employed by the college to offset the lost wages which the employee would have received under the contract. Colleges shall make all efforts to prevent terminations which require buying out contracts.

(d) If an individual whose employment contract has been terminated enters into another employment agreement with the college, such employment shall be for a salary commensurate with the services being performed. Such employment shall not be to provide the employee the same level of compensation he or she would have received under the former contract.

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

Eff. October 1, 2018

1C SBCCC 400.6 Educational Leave With Pay

(a) The term "educational leave" means the release from duties or time normally required of a full-time employee in carrying out the full load of responsibilities assigned to further his education.

(b) Each local board of trustees shall adopt an educational leave policy for employees. State funds may be used to pay employee salaries while they are on educational leave if the following criteria are incorporated in the local board of trustees' policy:

1) The employee is employed full-time on a 9-, 10-, 11-, or 12-month basis.
2) The employee shall be under contract to the college for the next fiscal year.
3) Educational leave shall not exceed one semester per fiscal year.
4) An employee who fails to honor the contract stipulated in Subparagraph (b)(2) of this Rule shall be required to repay the amount expended for the educational leave. If the employee fulfills a portion of the contract before failing to honor the contract, repayment shall be based on a pro-rata portion (e.g., if an employee works 4 months of a 12-month contract, a repayment of 66.7 percent of the educational leave would be required).

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

Eff. October 1, 2018.

1C SBCCC 400.7 Military Leave

(a) The rules concerning military leave, codified in Title 25 of the North Carolina Administrative Code, Subchapter 1E, Section .0800 are hereby incorporated by reference including any subsequent amendments and editions of these rules to apply to community college system employees.

History Note: Authority G.S. 115D-5;
Eff. October 1, 2018

1C SBCCC 400.8 Longevity Pay Plan For College Personnel

(a) Employees of institutions in the community college system assigned to permanent fulltime or permanent -part-time- positions shall receive longevity pay if the employees meet the requirements of total qualifying service set forth in this Rule.

(b) Total service for the longevity pay plan is based on a month-for-month-computation of permanent fulltime and permanent -part-time- (20 hours or more, but less than full-time) employment with:

1) An institution in the community college system or a school administrative unit regardless of the source of salary and including state, local or other paid employment.
    a. Employment for a school year is equivalent to one full calendar year (credit for a partial year is given on a month-for-month-basis).
    b. In no event will an employee earn more than a year of total service credit in a 12-month period.
    c. If an employee is in pay status (working, exhausting vacation or sick leave, or when on workers' compensation leave or is on authorized military leave) for one-half or more of the regularly scheduled workdays in a month, credit shall be given for the entire month.
2) Departments, agencies, and institutions of the State of North Carolina, (e.g., Department of Administration, Department of Revenue, University of North Carolina, Department of Community Colleges, Department of Public Instruction).
3) Other governmental units which are now agencies of the State of North Carolina (e.g., county highway maintenance forces, War Manpower Commission, judicial system).
4) County agricultural extension service.

5) Local mental health, public health, social services or civil preparedness agencies in North Carolina, if such employment is subject to the Office of State Human Resources Act.
6) Authorized military leave.
    a. Credit for military leave is granted only for persons who were employees of the State of North Carolina or other agencies listed in Paragraph (b) of this Rule who were granted leave without pay:
        i. for a period of involuntary service plus 90 days or for a period of voluntary enlistment for up to four years, plus 90 days, so long as they returned to employment in a covered agency within the 90 days; or
        ii. for a period of active duty for service, alerts, or required annual training while in the National Guard or in a military reserve program.
    b. Employees who enlist for more than four years or who re-enlist shall not be eligible for military leave.
    c. Employees hospitalized for a service connected- disability or injury shall be granted additional leave without pay for the period of hospitalization plus 90 days or for 12 months, whichever is shorter. The hospitalization must commence before reinstatement into qualifying service for the provisions of this part to apply.

(c) Total service for the longevity pay plan does not include:
1) Temporary service, that is, service by an employee who works in a temporary position, or who is working temporarily in the absence of a permanent employee on leave of absence, except that temporary service of employees of the General Assembly will be counted and the full legislative terms of the members. Service of legislative interns and pages will not be counted.

2) Periods of out-of-state employment with other states, schools, colleges or universities.
3) of employment with agencies of the federal government.
4) Periods of military service other than those categories described in Subparagraph (b)(6) of this Rule.
5) Periods of employment for employers other than the State of North Carolina even though credit in the North Carolina retirement system has been purchased for such employment.

(d) An employee assigned to a permanent fulltime or permanent part-time-position is eligible for longevity pay only after the date the employee has completed ten years of total service with a community college, a school administrative unit or an agency.

(e) Annual longevity pay amounts are based on the length of total service to agencies, community colleges, and school administrative units as designated in Paragraph (b) of this Rule and a percentage of the employee's annual rate of pay on the date of eligibility.

1) Longevity pay amounts are computed by multiplying the employee's annual base or contract salary rate as of the eligibility date by the appropriate percentage, rounded to the nearest dollar, in accordance with the following table:

Years of Total State Service	Longevity Pay Rate
10 but less than 15 years	1.50%
15 but less than 20 years	2.25%
20 but less than 25 years	3.25%
25 or more years	4.50%

2) Longevity pay is not considered a part of annual base or contract salary or is it to be represented in personnel and payroll records as a part of annual base or contract salary. (Salary increases effective on the same date as the longevity eligibility date shall be incorporated in the base salary before computing longevity).

(f) The payment of longevity pay to eligible employees is automatic. Payment shall be made in a lump sum, subject to all statutory deductions, durin g the monthly pay period in which the employee has satisfied all eligibility requirements.

1) Eligible employees on worker's compensation leave shall receive longevity payment in the same manner as if they were working.
2) If an employee retires, resigns, dies, or is otherwise separated on or after the date of becoming eligible for a longevity payment, the full payment shall be made to the employee or to the estate of the employee in case of death.
3) If, on the effective date of this policy, an employee has completed the qualifying length of service but is between eligibility dates, longevity payment will be made on the next longevity anniversary date.
4) If the employee has worked part but not all of one year since qualifying for longevity payment, the employee shall receive a pro-rata- payment in the event of:
    a. Separation from the institution;
    b. Change in employment status to temporary part-time, or to a position not covered in this policy.
5) If an employee separates from a community college and receives a partial longevity payment and is employed by another community college, school administrative unit, or state agency, the balance of the longevity payment shall be made upon completion of additional service totaling 12 months for an employee having a 12-month period of employment, or upon completion of a lesser term for an eligible employee on less than a 12-month period of employment. The balance due is computed on the annual or contract salary being paid at the completion of the requirement.
6) If an eligible employee at the time of separation has a fraction of a year toward the next higher percentage rate, payment shall be based on the

higher rate; however, the basic eligibility for longevity requirement must have been satisfied before this provision can apply.

7) Leave without pay in excess of one-half the work days in a month (with the exception of authorized military leave and worker's compensation leave) will delay the longevity anniversary date on a month-for-month basis.

(g) Boards of trustees shall pay longevity pay from the same source of funds and in the same pro-rata- amounts from which the employee's regular annual salary is paid (e.g. state, federal, local funds). If boards of trustees want to provide longevity payments in excess of the amounts provided for by subsection (e)(1), such payments may not be supported with state funds as defined by 1H SBCCC100.1.

(h) The president of each community college shall:

1) Determine the quantity of qualifying service and the longevity anniversary date for each eligible employee.
2) Furnish to the State Board, in format prescribed by the System Office, data necessary for a determination of the cost of the longevity pay plan from state funds.

(i) The President of the Community College System shall determine the total cost of the longevity pay plan from data submitted by each community college. If funds are not adequate to pay longevity rates established under this Rule, the President of the Community College System shall submit a budget revision to the State Budget Officer requesting additional funds from other available sources within State Aid.

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

Eff. October 1, 2018.

1C SBCCC 400.9 Employee Meritorious Service Awards

Colleges are authorized to establish employee meritorious service award programs. To express appreciation to their valued employees, colleges may adopt a policy of recognizing continued dedicated service through a program of service awards. The program shall provide:

(a) Management a tool to recognize ongoing employee dedication and a means to reinforce, acknowledge and retain employee commitment at critical milestones.

(b) Recognition of employees' service in increments of five years through retirement. A college may define "service" as total service, as defined in 1C SBCCC 400.8(b), or college service.

(c) Service awards to employees reaching each five-year milestone. Employee service awards may be purchased through the State of North Carolina Service Awards: Excellence in Service Program or the college may purchase awards of comparable value.

(d) The purchasing of awards is dependent upon availability of funds to finance the program. Boards of trustees may use State (see 1H SBCCC 200.8) or non-State funds, if authorized by the non-State fund source, to purchase the awards.

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

Eff. October 1, 2018.

1C SBCCC 400.10 Payroll Deductions

Colleges are authorized to establish voluntary payroll deduction plans for the following:

(a) Premiums for any type of group insurance established and authorized by the laws of the state;

(b) Amounts authorized by members of the State Employee's Credit Union and local teacher's credit union to be deposited with such organizations;

(c) Loans made to employees by credit unions;

(d) Charitable organizations as defined in Section 501(c) (3) of the Internal Revenue Code approved by the local board of trustees, subject to rules and regulations adopted by the director of budget;

(e) Dues for domiciled employees' associations, as provided in G.S. 143B-426.40A(g);

(f) Contributions to deferred compensation plans authorized by G.S. 143B-426.24;

(g) Contributions to the Parental Savings Trust Fund established by G.S. 116-209.25; and

(h) Amounts due to the college, such as parking fees, and fees for childcare services. The college's finance officer is also authorized to enter into annual contracts, with employees of the college, which authorize the reduction of salaries to provide for the purchase of annuity or retirement income contracts provided that such action has been approved by the board of trustees and otherwise conforms to the provisions of G.S. 115D-25.

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

Eff. October 1, 2018.

1C SBCCC 400.11 Leave Payouts

Colleges may pay full-time employees for a maximum of 240 hours of unused annual leave (prorated for part-time employees) plus any unused special leave authorized by the General Assembly that has a cash value and does not expire.

History Note: Authority G.S. 115D-5;
Eff. October 1, 2018
Amended Eff. September 01, 2019

1C SBCCC 400.94 Establishing Pay Rates

REPEALED by the State Board of Community Colleges, eff. October 1, 2018.

History Note: Authority G.S. 115D-5; 115D-54; S.L. 2005-276;
Eff. February 1, 1976;
Amended Eff. March 1, 2007; December 1, 2004; September 1, 1993;
December 1, 1989; July 1, 1984; August 1, 1981.
Repeal Eff. October 1, 2018.

1C SBCCC 400.95 Contract Buy Outs

REPEALED by the State Board of Community Colleges, eff. October 1, 2018.

History Note: Authority G.S. 115D-5; 115D-20;
Eff. December 1, 1995.
Repeal Eff. October 1, 2018.

1C SBCCC 400.96 Educational Leave With Pay

REPEALED by the State Board of Community Colleges, eff. October 1, 2018.

History Note: Authority G.S. 115D-5; 115D-20; 115D-31; S.L. 1995, c. 625;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; August 17, 1981; January 6, 1978;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. July 1, 1998.
Repeal Eff. October 1, 2018.

1C SBCCC 400.97 Military Leave

REPEALED by the State Board of Community Colleges, eff. October 1, 2018.

History Note: Authority G.S. 115D-5; 127A-116; 150B-21.6;
Eff. February 1, 1976;
Amended Eff. March 1, 1997; September 1, 1993; August 17, 1981.
Repeal Eff. October 1, 2018.

1C SBCCC 400.98 Longevity Pay Plan For College Personnel

REPEALED by the State Board of Community Colleges, eff. October 1, 2018.

History Note: Legislative Objection Lodged Eff. October 10, 1980;
Legislative Objection Removed Eff. November 20, 1980;
Filed as an Emergency Amendment Eff. July 7, 1980 for a period of 120 days to expire on November 5, 1980; Authority G.S. 115D-5; S.L. 1979, ch. 1137, s. 21;
Eff. September 15, 1977;Emergency Amendment
Expired Eff. November 5, 1980;
Amended Eff. June 1, 1991; August 1, 1983; July 1, 1981; November 6, 1980.
Repeal Eff. October 1, 2018.

1C SBCCC 400.99 Payroll Deductions

REPEALED by the State Board of Community Colleges, eff. October 1, 2018.

History Note: Authority G.S. 115D-5; 115D-22; 115D-25; 143-3.3; 143-304;
Eff. February 1, 1976;
Amended Eff. August 1, 1983; August 17, 1981; January 6, 1978.
Repeal Eff. October 1, 2018.

CHAPTER D. EDUCATION PROGRAMS

SUBCHAPTER 100. DEFINITIONS

1D SBCCC 100.1 Reserved For Future Codification

SUBCHAPTER 200. BASIC SKILLS

1D SBCCC 200.1 Basic Skills Definitions

Reserved for Future Codification

1D SBCCC 200.2 Enrollment/Eligibility Requirements

Reserved for Future Codification

1D SBCCC 200.3 Program Classification

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

(a) Curriculum Programs:

1) A curriculum program is an organized sequence of courses leading to an associate degree, a diploma, or a certificate. All curriculum programs are designed to provide education, training, or retraining for the work force.
    a. Associate degree programs are planned programs of study culminating in an associate in applied science, associate in arts, associate in fine arts, associate in science, or associate in general education degree.
        i. The associate in applied science degree programs are designed to prepare individuals for employment. These programs involve the application of scientific principles in research, design, development, production, distribution, or service.
        ii. The associate in arts, associate in science, and associate in fine arts degree programs are designed to prepare students for transfer at the junior level to institutions offering baccalaureate degrees.
        iii. The associate in general education degree programs are designed for students who desire a general liberal arts education.
    b. The diploma programs are designed to provide entry-level employment training. A diploma program may be a stand-alone curriculum program title, or a college may award a diploma under the college's associate in applied science degree curriculum program for a series of

courses taken from the program of study and structured so that a student may complete additional non-duplicative coursework to receive an associate in applied science degree.

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

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

(b) Continuing Education Programs:

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

2) Community Service:

a. Community Service courses consist of single courses, each complete in itself, hat focus on an individual's personal or leisure needs rather than occupational or professional employment.

b. The cultural and civic, and visiting artist component of this program meets community needs through lecture and

concert series, art shows, the use of college facilities by community groups, providing speakers to community organizations, and providing visiting artist activities for college communities. Visiting artists may be provided an opportunity to work as artists in residence to enhance local arts resources and promote the various visual, performing and literary arts in communities throughout North Carolina.

3) Self-Supporting Programs:
    a. A self-supporting course is not reported to the state for budget FTE since the cost of conducting the course is paid by students enrolled.
    b. Recreational programs are self-supporting courses which the college may provide at the request of the community but for which the college receives no budgetary credit. Funds appropriated as operating expenses for allocation to the colleges shall not be used to support recreation courses. The financing of these courses by a college shall be on a self-supporting basis, and membership hours produced from these activities shall not be counted when computing full-time equivalent students for use in budget-funding formulas at the state level.
4) Basic Skills Programs. The State Board and the community college system shall encourage persons to complete high school rather than seek testing for the High School Diploma Equivalency.
    a. High School Equivalency programs consist of classroom instruction, learning laboratory courses, or a combination of activities designed to qualify a student for an adult high school diploma. An Agreement of Affiliation with a local public school system is required for minors sixteen or

seventeen years old. No agreement is required for adults eighteen years old and older.

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

c. The Adult Basic Education (ABE) program is designed for adults who are functioning at or below the eighth grade educational level. The major objectives of the program are to enable adults to acquire the basic educational skills necessary to be fully competent in our society, to improve their ability to benefit from occupational training and to have greater opportunities for more productive and

profitable employment, and to meet their own objectives for enrolling in the program. Classes are offered and focus on fundamental skills such as reading, writing, speaking, computing, critical thinking, and problem solving.

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

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

5) Customized Training Program.

a. The Customized Training Program addresses company-specific training customized for job growth, technology investment, or productivity enhancement. Based on needs specified in G.S. 115D-5.1, Customized Training Programs shall address job-specific training.

b. The Small Business Center program provides training, counseling and referral services especially designed in content and delivery modes for small businesses, both existing and prospective.

6) The Human Resources Development (HRD) program provides skill assessment services, employability skills training, and career development counseling to unemployed and underemployed adults. These courses shall address six core components as follows:
    a. assessment of an individual's assets and limitations;
    b. development of a positive self-concept;
    c. development of employability skills;
    d. development of communication skills;
    e. development of problem-solving skills; and
    f. awareness of the impact of information technology in the workplace.
7) The Learning Laboratory programs consist of self-instruction using programmed texts, audio visual equipment, and other self-instructional materials. A learning laboratory coordinator has the function of bringing the instructional media and the student together on the basis of objective and subjective evaluation and of counseling, supervising, and encouraging persons working in the lab.

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

1D SBCCC 200.93 Faculty

(a) General

(1) Colleges shall employ faculty members who meet the established criteria aligned with the institutional accrediting agency.

(2) Colleges shall determine appropriate teaching and non-teaching loads for faculty and for technical assistants to the faculty to meet the established criteria of the institutional accrediting agency.

(3) The principles and standards from the institutional accrediting agencies in accordance with North Carolina law are hereby adopted for reference.

(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.

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

Eff. February 1, 1976;

Amended Eff. August 1, 2025; March 1, 2007; July 1, 1998; September 1, 1993; August 17, 1981; September 30, 1977.

1D SBCCC 200.94 Basic Skills Plan

Reserved for Future Codification

1D SBCCC 200.95 Education Services For Minors

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

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

1) If the minor, 16 years old or older, has officially withdrawn from a public or private educational agency within the last six months, a college may admit the minor to a Basic Skills or Continuing Education program if the minor obtains a signed official withdrawal form from the local public or private educational agency and a notarized petition of the minor's parent, legal guardian, or other person or agency having legal custody and control. The petition shall certify the minor's residence, date of birth, date of leaving school, name of last school attended, and the petitioner's legal relationship to the minor.
2) If the minor, 16 years old or older, has officially withdrawn from a public or private educational agency for at least six months, a college may admit the minor to a Basic Skills or Continuing Education program without the release form from the public or private educational agency. However, the minor must obtain a notarized petition of the minor's parent, legal guardian, or other person or agency having legal custody and control. The petition shall certify the minor's residence, date of birth, date of leaving school, name of last school attended, and the petitioner's legal relationship to the minor.

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

History Note: Authority G.S. 115D-1; 115D-5; 115D-20; S.L. 1995, c. 625; S.L. 2009- 451, s. 7.10(j);
Eff. January 1, 1987;
Amended Eff. September 1, 1993; Temporary Amendment Eff. June 1, 1997; Amended Eff. July 1, 1998;
Temporary Amendment Eff. August 22, 2001; Amended Eff. April 1, 2010, April 1, 2003. Amended Eff. June 1, 2020.

1D SBCCC 200.96 Assessment Procedures

Reserved for Future Codification

1D SBCCC 200.97 Program Monitoring

Reserved for Future Codification

1D SBCCC 200.98 Basic Skills Plus

Reserved for Future Codification

1D SBCCC 200.99 Drivers' Eligibility Certificate

(a) Local Boards of Trustees shall be responsible for the issuance of driving eligibility certificates, the timely reporting of dropouts and students unable to make progress toward graduation, and the provision of grievance procedures associated with the issuance of driving eligibility certificates. Local Boards of Trustees shall provide a program which meets the following requirements:

(1) The president or the president’s designee shall issue a driving eligibility certificate if it is determined that:

(A) The student seeking the certificate is currently enrolled in a basic skills program and is making progress toward obtaining a high school diploma or its equivalent. Making progress toward obtaining a high school diploma for a person enrolled in a community college basic skills program is defined as:

(i) Attending a basic skills class a minimum of sixty hours per month for a period of six consecutive months; and

(I) Demonstrating progress in basic skills at the end of each six-month period by passing a minimum of two high school equivalency subtests.

(II) Demonstrating progress in Adult High School at the end of each six-month period by passing a minimum of two Adult High School courses.

(III) Demonstrating progress in basic skills courses or English as a Second Language courses at the end of each six-month period by one of the following: increase scores on each subsequent standardized test or make progress as documented by teacher assessment.

(ii) If a student does not meet the criteria for making progress and attendance during any month, the president or the president's designee shall notify the Division of Motor

Vehicles the following month that the student no longer meets the requirements for the driving eligibility certificate.

(B) A substantial hardship would be placed on the person seeking the certificate or the person's family if the person does not receive the certificate. Examples of a substantial hardship include:

(i) A parent's inability to drive due to sickness or other impairment and the student is the only person of driving age in the household.

(ii) The student requires transportation to and from a job that is necessary to the welfare of his family and is unable by any other means to do so.

(C) The person seeking the certificate cannot make progress toward obtaining a high school diploma or its equivalent. The president or the president’s designee shall determine, along with input from other basic skills staff, if a student is unable to make progress toward obtaining a high school diploma or its equivalent.

(2) The president or the president’s designee shall not issue a driving eligibility certificate if it is determined that either after the first day of July before the school year which the student enrolled in the eighth grade or after the student's fourteenth birthday, whichever event occurred first, the student was subjected to disciplinary action as defined in this Subparagraph for any of the enumerated conduct as defined in this Subparagraph. Disciplinary action is defined as:

(A) An expulsion;

(B) Suspension for more than ten consecutive days; or

(C) An assignment to an alternative educational setting for more than ten consecutive days, which resulted from any of the enumerated conduct. Enumerated conduct is defined as:

(i) The possession or sale of an alcoholic beverage or an illegal Controlled substance on school property.

(ii) The possession or use on school property of a weapon or firearm that resulted in disciplinary action under G.S. 115C-391(d1), or that could have resulted in that disciplinary action if the conduct had occurred in a public school.

(iii) The physical assault on a teacher or other school personnel on school property.

(3) A student who was ineligible for a certificate under Subparagraph (a)(2) of this Rule, is eligible for a certificate when the president or president's designee determines that the student has exhausted all administrative appeals connected to the disciplinary action and that one of the following conditions is met:

(A) The conduct which resulted in the disciplinary action occurred before the student reached the age of 15, and the student is now at least 16 years old.

(B) The conduct which resulted in the disciplinary action occurred before the student reached the age of 15, and at least one year has passed since the student exhausted all administrative appeals connected to the disciplinary action.

(C) The student needs the certificate to drive to and from school, a drug or alcohol treatment counseling program, or a mental health treatment program, and no other transportation is available.

(4) A student who was ineligible for a certificate under Subparagraph (a)(2) of this Rule may otherwise be eligible for a certificate if, after six months from the date of the ineligibility, the president or the president's designee determines that:

(A) The student has displayed exemplary behavior; or

(B) The ineligibility was based on a disciplinary action for the possession or sale of an alcoholic beverage or a controlled substance on school property and the president or the president’s designee determines that the student has attended and successfully completed a drug or alcohol treatment program.

(i) Exemplary behavior is defined as the student having no further incidents of misconduct where expulsion, suspension, or an assignment to an alternative educational setting is required.

(ii) Attending and successfully completing a drug or alcohol treatment program is defined as a minimum of 12 hours of drug or alcohol treatment counseling or a mental health treatment program. In addition, the treatment counseling program shall have a strong parental involvement focus.

(b) Any person denied a driving eligibility certificate may appeal that decision through the college's student grievance procedure.

(c) The president or the president's designee shall notify the Division of Motor Vehicles when a student is no longer exhibiting exemplary behavior or attending and successfully completing a drug or alcohol treatment program as determined above, or when a student officially drops out of school. The president's designee shall be the Basic Skills Director.

(1) The State Board shall provide the Basic Skills Director with a form for students to provide their written irrevocable consent for a community college to disclose to the Division of Motor Vehicles that the student no longer meets the conditions for a driving eligibility certificate under subparagraphs (a)(1) through (a)(4) of this Rule.

(2) This form shall only identify the student, and under which Subsection of this Rule the student is no longer eligible. No other details or information concerning the students' school record shall be released pursuant to this request.

History Note: Authority G.S. 115D-5(a3);
Eff. August 1, 2001.
Amended Eff. November 1, 2025

SUBCHAPTER 300. CONTINUING EDUCATION

1D SBCCC 300.1 Definitions

(a) “Continuing Education” – Continuing Education programs provide education and training opportunities for targeted audiences. Courses are non-credit, short-term, and are offered in a variety of instructional delivery modes and locations. For the purpose of this subchapter, “Continuing Education” refers to the following programs: Workforce Continuing Education Training, Human Resources Development, and Community Service.

(b) “Course” – Refers to the list of approved courses in the Combined Course Library maintained by the North Carolina Community College System Office.

(c) “Class” - An individual course section or unit of instruction with a specific date and time duration.

(d) “Register” – To complete the procedure defined by the college to sign up for a course section.

History Note: Authority G.S. 115D-5;
Eff. June 1, 2016.

1D SBCCC 300.2 Registration

(a) Registration. Each college shall maintain an open-door registration process for individuals who are either high school graduates or are at least 18 years of age. Officials of each college shall make student registration determinations.

1) Safety Exceptions. Boards of trustees may adopt policies refusing registration to any individual if it is necessary to protect the health or safety of the individual or other individuals. When making a health and safety determination, colleges may refuse registration to an applicant when there is an articulable, imminent, and significant threat to the individual or other individuals. Colleges refusing registration on the basis of a health or safety threat shall document the following:
    a. Detailed facts supporting the rationale for denying registration;
    b. The time period within which the refusal to register shall be applicable and the supporting rationale for the designated time period; and
    c. The conditions upon which the individual who is refused registration would be eligible to be registered.

History Note: Authority G.S. 115D-5;
Eff. June 1, 2016.

1D SBCCC 300.3 Program Description

(a) Workforce Continuing Education Training. Workforce Continuing Education Training programs are designed to provide instructional opportunities for individuals seeking to gain new or upgrade current job-related skills. Programs can be delivered as a single course or bundled as a series of courses that provide instruction around skill competencies that lead to a recognized credential (licensure, certification, renewal, registry listing) or meets local workforce labor needs.

(b) Human Resources Development. The Human Resources Development (HRD) program provides skill assessment services, employability skills training, and career development counseling to unemployed and underemployed adults. Each college shall operate a Human Resources Development (HRD) program to provide assessment services, employability training, and career development counseling to unemployed and underemployed individuals. These courses shall address six core components:

1) Assessment of an individual's assets and limitations;
2) Development of a positive self-concept;
3) Development of employability skills;
4) Development of communication skills;
5) Development of problem-solving skills; and
6) Awareness of the impact of information technology in the workplace.

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

History Note: Authority G.S. 115D-5;
Eff. June 1, 2016.

1D SBCCC 300.4 Program Management

(a) Program Accountability.

1) Each college's local board of trustees shall adopt a Continuing Education Accountability and Integrity Plan. At a minimum, the Continuing Education Accountability and Integrity Plan shall define a system of checks and balances to prevent and detect errors or irregularities when reporting hours for FTE purposes and establish a framework for defining program quality and improvement procedures.
2) Each college shall adopt a class visitation plan as part of the Continuing Education Accountability and Integrity Plan as referenced in 1G SBCCC 400.3(c)(2). At a minimum, class visitation plans shall include the following:
    a. Course sections offered with waiver eligibility;
    b. Course sections delivered through distance learning technologies;
    c. Course sections held at non-college facilities;
    d. Course sections with irregular or non-traditional schedules; and (E) Visitation plans must define frequency visits by reporting term
3) The local board of trustees shall review the Continuing Education Accountability and Integrity Plan at least once every three years from the date the local board of trustees adopts the Continuing Education Accountability and Integrity Plan.
4) Colleges shall submit a copy of the Continuing Education Accountability and Integrity Plan, including amendments, to the Continuing Education Department at the System Office upon adoption.

(b) Faculty. Colleges shall employ faculty so as to meet Southern Association of Colleges and Schools Commission on Colleges' (SACSCOC) criteria and local college policies. All faculty providing instruction in programs with external agency oversight must be a qualified instructor as established by the respective agency or certifying entity.

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

1) Minors Age 16 and 17. A minor, age 16 or 17, may enroll in Continuing Education course sections subject to the following conditions:
    a. Minors shall not displace adults.
    b. Minors shall pay the registration fees associated with the course section except for cases where they meet eligibility requirements for a fee waiver.
    c. If the minor is enrolled in high school, the following restrictions apply:
        i. Colleges shall not designate Continuing Education course sections taken by the high school student to provide partial or full credit towards meeting high school graduation requirements.
        ii. Colleges shall not offer Continuing Education course sections that are specifically scheduled for high school students except:
            A. Course sections that are part of an approved Workforce Continuing Education Career and College Promise Pathway (1D SBCCC 300.4(c)(1)(D).
            B. Self-supporting course sections.
    d. Workforce Continuing Education Career and College Promise – The purpose of Workforce Continuing Education Career and College Promise Pathways are to offer structured opportunities for qualified high school students, as determined by the high

school principal or the high school principal's designee and the college's senior continuing education administrator, the chief student development administrator or the college's chief academic officer, to dually enroll in community college courses that provide pathways that lead to a State or industry-recognized credential. Career and College Promise rules applicable to curriculum programs are provided in 1D SBCCC 400.11.

i. Career and College Promise is a dual enrollment program for eligible North Carolina high school students. Community colleges may collaborate with local administrative units to offer courses through a Workforce Continuing Education pathway approved by the Continuing Education staff of the System Office.
ii. All non-self-support continuing education courses taken by high school students at community colleges in accordance with this Section are registration fee waived.
iii. High school students may not audit courses offered under the Career and College Promise Program.
iv. A college shall submit a Workforce Continuing Education Pathway application for each Career and College Promise program the college plans to offer to the North Carolina Community College System Office using course codes provided by the North Carolina Community College System Office.
    A. The North Carolina Community College System Office assigned Workforce Continuing Education staff shall approve Workforce Continuing Education Pathways before students may enroll.
    B. Within the Workforce Continuing Education Pathway, a college shall verify its capacity to teach all course sections in the pathway.

C. Students enrolled in Adult Basic Education or Adult Secondary Education are not eligible for Career and College Promise.

v. High school students shall complete college registration documents and provide a high school transcript which demonstrates eligibility to enroll in Career and College Promise as outlined in 1D SBCCC 300.4(c)(1)(D)(ix) to be admitted into a Workforce Continuing Education Career and College Promise pathway.
   A. The high school shall provide signed and dated documentation from the high school principal or high school principal's designee providing that the eligibility requirements for enrollment in Career and College Promise have been met.
   B. Colleges shall verify eligibility prior to enrollment of the student in the Career and College Promise pathway.
   C. Colleges shall maintain verification of student eligibility for Career and College Promise pathways.

vi. Colleges shall assign student codes provided by the North Carolina Community College System Office and shall update the student code to reflect when the student transitions out of the Career and College Promise program and is no longer provided registration fee-waiver status.

vii. Colleges shall comply with 1D SBCCC 300.6(a) regarding Level I Instructional Service Agreements when providing courses to Career and College Promise students outside of the college's service area.

viii. High school students who delay graduation to continue eligibility for the Career and College Promise program shall not be eligible to participate in the Career and College Promise program.

ix. Workforce Continuing Education Pathway

A. To be eligible for registration in a Workforce Continuing Education Pathway, a high school student shall:

I. Be a high school junior or senior as designated by the local education agency;

II. Have an unweighted GPA of 2.8 on high school courses or have the recommendation of the high school principal or the high school principal's designee; and

III. Have received career pathway information outlining program requirements for completion of the pathway.

A. To maintain eligibility for continued registration, a student shall:

I. Continue to make progress toward high school graduation as outlined in G.S. 115C-105.35, and

II. Continue to make progress toward successful completion of the Workforce Continuing Education pathway as defined in the pathway syllabus

III. A student who does not meet these criteria will be subject to the college's policy for satisfactory progression.

A. With approval of the high school principal or the high school principal's designee and the college's senior continuing education administrator, chief student development administrator or chief academic officer, a Workforce Continuing Education Junior or Senior may concurrently enroll in the following:
    I. Two Career and Technical Education Workforce Continuing Education Pathways;
    II. One Career and Technical Education Workforce Continuing Education Pathway and one College Transfer Pathway; or
    III. One Career and Technical Education Workforce Continuing Education Pathway and one Career and Technical Education Curriculum Pathway.
B. The student may change the student's pathway with approval of the high school principal or the high school principal's designee and the college's senior continuing education administrator, chief student development administrator or the college's chief academic officer. The college's chief student development administrator or the college's chief academic officer shall approve a change in pathway based on verification that the program change allows the student to meet their newly chosen career path.
C. The college may award the Workforce Continuing Education Pathway completion, to the Career and

College Promise student prior to high school graduation.

2) Minors Less than Age 16. A minor less than 16 years old may enroll in Continuing Education course sections subject to the following conditions:
    a. Minors less than 16 years old may enroll in self-supporting safe driving course sections during any reporting term.
    b. A college may provide classes for minors less than 16 years old only during the summer reporting term. These classes must be self-supporting and may not be designated by the college to provide partial or full credit towards meeting high school graduation requirements.
    c. Notwithstanding 1D SBCCC 300.4(c)(2)(B), Minors who are at least 15 years old and less than 18 years old, and who are uncompensated members of a bona fide fire department or rescue squad, pursuant to G.S. 95-25.5(n), may enroll in fire-training courses, including certification-eligible courses, on a specialized course list approved by the State Board of Community Colleges in accordance with G.S. 115D-5(b)(2). Colleges may earn fulltime-equivalent (FTE) hours for minors enrolled in fire-training courses.
    d. Minors shall not displace adults.
    e. Minors shall pay the registration fees associated with the course section except for cases where they meet eligibility requirements for a fee waiver.
    f. If the minor is enrolled in high school, the following restrictions apply:
        i. Colleges shall not designate Continuing Education course sections taken by the high school student to provide partial or full credit towards meeting high school graduation requirements.

ii. Colleges shall not offer Continuing Education course sections that are specifically scheduled for high school students except:

A. Course sections that are part of an approved Workforce Continuing Education Career and College Promise Pathway (1D SBCCC 300.4 (c)(1)(D)).

B. Self-supporting course sections.

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

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

History Note: Authority G.S. 115D-5; G.S. 115D-20(4)(b);
Eff. June 1, 2016;
Amended Eff. February 1, 2023; April 1, 2020; November 1, 2017.

1D SBCCC 300.5 Course Standards

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

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

1) Colleges seeking to add a new course to the Combined Course Library or seeking to modify an existing course shall submit a new course or modification request to the North Carolina Community College System Office. The North Carolina Community College System Office shall maintain new course or modification request forms and guidance documents and make them available to colleges upon request.
2) The Continuing Education Leadership Committee, comprised of a rotating slate of Continuing Education senior administrators from local colleges, will review all requests for new courses or course modifications. The Continuing Education Leadership Committee shall recommend approval of the new course or approval of the modification if all of the following conditions are met.
    a. All requests for new courses and course modifications must meet the definition of continuing education as defined in 1D SBCCC 300.1(a).
    b. All requests for new courses and course modifications must demonstrate workforce need with local and state labor market data.
    c. New course requests shall not duplicate the scope of the description of existing Combined Course Library courses. For requests that comply with 1D SBCCC 300.5(b)(2)(A)–(C), the Continuing Education Leadership Committee shall submit its recommendation to the Workforce Continuing Education staff at the North Carolina Community College System Office with a copy to the requesting college, and the Workforce Continuing

Education staff shall submit the recommendation to the State Board of Community Colleges for final approval.

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

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

1) Course Title. A college may use a local course title to clarify the instructional content, instructional methodology, and target audience.
2) Course Description. A college may use a local course description to clarify the instructional content, instructional methodology, and target audience as long as the content of the course falls within the scope of the State Board approved course description listed in the Combined Course Library.
3) Scheduled Hours. Colleges shall not schedule hours that exceed the maximum approved hours for instruction for the specific course within the Combined Course Library.

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

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

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

Eff. June 1, 2016.

1D SBCCC 300.6 Instructional Service Agreements

(a) Level One Cooperative Continuing Education 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 Cooperative Continuing Education Agreement shall:

(A) Be approved by each local board of trustees unless the board has delegated authority to the president to enter into level Cooperative Continuing Education 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 Cooperative Continuing Education Agreement.

(1) Two or more colleges may jointly offer continuing education courses by providing a written, level two Cooperative Continuing Education 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 Cooperative Continuing Education 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 Cooperative Continuing Education 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;
(E) Specify the proration of resources and FTE allocated for each college;
(F) Specify the conditions and time frame for termination of the agreement;
(G) Be filed with the System Office President prior to implementation of the course(s); and
(H) Be maintained on file at all colleges involved for compliance review purposes.

History Note: Authority G.S. 115D-5; S.L. 1993, 2nd session, c. 769, p. 18, s. 18; S.L. 1995, c. 625;
Temporary Adoption Eff. October 31, 1994, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. May 1, 1995;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. August 1, 2025; June 1, 2016; November 1, 2014; August 1, 2004; July 1, 1998.

1D SBCCC 300.9 Clinical Practice

(a) Definition. Clinical practice is a structured, staff-directed learning experience in a health occupation related course designed to develop job skill proficiency.

(b) Clinical practice is only approved for health occupation related courses listed in the Combined Course Library that have a clinical component detailed in the course description approved by the State Board of Community Colleges.

(c) A qualified faculty member, clinical instructor, or preceptor, as defined by the program related approving body, shall supervise clinical practice.

(d) Clinical hours per course section shall not exceed a licensing agency or accrediting body requirements.

(e) Clinical experience shall earn budget FTE at the 100 percent rate for student membership hours. Colleges shall report these hours consistent with standards set forth in 1G SBCCC 200.94.

(f) College personnel shall make documentation verifying student participation in clinical practice available for compliance purposes.

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

Eff. September 1, 2018.

1D SBCCC 300.10 Work-Based Learning

(a) Definition. Work-Based Learning involves the development of job skills and an opportunity for career exploration by providing the student with work experience that is coordinated with the educational program.

(b) Types of Work-Based Learning may include paid or unpaid internship, pre-apprenticeship, registered apprenticeship, and practicums required for a state- regulated or industry-recognized credential.

(c) Work-Based Learning Course Section Criteria:

1) Twenty (20) hours is the minimum instructional hours for a Work-Based Learning course section.
2) Colleges must include a student orientation component not to exceed four instructional hours and a post-training student and employer evaluation component not to exceed two instructional hours.
3) Student membership hours may be reported for budget FTE as regularly scheduled or non-regularly scheduled as defined in 1G SBCCC 200.94(a)-(b).
4) Work-Based Learning course sections must be linked to a Workforce Continuing Education course that meets the following criteria:
    a. Is aligned with the skill development practiced in the work experience environment as identified in the Measurable Learning Outcomes (MLO) defined in 1D SBCCC 300.10(f)(6)(C);
    b. Scheduled for 96 instructional hours or more; and
    c. Leads to a state-regulated or industry-recognized credential.

(d) Colleges must develop and implement local procedures to ensure compliance with the Work-Based Learning criteria.

(e) Student Eligibility Criteria:

1) Must meet then-current age and employment requirements referenced in G.S. 95-25.5.
2) Must be enrolled in a Workforce Continuing Education course meeting the criteria specified in 1D SBCCC 300.10(c)(4).

3) Must have completed at a minimum 48 instructional hours within the Workforce Continuing Education course prior to entering the Work-Based Learning experience.
4) Must submit an application for placement in a course section and meet course requirements.
5) Must meet all job-specific requirements of the employer.

(f) Program Requirements.

1) College staff must plan and coordinate student activity in Work-Based Learning course sections.
2) College staff, who meet instructional qualifications and are paid with college funds, will supervise Work-Based Learning experiences.
3) The employer is responsible for the supervision of the student while the student is at the job site.
4) Students may work at multiple job sites and be supervised by multiple employers.
5) Students must receive at least one mandatory site visit with the coordinating college staff.
6) Colleges must retain a student file that contains the following documents:
    a. Current student transcript to document the Work-Based Learning aligned courses;
    b. Completed Work-Based Learning application;
    c. Measurable Learning Outcomes. MLOs are agreed upon experiences that students will obtain while working. The job description must contain a list of general tasks, or functions, and responsibilities of a position;
        i. The student, college staff, and employer must develop and agree to the MLOs identified.
        ii. There must be a minimum of three MLOs for each Work-Based Learning experience. A job description listing

general tasks, functions, and responsibilities of the Work-Based Learning position may be used in lieu of MLOs.

iii. The student, college staff, and employer must sign an agreement to the established MLO expectations prior to the beginning of the Work-Based Learning experience.

d. Documentation of an employer consultation between the college, employer and student;
e. Documentation of an evaluation of the student by the employer;
f. Documentation of student hour tracking through timesheets or other related reports; and
g. Colleges may substitute an ApprenticeshipNC Registered Apprenticeship or Pre-Apprenticeship agreement in lieu of requirements in 1D SBCCC 300.10(f)(6)(C) for students enrolled in a college Registered Apprenticeship or Pre-Apprenticeship program.

History Note: Authority G.S. 115D 5;
Eff. September 1, 2018.

1D SBCCC 300.94 Faculty

REPEALED by the State Board of Community Colleges, eff. 1 June 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;

Repealed Eff. June 1, 2016.

1D SBCCC 300.95 Human Resources Development Program Continuation

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

History Note: Authority G.S. 115D 5;
Eff. November 1, 2005;
Repealed Eff. June 1, 2016.

1D SBCCC 300.96 Continuing Education Program Management

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

History Note: Authority G.S. 115D-1; 115D-5;
Eff. September 1, 1988;
Amended Eff. September 1, 1993;
Repealed Eff. June 1, 2016.

1D SBCCC 300.97 Instructional Service Agreements

RECODIFIED at 1D SBCCC 300.6.

History Note: Recodified Eff. June 1, 2016.

1D SBCCC 300.98 Courses and Standards

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

1D SBCCC 300.99 Education Services for Minors

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

History Note: Authority G.S. 115D-1; 115D-5; 115D-20; S.L. 1995, c. 625; S.L. 2009- 451, s. 7.10(j);

Eff. January 1, 1987;

Amended Eff. September 1, 1993;

Temporary Amendment Eff. June 1, 1997;

Amended Eff. July 1, 1998;

Temporary Amendment Eff. August 22, 2001;

Amended Eff. April 1, 2010, April 1, 2003;

Repealed Eff. June 1, 2016.

SUBCHAPTER 400. CURRICULUM

1D SBCCC 400.1 Curriculum Definitions

The following terms shall have the following meanings throughout this Title.

(a) Archived Course: A curriculum course that is archived from the Combined Course Library will be given an end term date and permanently stored in the Combined Course Library database. The course may no longer be offered by a college or be included in a proposed program of study. The course prefix and number of an archived course remain intact and may not be used for any other course.

(b) Contact Hour: The actual time of student attendance in a class or lab.

(c) Credit Hours:

1) Class: Credit of one semester hour is awarded for each 16 hours of lecture and other instruction provided in a class under the supervision of an instructor.

2) Clinical Practice: Credit of one semester hour is awarded for each 48 hours of clinical practice. Clinical practice provides an opportunity for health science students to apply knowledge and skills in their delivery of care in a health care setting. A qualified faculty member, clinical instructor, or preceptor, as defined by the program related approving or accrediting body, shall supervise clinical practice to provide the student with learning experiences related to the program and to monitor and assess the student’s application of skills. Clinical practice may utilize experiences that simulate realistic clinical experiences to meet the curriculum and course objectives. The percentage of simulation experiences substituting for traditional clinical practice and the qualifications of faculty providing the simulation experience must comply with the guidelines of the applicable health science accrediting and approving bodies.

3) Experiential Laboratory: Credit of one semester hour is awarded for each 32 hours of "experiential laboratory work." Experiential laboratory work means instruction given to a student by an instructor to increase

the student's knowledge and skills without immediate student application.

4) Faculty Directed Laboratory: Credit of one semester hour is awarded for each 48 hours of "faculty directed laboratory." Faculty directed laboratory means instructional activities are demonstrated or conducted by an instructor with immediate student application.
5) Work-Based Learning: Credit of one semester hour is awarded for each 160 hours of work-based learning (WBL curriculum prefix courses). Work-based learning is the development of job skills by providing the student with employment that is directly related to the educational program, and coordinated by a college representative.

History Note: Authority G.S. 115D-5; 115D-54; S.L. 1995, c. 625;
Eff. November 1, 2017.

1D SBCCC 400.2 Admission to Colleges

(a) Each college shall maintain an open-door admission policy to all applicants who are legal residents of the United States and who are either high school graduates or are at least 18 years of age. Community colleges shall not solicit or use information regarding the accreditation of a secondary school located in North Carolina that a person attended as a factor affecting admission to the college or to any program of study, loans, scholarships, or other educational activity at the community college, unless the accreditation was conducted by a State agency. For purposes of this Section, the term “accreditation” shall include certification or any other similar approval process. Officials of each college shall perform student admission processing and placement determinations. Admission requirements for an emancipated minor shall be the same as for an applicant 18 years old or older. Provisions with respect to admission of minors are set forth in 1D SBCCC 200.95 and 1D SBCCC 300.4.

(b) For the purposes of this Section, "undocumented immigrant" means any immigrant who is not lawfully present in the United States. Community colleges shall admit undocumented immigrants under the following conditions:

1) Community colleges shall admit an undocumented immigrant only if he or she earned a High School Equivalency Diploma, or attended and graduated from a United States public high school, Adult High School, private high school, or home school that operates in compliance with State or local law;
2) When determining who is an undocumented immigrant, community colleges shall use federal immigration classifications;
3) Undocumented immigrants admitted under Subparagraph (b)(1) of this Rule shall comply with all federal and state laws concerning financial aid;
4) An undocumented immigrant admitted under Subparagraph (b)(1) of this Rule shall not be considered a North Carolina resident for tuition purposes. Colleges shall charge all undocumented immigrants

admitted under Subparagraph (b)(1) of this Rule out-of-state tuition whether or not the undocumented immigrant resides in North Carolina.

5) When considering whether to admit an undocumented immigrant into a specific program of study, community colleges shall take into account that federal law prohibits states from granting professional licenses to undocumented immigrants; and
6) Students lawfully present in the United States shall have priority over any undocumented immigrant in any class or program of study when capacity limitations exist.

(c) Boards of trustees may adopt policies regulating admission and graduation of students enrolled in courses mandated under G.S. 17C, North Carolina Criminal Justice Education and Training Standards Commission, or G.S. 17E, North Carolina Sheriffs' Education and Training Standards Commission. These policies may limit enrollment to law enforcement officers or persons sponsored by law enforcement agencies and may require a student to maintain sponsorship by a law enforcement agency until completion of the program. Policies adopted pursuant to this Paragraph shall be published and made available to students and prospective students.

(d) Any college suspending or expelling a student for non-academic disciplinary purposes shall record the suspension or expulsion in the student's educational record. Upon receipt of a written request signed by the student and subject to all applicable privacy laws, each college shall, in accordance with the student's request, inform other colleges and universities of the term and circumstances of the student's non-academic disciplinary suspension or expulsion, if any. Boards of trustees may adopt policies refusing admission to any applicant during any period of time that the student is suspended or expelled from any other educational entity.

(e) Boards of trustees may adopt policies refusing admission to any applicant if it is necessary to protect the safety of the applicant or other individuals. When making a safety determination, colleges may refuse admission to an applicant when there is an articulable, imminent, and significant threat to the applicant

or other individuals. Colleges refusing admission on the basis of a safety threat shall document the following:

1) Detailed facts supporting the rationale for denying admission;
2) The time period within which the refusal to admit shall be applicable and the supporting rationale for the designated time period; and
3) The conditions upon which the applicant that is refused would be eligible to be admitted.

(f) Boards of trustees shall implement an appeals process for applicants denied admission pursuant to either Subsection (e) or denied enrollment pursuant to Subsection (h) of this Section.

(g) Boards of trustees may adopt policies refusing admission to any applicant who is not a resident of North Carolina who seeks enrollment in any distance education course only if that applicant resides in a State where the college is not authorized to provide distance education in that State.

(h) Except for courses governed by subsection (c) above, if a community college has a program or develops a program that requires students to possess a firearm, that board of trustees shall adopt local policies requiring proof of eligibility to possess firearms to be enrolled in such program. For the purposes of this Section, “firearms” shall have the same definition as G.S. 14-409.39(2). For the purposes of this Section, proof of eligibility shall include:

1) Any current, valid State-issued permit to purchase a firearm;
2) A current, valid State-issued concealed carry permit from North Carolina;
3) A current, valid State-issued concealed carry permit from a state with a reciprocal concealed carry agreement with North Carolina;
4) Proof of an exemption from permit requirements pursuant to G.S. 14-415.25; or
5) A background check that is determined by the college. The sole purpose of the background check shall be to determine whether an applicant can lawfully possess a firearm in North Carolina pursuant to

G.S. 14-269.8, G.S. 14-404(c), G.S. 14-415.1, G.S. 14-415.3, and G.S. 14-415.25.

(i) Boards of trustees may adopt policies refusing admission to any applicant who refuses to provide a social security number during admission and enrollment processing except for the following applicants:

1) Students taking courses for which no academic credit is offered;
2) Nonresident alien students;
3) Students whose qualified tuition and related expenses are entirely waived or paid entirely with scholarships; and
4) Students for whom the community college does not maintain a separate financial account and whose qualified tuition and related expenses are covered by a formal billing arrangement between the community college and the student's employer or a governmental entity.

History Note: Authority G.S. 115D-1; 115D-5; 115D-20;
Eff. February 1, 1976;
Amended Eff. November 1, 2024; December 1, 2019; November 1, 2017; March 1, 2016; November 1, 2014; July 10, 2010; January 1, 2006; January 1, 1996; September 1, 1993; January 1, 1987; May 1, 1982.

1D SBCCC 400.3 Program Classification

The following definitions are used for classifying the curriculum programs offered in the North Carolina Community College System.

(a) Curriculum Programs: A curriculum program is an organized sequence of courses leading to an associate degree, a diploma, or a certificate. Curriculum programs are designed to provide education, training, or retraining for the work force, transfer to four-year colleges and universities, or to confer general liberal arts degrees.

1) Certificate programs lead to employment or provide skills upgrading or retraining for individuals already in the workforce. A certificate program may be a stand- alone curriculum program title, or a college may award a certificate under the college's associate degree or diploma curriculum program for a series of courses taken from the program of study.
2) Diploma programs provide entry-level employment training. A diploma program may be a stand-alone curriculum program title, or a college may award a diploma under the college's associate in applied science degree curriculum program for a series of courses taken from the program of study and structured so that a student may complete additional non-duplicative coursework to receive an associate in applied science degree.
3) Associate degree programs are planned programs of study culminating in an associate in applied science, associate in arts, associate in science, associate in engineering, associate in fine arts in music, theatre, and visual arts, associate in general education or associate in general education nursing degree.
    a. The associate in applied science degree programs are designed to prepare individuals for employment. These programs involve the application of scientific principles in research, design, development, production, distribution, or service.
    b. The associate in arts and associate in science degrees are designed to prepare students for transfer at the junior level to

four-year colleges and universities under the Comprehensive Articulation Agreement.

c. The associate in engineering degree is designed to prepare students for transfer to meet the prerequisite requirements of the University of North Carolina engineering programs. The Associate in Engineering to Bachelor of Science in Engineering Uniform Articulation Agreement establishes the procedures governing the transfer of credits for students who graduate from North Carolina Community College associate in engineering programs and apply to bachelor of science engineering programs at constituent institutions of The University of North Carolina.
d. The associate in fine arts in music and the associate in fine arts in theatre degree programs are designed to prepare students for fine arts careers or for transfer to a four-year institution under bilateral articulation agreements.
e. The associate in fine arts in visual arts degree program is designed to prepare students for fine arts careers or for transfer to a four-year institution. The Uniform Articulation Agreement Between the University of North Carolina Baccalaureate of Fine Arts Programs and North Carolina Community College System Associate in Fine Arts in Visual Arts Programs establishes the procedures governing the transfer of credits for students who graduate from North Carolina Community College associate in fine arts in visual arts programs and apply to bachelor of fine arts programs at constituent institutions of The University of North Carolina.
f. The associate in general education degree programs are designed for students who desire a general, liberal arts education that will prepare them for advancements within their field of interest.

g. The associate in general education nursing degree is designed to prepare students for transfer through the Uniform Articulation Agreement between the University of North Carolina's Registered Nurse to Bachelor of Science in Nursing programs and the North Carolina Community College Associate Degree Nursing Programs. This uniform articulation agreement establishes the procedures governing the transfer of credits for students who graduate from the North Carolina Community College associate in general education nursing degree and the associate in applied science in nursing and apply to bachelor of science in nursing programs at constituent institutions of The University of North Carolina.

(b) Developmental Education: Developmental Education consists of courses and support services that include diagnostic assessment and placement, tutoring, advising, math and writing assistance. These programs are designed to address academic preparedness, development of general learning strategies, and barriers to learning. Developmental courses do not earn credit toward a degree, diploma, or certificate.

History Note: Authority G.S. 115D-1; 115D-2; 115D-5; S.L. 1995, c. 625; S.L. 2001, c. 424, s. 30.3(b), (e);
Eff. February 1, 1976;
Readopted Eff. January 24, 1978;
Amended Eff. September 1, 1993; September 1, 1982; August 17, 1981;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. July 1, 1998;
Temporary Amendment Eff. October 4, 2001;
Amended Eff. November 1, 2017; June 1, 2009; April 1, 2003.

1D SBCCC 400.4 Faculty

(a) Colleges shall employ faculty members that meet the Southern Association of Colleges and Schools Commission on Colleges' criteria.

(b) All faculty providing instruction in programs with external agency oversight must be qualified as established by the respective agency or certifying entity.

(c) Colleges shall determine appropriate teaching and non-teaching loads for faculty.

History Note: Authority G.S. 115D-5;
Eff. February 1, 1976;
Amended Eff. November 1, 2017; March 1, 2007; July 1, 1998; September 1, 1993; August 17, 1981; September 30, 1977.

1D SBCCC 400.5 Curriculum Instructional Contract Provisions

(a) Any curriculum contract entered into by the local board of trustees of a college for the purpose of providing a curriculum course or a curriculum program through other public or private organizations or institutions shall meet the following general criteria:

1) Colleges shall enter into a contract consistent with the requirements of the local board of trustees, the public or private organizations or institutions being contracted with and the State Board of Community Colleges' criteria.
2) The contract shall be limited to and not exceed the fiscal year in which the contract begins.
3) The provisions for payment under contract shall not exceed the usual and customary costs associated with the contracted instruction.
4) The contract shall provide that the college personnel shall have the right to supervise the educational program offered by the public or private organizations or institutions to the extent necessary to ensure the quality of the instructional program.
5) The contract shall provide that the college, the North Carolina Community College System Office, and the State Auditor shall have access to the records of the public or private organizations or institutions to the extent necessary to ascertain the accuracy of such records and shall authorize the North Carolina Community College System Office to obtain such fiscal accounting reports as are necessary in carrying out the terms of the contract.
6) A curriculum program or a curriculum course taught under contract shall be limited to programs or courses the college has been authorized to offer by the State Board of Community Colleges.
7) The contract shall stipulate that students taught under the terms of the contract shall pay the same fees charged other students in similar programs in the college, which fees shall be deposited in like manner as other fees.

8) No tuition or fee charges shall be collected by the public or private organizations or institutions from students taught under such contracts unless specified by the contract.
9) The chairman of the board of trustees, president of the college and the president or owner of the public or private organization or institution shall sign the contract upon authority of the full board of trustees. The contract shall contain original signatures.

(b) Approval Procedure. When approved by the local board of trustees and the public or private organizations or institutions, the contract document shall be submitted to the President of the North Carolina Community College System who is authorized to approve the college's budget for the contracted instructional services if the requirements in Paragraphs (a), (b), and (c) of this Rule have been met.

(c) The following provisions shall apply specifically to curriculum contracts with a proprietary or private non-profit institution:
1) The proprietary or private non-profit institution with which the contract is made shall be licensed as required by the General Statutes of North Carolina and shall provide proof that the institution has maintained the licensure for a minimum of two years to offer the instruction desired.
2) If federal funds are to be used to pay for instruction provided under the conditions of the contract, the proprietary or private non-profit institution shall meet the definition of the private vocational training institution pursuant to Title 34, Section 400.4(b) of the Code of Federal Regulations.
3) The chief executive officer of the proprietary or private non-profit institution, or designated agent, shall sign a certification statement that the program in question, facility, or contract for services to students will be open without regard to race, age, color, creed, gender, religion, national origin, political affiliation, or disability.
4) Public or private colleges or universities shall be licensed as required by the General Statutes of North Carolina to offer the instruction

desired if entering into a contract to provide instructional services with the board of trustees of a college.

(d) Unless otherwise specified, colleges shall earn reimbursement on the regular formula budget for student membership hours generated by instruction under contract. Also, note 1G SBCCC 100.99 which addresses contracted instruction offered primarily in the non-credit, occupational extension area.

(e) The provisions of 1D SBCCC 400.5 do not apply to contracts between a college and its individual instructors.

History Note: Filed as a Temporary Amendment Eff. October 15, 1992 for a period of 180 days to expire on April 15, 1993; Authority G.S. 115D-1 through 115D-5; 115D-18; 115D-20(6); P.L. 88-352; P.L. 98-524;
Eff. February 1, 1976;
Amended Eff. September 30, 1977;
Readopted Eff. January 5, 1978;
Amended Eff. November 1, 2017; September 1, 1993; January 1, 1989; August 17, 1981; July 1, 1980.

1D SBCCC 400.6 Curriculum Program Approvals and Terminations

(a) Curriculum Program Approvals. Community colleges shall issue degrees, diplomas, and certificates to individuals who satisfactorily complete course and program requirements.

(1) The approval of a college to award the associate degree, diploma, or certificate shall be by individual curriculum program title. The State Board shall grant a college the approval to award the associate in applied science degree, diploma, or certificate when the college has provided the following:

(A) Evidence that the program will provide graduates with opportunities for employment;

(B) Local board of trustees' signed certification of the following:

(i) The program will enhance the workforce of North Carolina;

(ii) The program will provide educational and training opportunities consistent with the mission of the college, and will not unnecessarily duplicate the opportunities currently offered;

(iii) The college has assessed the need for the program and the resources required to maintain a viable program;

(iv) The college can operate the program efficiently and effectively within the resources available to the college;

(C) Program of study which is in compliance with the curriculum standard of the proposed program;

(D) Local Board of Trustee meeting minutes documenting discussion and approval of addition of the program;

(E) Notification to all colleges of intent to apply for the program;

(F) Impact assessment of program addition;

(G) Resolution of any negative impact assessments from colleges approved to offer the same or similar programs in a contiguous service area or any colleges with the same or similar programs which contain a clinical site;

(H) The application signed by the college president and the chairman of the college's board of trustees upon authority of the full board of trustees.

(I) The President of the North Carolina Community College System shall recommend action on the college's curriculum program application to the State Board of Community Colleges.

(2) The State Board shall grant a college the approval to award the Associate in Engineering program when a college has provided the following:

(A) Local Board of Trustees' signed certification that:

(i) The program will enhance the workforce of North Carolina;

(ii) The program will provide educational and training opportunities consistent with the mission of the college;

(iii) The college has assessed the need for the program and the facilities and resources required to maintain a viable program and can operate the program efficiently and effectively within the resources available to the college;

(iv) The college has evidence of sufficient student demand to offer the program; and

(v) The college will provide master's credentialed faculty for each course provided under the Associate in Engineering degree.

(B) Program of study which is in compliance with the Associate in Engineering curriculum standard.

(C) Local Board of Trustee meeting minutes documenting discussion and approval of addition of the Associate in Engineering degree.

(3) Colleges shall obtain approval from the President of the North Carolina Community College System to add an associate in arts, associate in science, and associate in fine arts degrees, associate in general education, associate in general education nursing, health science: therapeutic and diagnostic services program majors, and the general occupational technology curriculum programs.

(4) The State Board delegates to the President of the North Carolina Community College System the authority to grant a college the approval to award the associate degree, diploma, or certificate for program titles that have been approved for this delegation by the State Board of Community Colleges

based upon a widespread immediate need for the job training and minimal impact upon other colleges.

(5) The State Board delegates to the President of the North Carolina Community College System the authority to grant a college the approval to award a curriculum program which is classified as a concentration if the applying college already has approval to offer the parent program.

(b) Curriculum Program Terminations. The college shall terminate a curriculum program when there has been no enrollment for two consecutive years. A college may request a one or more one-year extension of a curriculum program upon justification of the potential for employment opportunities and student enrollment. Each college planning to terminate a curriculum program shall inform the President of the North Carolina Community College System by submitting a termination notice. The President of the North Carolina Community College System shall have the program removed from the college's program approval list. Program terminations shall be reported to the State Board of Community Colleges a minimum of twice a year. The North Carolina Community College System will provide enrollment data to each college for low enrollment and no enrollment curriculum programs on an annual basis. The Board of Trustees and the president at each college will determine whether to terminate a no or low enrollment program, and, if so, will notify the President of the North Carolina Community College System. In all cases of curriculum program termination, the State Board, the President of the North Carolina Community College System, and the college(s) terminating the program must adhere to the teach-out policy of the college’s institutional accrediting body.

History Note: Authority G.S. 115D-5; 115D-20(6); S.L. 1995, c. 625;
Eff. February 1, 1976;
Readopted January 5, 1978;
Amended Eff. September 1, 1993; January 1, 1988; August 17, 1981; July 1, 1979;
Temporary Amendment Eff. June 1, 1997;

Amended Eff. August 1 ,2025; November 1, 2017; August 1, 2004; July 1, 1998.

1D SBCCC 400.7 Instructional Service Agreements

(a) Level One Cooperative Curriculum Agreement.

(1) A college may offer curriculum courses in an area assigned to another college by providing a written, level one cooperative curriculum 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 Cooperative Curriculum 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 cooperative curriculum 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 audit purposes.

(b) Level Two Cooperative Curriculum Agreements.

(1) Two or more colleges may jointly offer curriculum courses by providing a written, level two Cooperative Curriculum Agreement under the following conditions:

(A) Resources are shared between the participating colleges;

(B) Colleges contributing resources towards instruction may share FTE;

(C) One or more of the participating colleges is approved to offer the curriculum course(s) in an approved program of study; and

(D) A curriculum certificate, diploma or degree is not awarded.

(2) The level two Cooperative Curriculum 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 Cooperative Curriculum 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;

(E) Specify the proration of resources and FTE allocated for each college;

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

(G) Be filed with the President of the North Carolina Community College System or the System President's designee prior to implementation of the course(s); and

(H) Be maintained on file at all colleges involved for audit purposes.

(c) Level Three Cooperative Curriculum Agreement.

(1) Two or more colleges may jointly offer a curriculum program by providing a written, level three Cooperative Curriculum Agreement under the following conditions:

(A) Resources are shared between the participating colleges;

(B) Colleges contributing resources towards instruction may share FTE;

(C) One or more of the colleges participating is approved by the State Board of Community Colleges to offer the curriculum program; and

(D) A curriculum certificate, diploma or associate degree is awarded and;

(2) The level three Cooperative Curriculum Agreement shall:

(A) Be approved by each participating board of trustees;

(B) Be signed by the board of trustees' chair of each participating college;

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

(D) Specify the program to be shared;

(E) Specify the plan for delivery of the program;

(F) Specify the proration of resources or FTE allocated for each college;

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

(H) Certify that appropriate and adequate resources are available between participating colleges. Where feasible, joint utilization of physical facilities, equipment, materials, and instructional faculty shall be considered;

(I) Certify that the curriculum program meets the standards of the appropriate accrediting agency or licensing authority;

(J) Specify which college will grant the award;

(K) Specify that only the college providing the instruction will record the letter grade on the student transcript;

(L) Specify that any participating college(s) that does not have approval of the State Board of Community Colleges for the program will not award a certificate, diploma or associate degree under the authority of the approved level three instructional service agreement.

(M) Be signed by the President of the North Carolina Community College System prior to implementation of the program; and

(N) Be maintained on file at each participating college for audit purposes.

(3) Notification of termination of a level three agreement shall be signed by the president of each participating college and shall be sent to the System Office President by the college that grants the award, prior to the effective termination date.

(d) The delivery of curriculum courses or programs delivered into another college's service area via non-traditional delivery as defined in 1G SBCCC 200.93(e)(1) does not require an instructional service agreement.

(e) A college may not delegate curriculum program approval to another college. The State Board of Community Colleges grants program approval using criteria set forth in 1D SBCCC 400.6.

History Note: Authority G.S. 115D-5; S.L. 1993, 2nd session, c. 769, p. 18, s. 18; S.L. 1995, c. 625;
Temporary Adoption Eff. October 31, 1994, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. May 1, 1995;

Temporary Amendment Eff. June 1, 1997;
Amended Eff. August 1, 2025; November 1, 2017; November 1, 2014;
August 1, 2004; July 1, 1998.

1D SBCCC 400.8 Courses for Curriculum Programs

(a) The Combined Course Library shall contain the following elements for all curriculum program credit courses approved for the North Carolina Community College System:

(1) Course prefix;

(2) Course number;

(3) Course title;

(4) Classroom hours and laboratory, clinical, and work-based learning contact hours, if applicable;

(5) Credit hours;

(6) Prerequisites and corequisites, if applicable;

(7) Course description consisting of three sentences; and

(8) Tier Funding classification.

(b) The numbering system for curriculum courses within the Combined Course Library is as follows:

(1) The numbers 001-099 shall be assigned to developmental courses or supplemental courses. Supplemental courses provide supplemental skills to a specific co-requisite course or customized developmental course delivery. Developmental courses are designed to address academic preparedness, workforce retraining, development of general and discipline-specific strategies, and barriers to learning. Developmental and supplemental courses do not earn credit toward a certificate, diploma or degree.

(2) The numbers 100-109 and 200-209 shall be assigned to certificate and diploma level curriculum courses. These courses shall not be included in associate degree programs.

(3) The numbers 110-189 and 210-289 shall be assigned to associate degree level courses. These courses may also be included in certificate and diploma programs.

(4) The numbers 190-199 and 290-299 shall be assigned to seminar or selected topic courses that may be offered for a single term and which courses offer content not found in existing courses. To offer the course content after the

initial term, the Curriculum Review Committee shall approve the course for inclusion in the Combined Course Library.

(c) A college shall use the course information (prefix; number; title; classroom, laboratory, clinical, and work-based learning contact hours; credit hours; prerequisites and corequisites; and course description) as listed in the Combined Course Library.

(d) A college may add a fourth sentence to the course description to clarify instructional content or instructional methodology.

(e) A college is responsible for ensuring that students have satisfied requisite course requirements by documenting that they have either completed the appropriate courses or have demonstrated that they have the appropriate knowledge and skills required for admission to the courses as determined by the college.

(f) A college may establish a local policy for waiving requisite requirements for individual students.

(g) A college may divide courses into incremental units for greater flexibility in providing instruction to part-time students or to provide shorter units of study for abbreviated calendars. Each of the following criteria applies to courses divided into incremental units:

(1) A course may be divided into two or three units that are designated with an additional suffix following the course prefix and number;

(2) The units shall equal the entire course of instruction, without omitting any competencies;

(3) The combined contact and credit hours for the units shall equal the contact and credit hours for the course;

(4) If the course is a prerequisite to another course, the student shall complete all component parts before enrolling in the next course; and

(5) If the course is a corequisite to another course, the student shall take the corequisite course before or in conjunction with the prospective course.

(h) The North Carolina Community College System Office shall appoint a Curriculum Review Committee of representatives from Chief Academic Officers and

community college presidents. The Curriculum Review Committee shall have the authority to:

(1) Approve and maintain curriculum courses in the Combined Course Library;

(2) Determine whether a curriculum course may meet a general education designation for certificates, diplomas and associate in applied science programs using the current criteria guided by criteria from institutional accrediting agencies.

(3) Archive curriculum courses that have not been offered by any community college for three consecutive years.

(i) The North Carolina Community College System and The University of North Carolina shall appoint a Transfer Advisory Committee of representatives from North Carolina community colleges and The University of North Carolina. The Transfer Advisory Committee shall have the authority to do the following in regards to curriculum courses:

To determine whether a curriculum course may meet a general education designation for Associate in Arts and Associate in Science degrees guided by criteria from institutional accrediting agencies.

(1)To determine whether a curriculum course may meet a universal general education transfer component designation using the following standards:

(A) Then current criteria established by criteria established by institutional accrediting agencies; and

(B) General education equivalency at all sixteen constituent institutions of The University of North Carolina.

(2) To determine whether a curriculum course may meet a premajor/elective designation for Associate in Arts and Associate in Science degrees using the following standards:

(A) Focus on skills, techniques, and procedures specific to the student's occupation or profession;

(B) Similar in intended outcomes and competencies, and so, transferable between institutions.

(j) When a student receives credit for a Combined Course Library curriculum course, this credit shall be transferable to any college in the North Carolina Community College System.

History Note: Authority G.S. 115D-5; S.L. 1995, c. 625;
Temporary Adoption Eff. June 1, 1997;
Eff. July 1, 1998;
Amended Eff. August 1, 2025; December 1, 2018; November 1, 2017; June 1, 2009; July 1, 2007; October 1, 2006; December 1, 2004; August 15, 2004.

1D SBCCC 400.9 Curriculum Standards

(a) Curriculum Standard. A curriculum standard is a document provided for each curriculum program which lists the required program description, code, courses, range of hours and allowable curriculum course prefixes. Curriculum standards shall not be duplicative of each other, must be in alignment with criteria outlined in 1D SBCCC 400.10 (e) and must be approved by the State Board of Community Colleges. Curriculum standards are maintained by the North Carolina Community College System Office and are located on their website.

(b) Revised Curriculum Standard. A revision of an existing curriculum standard shall:

1) Have written concurrence by two-thirds of colleges approved to offer the curriculum program; and
2) Be in alignment with criteria outlined in 1D SBCCC 400.10(e).
3) The President of the North Carolina Community College System shall have the authority to approve or deny the revision of an existing curriculum standard. If only two colleges are approved to offer the curriculum, and written concurrence is not obtained from both colleges, the State Board of Community Colleges shall have the authority to approve or deny the revision to the existing curriculum standard.

(c) On approval by the State Board of Community Colleges, a curriculum standard may exceed hours as outlined in 1D SBCCC 400.10(e)(1). Such an exception shall apply to all colleges approved to offer the curriculum program title. A two-thirds majority of colleges approved to offer the program shall agree with the conditions of the request for the exception. A request for an exception shall be justified based on one or more of the following criteria:

1) Additional time in the program is required by law;
2) Additional time in the program is required by an external regulatory, accrediting, or professional agency recognized by the State Board of Community Colleges;

3) Additional time in the program is justified by documented extenuating circumstances including, but not limited to the following:
    a. Documentation that the program will not be viable without the exception; or
    b. Documentation that employers have certified the competencies required for the program and the length of time needed to teach those competencies.

History Note: Authority G.S. 115D-5;
Eff. November 1, 2017.
Amended Eff. November 1, 2018.

1D SBCCC 400.10 Curriculum Program of Study

(a) Each curriculum program shall be designed based on criteria established by the curriculum standard for the individual program.

(b) In all programs, colleges shall comply with the Southern Association of Colleges and Schools Commission on Colleges' general education requirements and the general education areas identified by the State Board of Community Colleges.

(c) The initial and revised program of study shall be filed with and approved by the North Carolina Community College System Office prior to implementation. If a curriculum standard is revised, a revised program of study shall be submitted and approved by the North Carolina Community College System Office within one year following the effective term, unless immediate implementation is required by the State Board of Community Colleges.

(d) The associate in general education and general occupational technology programs shall be comprised of courses from the college's other approved programs of study. Colleges are not required to file programs of study for the associate in general education or general occupational technology programs with the North Carolina Community College System Office for review or approval.

(e) The following components shall be included in the development of a curriculum program of study:

1) Semester Hour Credits Required: The total semester hours of credit required are as follows:

a. Certificate: A certificate program which is a stand-alone curriculum program title or which is the highest credential level awarded under an approved associate in applied science degree or diploma program shall include a minimum of twelve semester hours of credit from core courses as defined in 1D SBCCC 400.10(e)(3)(A) and as indicated on the curriculum standard as defined in 1D SBCCC 400.9. The certificate program shall consist of a minimum of twelve and a maximum of

eighteen semester hours of credit from curriculum courses at the 100-299 level.

b. Diploma: A diploma program which is a stand-alone curriculum program title or which is the highest credential level awarded under an approved associate in applied science degree shall include a minimum of twelve semester hours of credit from core courses as defined in 1D SBCCC 400.10(e)(3)(A) as indicated on the curriculum standard as defined in 1D SBCCC 400.9. The diploma program shall consist of a minimum of thirty-six and a maximum of forty-eight semester hours of credit from curriculum courses at the 100-299 level.
c. Associate in Applied Science: The associate in applied science program shall consist of a minimum of sixty-four and a maximum of seventy-six semester hours of credit from curriculum courses at the 110-199 and 210- 299 levels. Within the Associate in Applied Science program the college shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and basic use of computers.
d. Associate in Arts, Science, and Engineering: The associate in arts, science, and engineering programs shall consist of a minimum of sixty and a maximum of sixty-one semester hours of credit from approved college transfer curriculum courses at the 110-199 and 210-299 levels. Within the Associate in Arts, Science, and Engineering program, the college shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and basic use of computers.
e. Associate in Fine Arts in Music, Visual Arts and Theatre: The associate in fine arts in music, visual arts, and theatre programs shall consist of a minimum of sixty and a maximum of sixty-one

semester hours of credit from approved college transfer curriculum courses at the 110-199 and 210-299 levels. Within the associate in fine arts in music, visual arts, and theatre programs, the college shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and basic use of computers.

f. Associate in General Education: The associate in general education program shall consist of a minimum of sixty-four and a maximum of sixty- five semester hours of credits from curriculum courses at the 110-199 and 210-299 levels and that are comprised of courses from the college's other approved programs of study. Within the associate in general education program, the college shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and basic use of computers.

g. Associate in General Education Nursing: The associate in general education nursing program shall consist of a minimum of sixty and a maximum of sixty- one semester hours of credits from curriculum courses at the 110-199 and 210- 299 levels. Within the associate in general education nursing program, the college shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and basic use of computers.

2) General Education: The general education hours required are as follows:

a. Certificate: General education is optional in certificate curricula.

b. Diploma: A diploma program shall include a minimum of six semester hours of credit from general education curriculum courses selected from the Combined Course Library, including:

i. a minimum of three semester hours in communications; and
ii. a minimum of three semester hours in humanities/fine arts, social/behavioral sciences, natural sciences or mathematics.

c. Associate in Applied Science and Associate in General Education: An associate in applied science and an associate in general education program shall include a minimum of 15 semester hours of credit from general education curriculum courses selected from the Combined Course Library, including:
   i. a minimum of six hours in communications. ENG 111 shall be utilized for three of these hours. ENG 110 may be utilized as a substitute for ENG 111 if included in the approved program of study;
   ii. a minimum of three hours in humanities/fine arts;
   iii. a minimum of three hours in social/behavioral sciences; and
   iv. a minimum of three hours in either natural sciences or mathematics.

d. Associate in Arts: An associate in arts program shall include a minimum of 45 semester hours of credit from courses classified as general education within the Comprehensive Articulation Agreement from the Combined Course Library, including:
   i. 31-32 semester hours of credit from universal general education transfer component courses that shall include the following:
      A. six semester hours of English composition;
      B. nine semester hours of communications and/or humanities/fine arts;
      C. nine semester hours of social/behavioral science;
      D. three to four semester hours of mathematics; and

E. four semester hours of natural sciences.

ii. An additional 13-14 semester hours of credit from courses classified as general education within the Comprehensive Articulation Agreements.

e. Associate in Science: An associate in science program shall include a minimum of 45 semester hours of credit from courses classified as general education within the Comprehensive Articulation Agreement from the Combined Course Library, including:

i. 34 semester hours of credit from universal general education transfer component courses that shall include the following:

A. six semester hours of English composition;

B. six semester hours of communications or humanities/fine arts;

C. six semester hours of social/behavioral science;

D. eight semester hours of mathematics; and

E. eight semester hours of natural sciences.

ii. An additional 11 semester hours of credit from courses classified as general education within the Comprehensive Articulation Agreement.

f. Associate in Fine Arts in Music: An associate in fine arts in music program shall include a minimum of 25 semester hours of credit from courses classified as general education within the Comprehensive Articulation Agreement from the Combined Course Library, including:

i. a minimum of 22 semester hours of credit from universal general education transfer component courses that shall include the following:

A. six semester hours of English composition;

B. three semester hours of communications and/or humanities/fine arts;
C. six semester hours of social/behavioral science;
D. three to four semester hours of mathematics; and
E. four semester hours of natural sciences.

ii. An additional 3 semester hours of credit from courses classified as general education within the Comprehensive Articulation Agreement.

g. Associate in Fine Arts in Theatre: An associate in fine arts in theatre program shall include a minimum of 31 semester hours of credit from universal general education component courses selected from the Combined Course Library, including:
   i. six semester hours of English composition;
   ii. nine semester hours of communications or humanities/fine arts;
   iii. nine semester hours of social/behavioral science;
   iv. three to four semester hours of mathematics; and
   v. four semester hours of natural sciences.

h. Associate in Fine Arts in Visual Arts: An associate in fine arts in visual arts program shall include a minimum of 25 semester hours of credit from universal general education component courses selected from the Combined Course Library, including:
   i. six semester hours of English composition;
   ii. six semester hours of communications or humanities/fine arts;
   iii. six semester hours of social/behavioral science;
   iv. three to four semester hours of mathematics; and
   v. four semester hours of natural sciences.

i. Associate in Engineering: An Associate in Engineering program shall include a minimum of 42 semester hours of credit from

universal general education component courses selected from the Combined Course Library, including:

i. six semester hours of English composition
ii. three semester hours of humanities
iii. three semester hours of humanities/fine arts or communications
iv. six semester hours of social/behavioral science
v. twelve semester hours of mathematics; and
vi. twelve semester hours of natural sciences.

j. Associate in General Education Nursing: An Associate in General Education Nursing program shall include a minimum of 52 and a maximum of 54 semester hours of credit from general education curriculum courses selected from the Combined Course Library, including:
    i. six hours in communications.
    ii. nine hours in humanities/fine arts;
    iii. fifteen hours in social/behavioral sciences;
    iv. fifteen to sixteen hours in natural sciences; and
    v. seven to eight hours in mathematics.

3) Major Hour Requirements are as follows:
    a. Core: Courses identified as curriculum core courses or core subject areas on the curriculum standard for each program title are required for each associate in applied science, diploma and certificate. These criteria do not apply to local certificate or diploma programs if they are not the highest degree level offered at the college.
    b. Concentration: Courses identified on the curriculum standard as required beyond the core for a specific related employment field are required for each program that has been identified as a concentration.

c. Other Major Hour: Other Major Hour Courses shall be selected from prefixes identified on the curriculum standard. A maximum of nine semester hours of credit may be selected from any non-core prefix listed, with the exception of restricted prefixes as noted on the curriculum standard. An unlimited number of semester hours of credit may be selected from core course prefixes as long as the number of hours selected are in compliance with the maximum number allowed for the Other Major Hour category and the program. These criteria also applies to local certificate, diplomas and associate degree programs.

4) Other Required Hours: Other required hour requirements are as follows:
   a. Courses that meet graduation or local employer requirements may be included in a certificate, diploma or associate in applied science program of study with the following range of semester hours of credit:
      i. Certificate: Maximum of one semester hour of credit.
      ii. Diploma: Maximum of four semester hours of credit.
      iii. Associate in Applied Science: Maximum of seven semester hours of credit.
   b. Courses designated as college transfer may be included in the Other Required area of college transfer programs with the following range of semester hours of credit:
      i. Associate in Arts, Science and Engineering: A minimum of 15 semester hours of credit. One semester hour of credit may be included in a 61 semester hours of credit program of study. The transfer of this hour is not guaranteed. The receiving senior institution will determine the transferability of the course.

ii. Associate in Science: A minimum of 15 semester hours. One semester hour of credit may be included in a 61 semester hours of credit program of study. The transfer of this hour is not guaranteed. The receiving senior institution will determine the transferability of the course.
iii. Associate in Engineering: A minimum of 18 semester hours of credit. One semester hour of credit may be included in a 61 semester hours of credit program of study. The transfer of this hour is not guaranteed. The receiving senior institution will determine the transferability of the course.
iv. Associate in Fine Arts in Theater and Visual Arts: A minimum of 16 semester hours of credit. One semester hour of credit may be included in a 61 semester hours of credit program of study. The transfer of this hour is not guaranteed. The receiving senior institution will determine the transferability of the course.
v. Associate in Fine Arts in Music: A minimum of 34 semester hours of credit. One semester hour of credit may be included in a 61 semester hours of credit program of study. The transfer of this hour is not guaranteed. The receiving senior institution will determine the transferability of the course.

5) Selected Topic and Seminar Courses: Selected topic and seminar courses are designed to be temporary courses and shall be revised each semester. Selected topic courses provide an opportunity to explore areas of current interest in specific program or discipline areas with an emphasis on subject matter appropriate to the program or discipline. Seminar courses provide an opportunity to explore topics of current interest with an emphasis on the development of critical listening skills and ability to critically analyze issues to establish

informed opinions. Courses designed to be long-term shall be submitted for inclusion in the Combined Course Library. Selected topic and seminar courses may be included in the Other Required Hours as defined in 1D SBCCC 400.10(e)(4) of a program of study with the following range of semester hours of credit:

a. Certificate, Diploma and Associate in Applied Science: Maximum of three semester hours of credit for both selected topics and seminar courses.
b. Associate in Arts, Science, Engineering, and Fine Arts in Music, Theatre and Visual Arts: Maximum of one semester hour credit, utilized as the 61st hour, for both selected topic and seminar courses. The transfer of this hour is not guaranteed. The receiving senior institution will determine the transferability of the course.
c. Associate in General Education. Maximum of three semester hours of credit for both selected topics and seminar courses.
d. Associate in General Education Nursing: Selected topic and seminar courses may not be included.

6) Work-Based Learning:
    a. Work-Based Learning is the development of job skills and an opportunity for career exploration by providing the non-special credit curriculum student with employment that is coordinated with the educational program. Credit of one semester hour is awarded for each 160 hours of Work-Based Learning i.e., WBL curriculum prefix courses. Work-Based Learning curriculum courses may be included in a program of study with the following range of semester hours of credit:
        i. Certificate: Maximum of two semester hours of credit
        ii. Diploma: Maximum of four semester hours of credit. Students participating in an apprenticeship registered

under the State's Apprenticeship Program may use up to sixteen semester hours of credit in the diploma program.

iii. Associate in Applied Science: Maximum of eight semester hours of credit. Students participating in an apprenticeship registered under the State's Apprenticeship Program may use up to sixteen semester hours of credit in the associate in applied science program.

iv. Associate in Arts, Science, Engineering and Fine Arts in Music, Theatre and Visual Arts: Maximum of one semester hour credit which may be utilized as the 61st hour.

v. Associate in General Education: Maximum of seven semester hours of credit.

vi. Associate in General Education Nursing: Work-Based Learning shall not be included.

b. The following are required components for offering Work-Based Learning curriculum courses:

i. A college faculty coordinator or college work-based learning director shall plan and coordinate student activity in Work-Based Learning

ii. The employer is responsible for the supervision of the student on the job.

iii. If a Work-Based Learning curriculum course is required for program completion, the Work-Based Learning curriculum course must be included in a program of study which has been approved by the System Office.

iv. Students shall meet age and employment requirements established by the North Carolina Department of Labor.

v. A college shall utilize work-based learning (i.e., WBL curriculum prefix) course information as listed in the Combined Course Library.
vi. Consultation between the college representative, employer, and student must occur during the Work-Based Learning experience. Each Work- Based Learning student must receive one mandatory site visit for consultation by college faculty or the work-based learning director. Alternative methods of consultation with the employer and student may be utilized if a physical visit is not feasible as determined by the college faculty or work-based learning director responsible for the site visit.
vii. Students enrolled in Work-Based Learning curriculum courses must be enrolled in an approved curriculum program which includes WBL prefix curriculum course(s).

c. Colleges must retain a file for Work-Based Learning students that contain the following items:
    i. A current student transcript or Final Grade Report;
    ii. A student time/wage report worksheet;
    iii. A completed Work-Based Learning application;
    iv. A measurable learning outcomes (MLOs) worksheet or a job description. The MLOs are agreed upon experiences that the student will obtain while working. The job description must contain a list of general tasks, or functions, and responsibilities of a position. The employer, college faculty, or work-based learning director, and the student must develop the MLO within the first two weeks of employment. The student, employer and the faculty coordinator (or Work-Based Learning director) shall sign the MLO worksheet. The minimum

number of MLOs that must be completed and evaluated are:

A. 160 contact hours (1 Semester Hour Credit) = 1 MLO
B. 320 contact hours (2 Semester Hour Credits) = 2 MLOs
C. 480 contact hours (3 Semester Hour Credits) = 3 MLOs
D. 640 contact hours (4 Semester Hour Credits) = 4 MLOs

v. Documentation of an employer evaluation; and
vi. Documentation of employer consultation.

Colleges may substitute an apprenticeship agreement in lieu of requirements in 1D SBCCC 400.10(e)(6)(C)(iii-vi) for individuals enrolled in a college program who are participating in an apprenticeship agreement.

d. Budget FTE
    i. Work-Based Learning curriculum courses shall earn budget/FTE at the 100 percent rate of assigned Work-Based Learning hours and shall not exceed a maximum of 320 membership hours per student per semester. Students that are participating in a registered apprenticeship program through the State's Apprenticeship Program shall not exceed 640 membership hours per student per semester.
    ii. Students shall meet class membership requirements and shall also begin the Work-Based Learning experience before a college may claim class hours for budget FTE.
    iii. The college is responsible for assuring that Work-Based Learning experiences are established prior to the beginning of the Work-Based Learning course. The college may report Work-Based Learning activities either

as membership hours or contact hours if the following criteria are met:

A. A student is considered to be in class membership when the student meets the following criteria: enrolled as evidenced by payment of applicable tuition and fees, or obtained a waiver as allowed for in G.S. 115D-5(b); attended one or more classes prior to or on the 10 percent point in the class; and has not withdrawn or dropped the class prior to or on the 10 percent point.
B. Contact hours. Students may begin and end the Work-Based Learning at any time during the semester or term enrolled. The college reports only the contact hours that the student actually worked within the term.
C. Work-Based Learning Orientation. In situations where a college chooses to offer a Work-Based Learning orientation, no more than two contact hours of Work-Based Learning orientation may be counted toward the student's work-based learning experience hours. The orientation may occur prior to the beginning of the semester (although those hours may not be counted towards FTE) provided that the college has a written policy for such services.

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

Eff. November 1, 2017

Amended Eff. February 1, 2022

1D SBCCC 400.93 Faculty

RECODIFIED at 1D SBCCC 400.4.

History Note: Recodified Eff. November 1, 2017.

1D SBCCC 400.94 Curriculum Instructional Contract Provisions

RECODIFIED at 1D SBCCC 400.5.

History Note: Recodified Eff. November 1, 2017.

1D SBCCC 400.95 Curriculum Program Approvals and Terminations

RECODIFIED at 1D SBCCC 400.6.

History Note: Recodified Eff. November 1, 2017.

1D SBCCC 400.96 Instructional Service Agreements

RECODIFIED at 1D SBCCC 400.7.

History Note: Recodified Eff. November 1, 2017.

1D SBCCC 400.97 Courses and Standards for Curriculum Programs

RECODIFIED at 1D SBCCC 400.8.

History Note: Recodified Eff. November 1, 2017.

1D SBCCC 400.98 Articulation

REPEALED by the State Board of Community Colleges, eff. 1 November 2017.

History Note: Authority G.S. 115D-2.1; 115D-3; 115D-5; S.L. 1995, c. 625;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. September 1, 1993; December 1, 1984; Temporary
Amendment Eff. June 1, 1997;
Amended Eff. July 1, 1998.
Repeal Eff. November 1, 2017.

1D SBCCC 400.99 Career and College Promise

RECODIFIED at 1D SBCCC 400.11.

History Note: Recodified Eff. November 1, 2017.

1D SBCCC 400.11 Education Services through Career and College Promise (Curriculum)

The purpose of Career and College Promise is to offer structured opportunities for qualified high school students to dually enroll in community college courses that provide pathways that lead to a certificate, diploma, or degree as well as provide entry-level jobs skills. Academic credits earned through Career and College Promise shall enable students who continue into postsecondary education after graduating from high school to complete a postsecondary credential in less time than would normally be required. All previous high school transition programs, including Huskins, Concurrent Enrollment, Cooperative and Innovative High Schools, Learn and Earn, and Learn and Earn Online were consolidated and replaced by Career and College Promise.

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

(b) Career and College Promise is a dual enrollment program for eligible North Carolina high school students. Community colleges may collaborate with local school administrative units to offer courses through the following Career and College Promise program pathways:

1) A College Transfer Pathway approved by the State Board of Community Colleges including transfer courses in English and mathematics;
2) A Career and Technical Education Pathway leading to a certificate, diploma or degree;
3) Career and Technical Education – Workforce Continuing Education leading to a State or industry recognized credential. Career and College Promise rules applicable to Workforce Continuing Education are provided in 1D SBCCC 300.4(c)(1)(D).
4) A Cooperative Innovative High School Pathway approved under Part 9 of Article 16 of Chapter 115D of the North Carolina General Statutes.

(c) All non-self-supporting curriculum courses taken by high school students at community colleges in accordance with this Section are tuition-waived.
(d) High school students may not audit courses offered under the Career and College Promise Program.
(e) High school students enrolled in a College Transfer Pathway or a Career and Technical Education Pathway may not enroll in developmental education courses, but may enroll in supplemental courses. For the purposes of this section, the phrase “supplemental courses” shall have the same meaning as in 1D SBCCC 400.8(b)(1).
(f) A college shall submit a program of study for each Career and College Promise program it plans to offer, to the North Carolina Community College System Office using program codes provided by the North Carolina Community College System Office.
    1) Career and Technical Education programs of study must be in compliance with the State Board approved curriculum standard and must include a minimum of twelve (12) semester hours of credit from core courses or consist of courses as listed in the college’s catalog as a local, traditional certificate. General education courses for career and technical education programs of study shall be directly related to student success in the selected major. All courses in the program of study must be required courses. Course options are prohibited.
    2) College Transfer Pathway programs of study shall be in compliance with the State Board approved Associate in Arts, Associate in Engineering, Associate in Science, Associate in Fine Arts in Music, Associate in Fine Arts in Theater, Associate in Fine Arts in Visual Arts or Associate Degree Nursing Transfer Pathways approved by the State Board of Community Colleges.
    3) Programs of study must be approved by the North Carolina Community College System Office assigned Academic Programs staff before students can be enrolled.

4) Within the Career and College Promise program of study, a college must verify its capacity to teach all courses in the program of study.
5) Career and College Promise Students may not be enrolled in the Associate in General Education or General Occupational Technology programs with the exception of the Associate in General Education in Nursing degree.
6) Students enrolled in Adult Basic Education or Adult Secondary Education are not eligible for Career and College Promise.

(g) High school students shall complete a college application, provide a high school transcript which demonstrates eligibility to enroll in Career and College Promise as outlined in 1D SBCCC 400.11 (l), (n), or (o), and provide evidence of college readiness as outlined in 1D SBCCC 400.11(k)(1), (l)(1)-(5), (n)(1), or (o)(3) to be admitted into a Career and College Promise transfer pathway. The student shall provide a copy of the high school transcript or a copy of an assessment report from diagnostic assessment tests approved by the State Board of Community Colleges verifying that the eligibility requirements have been met. Colleges must verify eligibility prior to enrollment of the student in the Career and College Promise Program. Colleges shall maintain verification of student eligibility for a Career and College Promise Pathway.

(h) Colleges shall assign student codes provided by the North Carolina Community College System Office and shall update the student code to reflect when the student transitions out of the Career and College Promise program and is no longer eligible to participate in the program and receive a tuition waiver.

(i) Colleges must be in compliance with 1D SBCCC 400.96(a) regarding Level I Instructional Service Agreements when providing courses (on-line or traditional) or services to groups of Career and College Promise students outside of their service area.

(j) High school graduation may not be delayed in order to continue a student’s eligibility for the Career and College Promise Program.

(k) College Transfer Pathway (Juniors and Seniors)

1) To be eligible for enrollment, a high school student must meet the following requirements:
    a. Be a high school junior or senior; and
        i. Have an unweighted GPA of 2.8 on high school courses; or
        ii. Demonstrate college readiness in English, reading and mathematics by meeting benchmarks on diagnostic assessment tests which have been approved by the State Board of Community Colleges.

(l) College Transfer Pathway (Freshmen and Sophomores)

To be eligible for enrollment, a high school student must meet the following requirements:

(1) Be a high school freshman or sophomore; and
    a. Be identified as academically or intellectually gifted in English, reading and math as outlined in the local board of education's Academically and Intellectually Gifted (AIG) local plan (General Statute 115C-150.7.); or
    b. Be identified as academically or intellectually gifted in English, reading and math on an aptitude and achievement test as evidenced by a score in the range between the 92nd percentile and the 99th percentile on an aptitude and an achievement test included in the Mental Measurements Yearbook published by the Buros Institute of Mental Measurements; and

2) Demonstrate college readiness in English, reading and mathematics by meeting benchmarks on diagnostic assessment tests which have been approved by the State Board of Community Colleges; and
3) Have the maturity to justify admission to the community college, as demonstrated by obtaining all of the following:

a. A recommendation from the student's principal or equivalent administrator explaining why they believe the student has the requisite maturity to enroll at the community college;
b. A recommendation from the academically gifted coordinator, if one is employed by the high school or local school administrative unit, explaining why they believe the student has the requisite maturity to enroll at the community college; and
c. Approval to enroll by the community college president or their designee. Prior to requesting approval by the community college president or their designee, the student must deliver the recommendations described in (A) and (B) to the community college president or their designee.

4) Have the written consent of the student's parent or guardian granting permission for the student to participate in the program; and

(m)The student must participate in academic advising with representatives from the high school and community college prior to enrollment in the program. This advising shall be focused on the implications of being admitted to college early.(m) Maintaining Eligibility for Continued Enrollment, Changing Pathways, and Other Rules Applicable to College Transfer Pathways

1) To maintain eligibility for continued enrollment in the pathway, a student must:
   a. Continue to make progress toward high school graduation as outlined in G.S. 115C-105.35 and
   b. Maintain a 2.0 GPA in college coursework after completing two courses.
2) A student who falls below a 2.0 GPA after completing two college courses will be subject to the college's policy for satisfactory academic progress.
3) A student may only enroll in one College Transfer Pathway program of study. Course substitutions may be approved by the chief academic

officer for individual students. Course substitutions for individual students must be documented and maintained on file.

4) A student may change the student's pathway major with approval of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer. The college's chief student development administrator or the college's chief academic officer shall approve a change in pathway based on verification that the program change allows the student to meet their newly chosen career path.
5) High school students in a College Transfer Pathways must complete the entire pathway before taking additional courses in the Associate degree with the exception of mathematics courses.
6) With approval of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer, a student who completes a College Transfer Pathway, while still enrolled in high school, may continue to earn college transfer credits leading to the completion of the Associate in Arts, Associate in Science, Associate in Engineering, Associate in Fine Arts in Music, Associate in Fine Arts in Theater, Associate in Fine Arts in Visual Arts or Associate in General Education Nursing degree.
7) With approval of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer, a student may enroll in both a College Transfer Pathway and a Career Technical Education Pathway.
8) A student may change the student's program of study major with approval of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer. The college's chief student development administrator or the college's chief academic officer shall

approve a change in pathway based on verification that the program change allows the student to meet their newly chosen career path.

9) The college may award the Associate in Arts, Associate in Science, Associate in Engineering, Associate in Fine Arts, or Associate in General Education – Nursing to the Career and College Promise student prior to high school graduation.

10) Students pursuing credits beyond the initial transfer associate degree must provide documentation of justification based upon career pathway needs or transfer program requirements (i.e. bachelor degree plan published by the university). The high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer must approve prior to enrollment in credits beyond the initial transfer program. Approval is contingent upon the student's documentation of justification based upon career pathway needs or transfer program requirements.

(n) Career Technical Education Pathway (Juniors and Seniors)

1) To be eligible for enrollment, a high school student must:
   a. Be a high school junior or senior; and
   b. Have an unweighted GPA of 2.8 on high school courses; or
   c. Demonstrate college readiness in English, reading and mathematics by meeting benchmarks on diagnostic assessment tests which have been approved by the State Board of Community Colleges.
   d. Juniors or seniors who do not meet the eligibility requirements in 1D SBCCC 400.11(n)(1)(A) – (C) shall have the recommendation of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer. A recommendation is only allowed for entry into Career and College Promise Career and Technical Education Pathway that

does not include Universal General Education Transfer Component (UGETC) courses.

2) College Career Technical Education courses may be used to provide partial or full fulfillment of a four-unit high school career cluster. The college will grant articulated credit to students based on the then-current local or state North Carolina High School to Community College articulation agreement.
3) To maintain eligibility for continued enrollment, a student must:
    a. Continue to make progress toward high school graduation as outlined in G.S. 115C-105.35, and
    b. Maintain a 2.0 GPA in college coursework after completing two courses.
4) A student who falls below a 2.0 GPA after completing two college courses will be subject to the college's policy for satisfactory academic progress.
5) Course substitutions may be approved by the chief academic officer for individual students. The college will document course substitutions for individual students and maintain those course substitutions in the student's file.
6) With approval of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer, a Career Technical Education Junior or Senior may concurrently enroll in two Career and Technical Education Pathways or in one College Transfer Pathway and one Career Technical Education Pathway.
7) The student may change the student's pathway major with approval of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer. The college's chief student development administrator or the college's chief academic officer shall approve a

change in pathway based on verification that the program change allows the student to meet their newly chosen career path.

8) With approval of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer, a student who completes the Career and Technical Education certificate or diploma may continue in the same traditional associate in applied science program as long as they are still eligible for the Career and College Promise program. The high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer must approve prior to enrollment in credits beyond the initial Career and Technical Education program. Approval is contingent upon documentation that the credits beyond the initial program allow the student to support the student's chosen career path (i.e. a career pathway plan).
9) The college may award the certificate, diploma, or degree to the Career and College Promise student prior to high school graduation.

(o) Career Technical Education Pathway (Freshmen and Sophomores)

1) Colleges may enroll eligible high school Freshmen and Sophomores only in industrial technologies (program code 50xxx), engineering technologies (program code 40xxx), agriculture and natural resources (program code 15xxx), and transportation (program code 60xxx), construction (program code 35xxx), and business technologies (program code 25xxx) certificate and diploma programs.
2) Freshmen and Sophomores may not enroll in Career and Technical Education p Pathways that include Universal General Education Transfer Component (UGETC) courses.
3) To be eligible for enrollment, a high school student must be a high school Freshman or Sophomore. A Freshman or Sophomore must:
    a. Have passed Math I with a grade of "C" or better;

b. Test college ready in mathematics as determined by the assessment given by the North Carolina Department of Public Instruction;
c. Test college ready in English and reading as determined by the assessment given by the North Carolina Department of Public Instruction;
d. Have received information outlining program requirements for completion of the certificate or diploma; and
e. Have the recommendation of the high school principal or the principal's designee and the college's chief student development administrator or the college's chief academic officer; or
f. Demonstrate college readiness in English, reading and mathematics by meeting benchmarks on diagnostic assessment tests which have been approved by the State Board of Community Colleges and have the recommendation of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer.

4) College Career Technical Education courses may be used to provide partial or full fulfillment of a four-unit career cluster. The college will grant articulated credit to the students based on the then-current local or state North Carolina High School to Community College articulation agreement. To maintain eligibility for continued enrollment, a student must:
    a. Continue to make progress toward high school graduation, and
    b. Maintain a 2.0 GPA in college coursework after completing two college courses. A student who falls below a 2.0 GPA after completing two college courses will be subject to the college's policy for satisfactory academic progress.
5) A student must enroll in one pathway and may not substitute courses in one pathway for courses in another.

a. The student may change the student's pathway major to another eligible program of study with approval of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer. The college's chief student development administrator or the college's chief academic officer shall approve a change in pathway based on verification that the program change allows the student to meet their newly chosen career path.
b. A student may concurrently enroll in two Career and Technical Education Pathways in allowable program areas provided the exception has been approved by the college's chief student development administrator or the college's chief academic officer. The college's chief student development administrator or the college's chief academic officer shall approve an exception if concurrent pathways are aligned to the student's career pathway interest and career goals.

6) With approval of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer, a student who completes a Career Technical Education Pathway, while still enrolled in high school may continue to earn college credits leading to the completion of a higher level credential within the same program code. The college's chief student development administrator or the college's chief academic officer shall approve the continuation if the credential is in the same program code.
7) With approval of the high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer, a student who completes the Career and Technical Education certificate or diploma may continue in

the same traditional associate in applied science program as long as they are still eligible for the Career and College Promise program.

8) The college may award the certificate, diploma, or degree to the Career and College Promise student prior to high school graduation.
9) The high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer must approve prior to enrollment in credits beyond the initial Career and Technical Education program. Approval is contingent upon documentation that the credits beyond the initial program allow the student to support the student's chosen career path (i.e. a career pathway plan).

(p) Cooperative Innovative High School Programs (CIHSP)

1) Cooperative Innovative High School Programs are jointly established by local boards of education and local boards of trustees.
2) CIHSP enroll 100 or fewer students per grade level.
3) Students enrolled in CIHSP have the opportunity to complete an associate degree program, diploma, certificate, or earn up to two years of college credit while completing a high school diploma within five years.
4) Cooperative Innovative High School (CIHS) student may enroll in
    a. One College Transfer program of study;
    b. One College Transfer program of study and one Career and Technical Education program of study; or
    c. Two Career and Technical Education programs of study.
5) Students pursuing credits beyond the initial transfer associate degree must provide documentation of justification based upon career pathway needs or transfer program requirements (i.e. bachelor degree plan published by the University of North Carolina). The high school principal or the high school principal's designee and the college's chief student development administrator or the college's chief academic officer must approve prior to enrollment in credits beyond the initial

transfer program of study. Approval is contingent upon documentation of justification based upon career pathway needs or transfer program requirements (i.e. bachelor degree plan published by the University of North Carolina).

6) CIHSP are located on college campuses. A school shall obtain approval from the State Board of Community Colleges for exceptions to this requirement. Exceptions are based on local needs as outlined in the location waiver request. The approved waiver shall be maintained locally for documentation. The State Board of Community Colleges shall use the following factors to determine whether to approve location waivers:
    a. Space availability;
    b. School capacity;
    c. Proximity to the student population;
    d. Suitable, available space with equipment specific to the curriculum; or
    e. Articulable, imminent, and significant health or safety concerns.
7) Student eligibility requirements for CIHSP are determined locally.
8) CIHS students may not audit courses.
9) CIHS students may not enroll in developmental education courses but may enroll in supplemental courses.
10) CIHS students may not be enrolled in the Associate in General Education or General Occupational Technology programs with the exception of the Associate in General Education in Nursing degree.
11) Colleges may award the certificate, diploma, or degree prior to high school graduation.

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Amended Eff. February 1, 2020.

SUBCHAPTER 500. CUSTOMIZED TRAINING

1D SBCCC 500.1 Program Classification

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

(a) Curriculum Programs:

1) A curriculum program is an organized sequence of courses leading to an associate degree, a diploma, or a certificate. All curriculum programs are designed to provide education, training, or retraining for the work force.
    a. Associate degree programs are planned programs of study culminating in an associate in applied science, associate in arts, associate in fine arts, associate in science, or associate in general education degree.
        i. The associate in applied science degree programs are designed to prepare individuals for employment. These programs involve the application of scientific principles in research, design, development, production, distribution, or service.
        ii. The associate in arts, associate in science, and associate in fine arts degree programs are designed to prepare students for transfer at the junior level to institutions offering baccalaureate degrees.
        iii. The associate in general education degree programs are designed for students who desire a general liberal arts education.
    b. The diploma programs are designed to provide entry-level employment training. A diploma program may be a stand-alone curriculum program title, or a college may award a diploma under the college's associate in applied science degree

curriculum program for a series of courses taken from the program of study and structured so that a student may complete additional non-duplicative coursework to receive an associate in applied science degree.

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

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

(b) Continuing Education Programs:

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

2) Community Service:

a. Community Service courses consist of single courses, each complete in itself, that focus on an individual's personal or leisure needs rather than occupational or professional employment.

b. The cultural and civic, and visiting artist component of this program meets community needs through lecture and concert series, art shows, the use of college facilities by community

groups, providing speakers to community organizations, and providing visiting artist activities for college communities. Visiting artists may be provided an opportunity to work as artists in residence to enhance local arts resources and promote the various visual, performing and literary arts in communities throughout North Carolina.

3) Self-Supporting Programs:
    a. A self-supporting course is not reported to the state for budget FTE since the cost of conducting the course is paid by students enrolled.
    b. Recreational programs are self-supporting courses which the college may provide at the request of the community but for which the college receives no budgetary credit. Funds appropriated as operating expenses for allocation to the colleges shall not be used to support recreation courses. The financing of these courses by a college shall be on a self-supporting basis, and membership hours produced from these activities shall not be counted when computing full-time equivalent students for use in budget-funding formulas at the state level.
4) Basic Skills Programs. The State Board and the community college system shall encourage persons to complete high school rather than seek testing for the High School Diploma Equivalency.
    a. High School Equivalency programs consist of classroom instruction, learning laboratory courses, or a combination of activities designed to qualify a student for an adult high school diploma. An Agreement of Affiliation with a local public school system is required for minors sixteen or seventeen years old. No agreement is required for adults eighteen years old and older.
    b. General Educational Development (GED) testing programs consist of classroom instruction, or learning laboratory courses,

or a combination of both designed to qualify a student to demonstrate competency on the General Educational Development (GED) tests and to receive a High School Diploma equivalency from the State Board. The State Board is responsible for the administration of the General Educational Development testing program in cooperation with the Office on Educational Credit of the American Council on Education. The procedures regulating the GED Testing Program set forth in the GED Examiner's Manual published by the General Educational Development Testing Service of the American Council on Education are hereby incorporated by reference. A copy of this manual is available for inspection in the Office of the System President, Community College System Office, 200 W. Jones Street, Raleigh NC 27603-1379. A copy of this manual may be obtained at a cost of fifteen dollars ($15.00) from the GED Testing Service of the American Council on Education, One Dupont Circle NW, Suite 250, Washington, DC 20036-1163.

c. The Adult Basic Education (ABE) program is designed for adults who are functioning at or below the eighth grade educational level. The major objectives of the program are to enable adults to acquire the basic educational skills necessary to be fully competent in our society, to improve their ability to benefit from occupational training and to have greater opportunities for more productive and profitable employment, and to meet their own objectives for enrolling in the program. Classes are offered and focus on fundamental skills such as reading, writing, speaking, computing, critical thinking, and problem solving.
d. The English as a Second Language (ESL) program offers classes which accommodate the varied needs of the immigrant and refugee populations. Attention is given to both the cultural and linguistic needs as instruction is focused upon the formation

of accurate, appropriate communication skills and upon the student's ability to function in the adult American community. Classes are offered at the beginning through the advanced levels of ESL. The curriculum is designed to develop the basic language skills of reading, writing, speaking, and listening. Instruction integrates the English language with topics that prepare students for everyday life, employment, and citizenship.

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

5) Customized Training Program.

a. The Customized Training Program addresses company-specific training customized for job growth, technology investment, or productivity enhancement. Based on needs specified in G.S. 115D-5.1, Customized Training Programs shall address job-specific training.

b. The Small Business Center program provides training, counseling and referral services especially designed in content and delivery modes for small businesses, both existing and prospective.

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

a. assessment of an individual's assets and limitations;

b. development of a positive self-concept;

c. development of employability skills;

d.)development of communication skills;

e. development of problem-solving skills; and
f. awareness of the impact of information technology in the workplace.

7) The Learning Laboratory programs consist of self-instruction using programmed texts, audio visual equipment, and other self-instructional materials. A learning laboratory coordinator has the function of bringing the instructional media and the student together on the basis of objective and subjective evaluation and of counseling, supervising, and encouraging persons working in the lab.

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

1D SBCCC 500.98 Customized Training Program

(a) Local colleges shall provide customized training programs for companies experiencing job growth, productivity enhancement needs, or creating technology investment to support the economic development of the State. Training programs for these companies shall be administered by the local college, with consultation and assistance from the department's System Office Economic Development staff.

(b) State funds are appropriated to the North Carolina Community College System office in a separate line to support the Customized Training Program. These funds shall be used only to support companies experiencing job growth, productivity enhancement or technology investment.

History Note: Authority G.S. 115D-5;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. July 1, 2009; September 1, 1993; December 1, 1984.

1D SBCCC 500.99 Assistance For Economic Development

(a) A board of trustees that permits a private business enterprise to use college facilities or personnel pursuant to G.S. 66-58(c) and G.S. 115D-20(12) shall enter into a written agreement with the private business enterprise prior to providing any services. The agreement shall state the terms and conditions including costs for using college facilities and personnel.

(b) Access to a college's small business incubator shall be limited to 24 months for private business enterprises.

(c) Videoconferencing services may be provided to the public for occasional use.

(d) The board of trustees shall evaluate its services for small business incubators,

(e) product testing or teleconferencing services on an annual basis.

History Note: Authority G.S. 66-58(c); 115D-20(12);
Temporary Adoption Eff. October 10, 2001;
Eff. April 1, 2003.

SUBCHAPTER 600. SMALL BUSINESS CENTERS

1D SBCCC 600.1 Program Classification

(a) The following criteria are used for classifying the programs offered in the North Carolina Community College System.

1) Curriculum Programs:

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

i. Associate degree programs are planned programs of study culminating in an associate in applied science, associate in arts, associate in fine arts, associate in science, or associate in general education degree.

A. The associate in applied science degree programs are designed to prepare individuals for employment. These programs involve the application of scientific principles in research, design, development, production, distribution, or service.

B. The associate in arts, associate in science, and associate in fine arts degree programs are designed to prepare students for transfer at the junior level to institutions offering baccalaureate degrees.

C. The associate in general education degree programs are designed for students who desire a general liberal arts education.

ii. The diploma programs are designed to provide entry-level employment training. A diploma program may be a stand-alone curriculum program title, or a college may award a diploma under the college's associate in applied

science degree curriculum program for a series of courses taken from the program of study and structured so that a student may complete additional non-duplicative coursework to receive an associate in applied science degree.

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

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

(b) Continuing Education Programs:

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

2) Community Service:

a. Community Service courses consist of single courses, each complete in itself, that focus on an individual's personal or leisure needs rather than occupational or professional employment.

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

3) Self-Supporting Programs:
    a. A self-supporting course is not reported to the state for budget FTE since the cost of conducting the course is paid by students enrolled.
    b. Recreational programs are self-supporting courses which the college may provide at the request of the community but for which the college receives no budgetary credit. Funds appropriated as operating expenses for allocation to the colleges shall not be used to support recreation courses. The financing of these courses by a college shall be on a self-supporting basis, and membership hours produced from these activities shall not be counted when computing full-time equivalent students for use in budget-funding formulas at the state level.
4) Basic Skills Programs. The State Board and the community college system shall encourage persons to complete high school rather than seek testing for the High School Diploma Equivalency.
    a. High School Equivalency programs consist of classroom instruction, learning laboratory courses, or a combination of activities designed to qualify a student for an adult high school diploma. An Agreement of Affiliation with a local public school

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

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

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

d. The English as a Second Language (ESL) program offers classes which accommodate the varied needs of the immigrant and refugee populations. Attention is given to both the cultural and linguistic needs as instruction is focused upon the formation of accurate, appropriate communication skills and upon the student's ability to function in the adult American community. Classes are offered at the beginning through the advanced levels of ESL. The curriculum is designed to develop the basic language skills of reading, writing, speaking, and listening. Instruction integrates the English language with topics that prepare students for everyday life, employment, and citizenship.
e. The Compensatory Education (CED) program is designed for adults with mental retardation. The program is highly individualized and fosters a maximum level of independent living commensurate with personal ability. Instruction is offered in math, language, social science, health, community living, consumer education and vocational education.

5) Customized Training Program.
   a. The Customized Training Program addresses company-specific training customized for job growth, technology investment, or productivity enhancement. Based on needs specified in G.S. 115D-5.1, Customized Training Programs shall address job-specific training.
   b. The Small Business Center program provides training, counseling and referral services especially designed in content and delivery modes for small businesses, both existing and prospective.
6) The Human Resources Development (HRD) program provides skill assessment services, employability skills training, and career development counseling to unemployed and underemployed adults. These courses shall address six core components as follows:

a. assessment of an individual's assets and limitations;
b. development of a positive self-concept;
c. development of employability skills;
d. development of communication skills;
e. development of problem-solving skills; and
f. awareness of the impact of information technology in the workplace.

7) The Learning Laboratory programs consist of self-instruction using programmed texts, audio visual equipment, and other self-instructional materials. A learning laboratory coordinator has the function of bringing the instructional media and the student together on the basis of objective and subjective evaluation and of counseling, supervising, and encouraging persons working in the lab.

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

SUBCHAPTER 700. GENERAL PROVISIONS

1D SBCCC 700.1 Audited Courses

(a) Definition. “Audit” means to enroll in a course section without receiving a grade, academic credit, continuing education unit, or certificate of completion. Students shall pay to audit courses consistent with the provisions of 1E SBCCC Subchapter 1000.

(b) Eligibility to Audit. A student may audit a course section only on a space available basis as determined by the college. A student who audits a course section shall not displace students enrolling or registering to receive a grade, academic credit, continuing education unit or certificate of completion in the course section. The student must receive approval to audit a course section consistent with the college’s local procedures.

(c) Local Policy. Students approved to audit course sections must comply with local college policies related to auditing courses. Colleges may adopt policies and procedures identifying courses available and not available for audit.

(d) Transcript. The college shall specify on a student’s transcript if a student audited a course section.

History Note: Authority G.S. 115D-5;
Temporary Adoption Eff. July 1, 2017;
Amended Eff. November 1, 2017.

1D SBCCC 700.98 Instruction To Captive Or Co-Opted Groups

(a) A college shall obtain State Board approval before providing instruction to classified Captive or Co-opted students. Captive or Co-opted groups of students are defined as individuals residing in a correctional facility; clients of sheltered workshops, domiciliary care facilities, nursing facilities including neuro-medical treatment centers, intellectual and developmental disabilities (IDD) centers, alcohol and drug abuse treatment Centers (ADATC); and residents of psychiatric residential treatment facilities. Approval by the State Board of Community Colleges shall constitute approval of the curriculum program or workforce continuing education course(s) and the group to be served by the college.

(b) Instruction to Captive or Co-opted groups may be approved when the State Board determines that the proposed instruction for the group is not a function of the requesting agency, and the instruction is within the purpose of the community college as defined in G.S. 115D-1.

(c) Instruction to Captive or Co-opted groups may be approved in the form of curriculum programs as defined in 1D SBCCC 400.3(a) and workforce continuing education courses as defined in 1D SBCCC 300.3. State Board of Community Colleges (SBCC) approved curricula for Captive or Co-opted groups shall include changes in programs of study and SBCC approved workforce continuing education course modifications. Physical education may not be a part of a curriculum program in a correctional setting.

(d) Policies governing student enrollment in curriculum programs or courses and workforce continuing education courses shall be consistent with general college policies.

History Note: Authority G.S. 115D-1; 115D-5;
Emergency Adoption Eff. July 1, 1979 For a Period of 120 days to Expire on October 29, 1979;
Made Permanent By Amendment Eff. October 5, 1979;
Amended Eff. April 1, 2003; January 1, 1996; September 1, 1993;

December 1, 1984

Amended Eff. February 1, 2022.

1D SBCCC 700.99 Live Projects

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-14; P.L. 97-300;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; August 17, 1981;
Repealed Eff. November 1, 2015.

SUBCHAPTER 800. CREDIT FOR PRIOR LEARNING

1D SBCCC 800.1 Definitions

(a) Certification. An industry-recognized credential or designation that is obtained once the student has successfully passed a certification exam. Certification differs from licensure in that certification is a validation of specific industry-valued competencies and not a legal requirement for practicing a profession.

(b) College-level learning. Knowledge, skills, and competencies equivalent to those expected of a student who successfully completes the corresponding curriculum course.

(c) Continuing Education. Definition consistent with 1D SBCCC 300.1(a).

(d) Continuing Education Course. Definition consistent with 1D SBCCC 300.1(b).

(e) Credit for Prior Learning (CPL). Curriculum credit awarded for college-level learning obtained through prior learning experiences other than curriculum coursework. This definition does not include curriculum credit transferred from another accredited US institution of higher education.

(f) Credit for Prior Learning standard. A designated amount of academic credit colleges shall award for college-level learning that fulfills established criteria.

(g) Curriculum course. Definition consistent with 1D SBCCC 400.8.

(h) Curriculum Course Review Committee (CCRC). Definition consistent with 1D SBCCC 400.8(h).

(i) Curriculum program. Definition consistent with 1D SBCCC 400.3(a).

(j) Licensure. A legal status granted by a government entity that provides permission to practice a profession. Licensure restricts practice of the profession to individuals who have met specific qualifications in education, professional experience, and/or have successfully passed an examination.

(k) Prior Learning Assessment. An evaluation of whether a student has obtained the requisite level of verifiable college-level learning outside of the traditional learning environment for curriculum credit.

(l) Continuing Education Leadership Committee (CELC). Definition consistent with 1D SBCCC 300.5 (b)(2).

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

Eff. April 1, 2021.

1D SBCCC 800.2 General Provisions

(a) The purpose of this Subchapter is to guarantee that all North Carolina Community Colleges follow consistent academic conventions to ensure the integrity of the CPL process and to establish minimum standards for all NC community colleges.

(b) Consistent with the provisions of this Subchapter colleges are authorized to award CPL using the following prior learning methods:

1) Apprenticeship
2) State or Industry Recognized Credentials/Continuing Education to Curriculum Credit
3) Courses listed in high school to community college articulation agreements.
4) Military education and training
5) Standardized examinations
6) Challenge exams/Proficiency
7) Portfolio assessment
8) Public Safety Training (PST) prefix courses

(c) Colleges may award curriculum CPL when the documentation of prior learning meets or exceeds a demonstration of learning outcomes at the institutions' standards for awarding credit for the corresponding curriculum course. Institutions may award CPL that exceeds the minimum standards established in this Subchapter.

(d) Colleges may only award curriculum CPL that is directly applicable to a student's declared curriculum program of study.

(e) CPL for advanced courses does not negate the requirement to meet requisite learning outcomes.

(f) CPL may be used to fulfill program requirements except for mandatory institutional requirements. Examples may include, but are not limited to, requirements of external agencies that specifically prohibited the use of CPL to fulfill the program requirements.

(g) CPL cannot be used to satisfy the college's institutional credit requirements, which prescribes the minimum percentage of credit hours a student must earn through instruction offered by the institution awarding the credential. No greater than seventy-five percent (75%) of the credit hours required for graduation from a curriculum program of study may be earned through CPL.

(h) Any CPL awarded by a college shall be reflected in the student's records by the college's Registrar Office without quality points assigned, except for allowances for graded military credit as described in 1D SBCCC 800.6"

(i) Course Credit CPL standards approved by the CCRC shall be considered for transfer to any college in the North Carolina Community College System.

(j) The local board of trustees shall adopt a policy governing the awarding of CPL. At a minimum, the local policy shall be consistent with standards established by this Subchapter. The local policy may include additional opportunities for students to receive CPL. Each college shall publish its CPL policy in the college's educational catalog.

(k) Colleges shall establish a procedure that students must follow to request a prior learning assessment. This procedure shall be published in the college's educational catalog.

(l) To be eligible to receive CPL, students must meet all of the following criteria:

1) Meet all admission requirements for their program of study.
2) Be enrolled in a curriculum program to which the credit will directly apply; and
3) Request a prior learning assessment consistent with the college's CPL procedures and provide all documentation by the published deadlines.

(m) Nothing in this rule shall be construed to supersede limitations imposed by an accreditation, credentialing, licensure, or other external agency on the application of CPL towards credentials under their purview. In such instances, the college shall document the applicable limitations in the student's file.

(n) It is possible that CPL from (b)(1), (b)(2), (b)(3), (b)(6), (b)(7), or (b)(8) may not be transferable to UNC System constituent institutions. Furthermore, UNC System SBCC institutions may request documentation to determine potential

course credit. Colleges should encourage students to consult a UNC System transfer advisor before using these CPL sources to attain credit at a community college institution.

History Note: Authority G.S. 115D-5;
Eff. April 1, 2021.
Amended Eff. November 1, 2021.
Amended Eff. February 1, 2022

1D SBCCC 800.3 Apprenticeships

(a) The NCCCS recognizes “Registered Apprenticeships” as defined by the U.S. Department of Labor.

(b) At a minimum, colleges shall award CPL based on statewide articulation as approved by the CCRC for related instruction provided by external entities for registered apprenticeship programs. A college may award CPL for related instruction provided by external entities for which statewide articulations have not been established by the CCRC consistent with its local CPL policy.

(c) Work-based learning (WBL) course credit may be granted for the experiential portion of a Registered Apprenticeship. Documentation including completed time on task shall be provided through an Apprenticeship Agreement and shall constitute the documentational requirements of a WBL experience.

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

Eff. April 1, 2021.

1D SBCCC 800.4 State or Industry Recognized Credentials

(a) The CCRC, based on recommendations from the CELC, shall have the authority to approve CPL standards for state or industry recognized credentials that document similar college-level learning as corresponding curriculum courses and, therefore, are eligible for articulated curriculum credit. Prior to approving CPL, the CCRC shall have written concurrence by two-thirds of colleges.

(b) At a minimum, colleges shall award CPL for successful completion of state or industry recognized credentials consistent with the CPL standards approved by the CCRC. A college may award CPL for state or industry recognized credentials for which statewide articulations have not been established by CCRC consistent with its local CPL policy.

History Note: Authority G.S. 115D-5;
Eff. April 1, 2021.

1D SBCCC 800.5 Courses Listed in High School to Community College Articulation Agreements

(a) The North Carolina High School to Community College Articulation Agreement is an agreement between the North Carolina Department of Public Instruction and the North Carolina Community College System. The articulation agreement ensures that when a student is proficient in a high school course included in the agreement, the student can receive college credit for that course at any North Carolina community college.

(b) Colleges shall award credit to students who have completed a high school course and met the criteria as outlined in the High School to Community College Articulation Agreement.

(c) A college may award credit for successful completion of other high school courses consistent with any local high school to community college articulation agreements entered into by the college and an education entity providing secondary education.

History Note: Authority G.S. 115D-5;
Eff. April 1, 2021.

1D SBCCC 800.6 Military Education and Training

(a) Definitions.

1) “United States Armed Forces” consists of the Air Force, Army, Navy, Marine Corps, Space Force, and Coast Guard.
2) “Military Education and Training”. Education and training that has been documented on a transcript issued by one or more branches of the Armed Forces.
3) Military Credit Advisory Council (MCAC). A joint council of faculty and staff members from the NC Community College System and the University of North Carolina, MCAC oversees the process for establishing uniform standards for awarding Credit for Prior Learning for military training and experience. MCAC also ensures the transferability of these credits among institutions of both systems.
4) Military Prior Learning Academic Panels. Panels of academic faculty approved by MCAC are authorized to determine standards for awarding credit for identified subject areas.

(b) Awarding of Credit.

1) At minimum, colleges shall award Credit for Prior Learning based on military education and training consistent with the standards adopted by the appropriate Military Prior Learning Academic Panel.
2) A college may award Credit for Prior Learning for military training and education related to occupations and/or courses for which standards have not been established by an approved Military Prior Learning Academic Panel consistent with its local Credit for Prior Learning policy pursuant to the following:
    a. Air Force: Community College of the Air Force transcripts are evaluated by the college registrar or designated college official as a traditional college transcript.
    b.)Army, Navy, Marine Corps, and Coast Guard: Colleges should refer to recommendations from the American Council on Education for occupations and courses not currently evaluated

by the Military Prior Learning Academic Panels or documented on the Community College of the Air Force transcript.

History Note: Authority G.S. 115D-5;
Eff. April 1, 2021.

1D SBCCC 800.7 Standardized Examinations

(a) “Standardized examination”. Any form of examination that requires all test takers to answer the same questions, or a selection of questions from a common bank of questions following established protocol and that is scored in a standard or consistent manner.

(b) Colleges shall award Credit for Prior Learning for the following standardized examinations consistent with the standards herein:

1) Advanced Placement (AP). Advanced Placement is a program of college-preparatory courses for high school students administered by The College Board, an educational nonprofit organization. Standardized AP exams are used to assess student mastery of course content. Students receive scores on a “1” to “5” scale, with “5” being the highest.
    a. An AP exam score determines how many credits are awarded towards specific coursework.
    b. Colleges shall award credit to a student who earns a score of “3” or higher on an AP exam as approved by the CCRC. Course credit is awarded based upon the academic program of study.
    c. A college may award credit for AP scores and courses beyond those approved by the CCRC as determined by local college policy.
2) Cambridge Assessment International Education Examinations. Cambridge Assessment International Examinations are a series of internationally recognized college-level examinations administered by Cambridge Assessment International Education, a unit of the University of Cambridge.
    a. Upon review and evaluation of student submitted documentation by the college designee, students may earn credit based on the AS and A Level exam(s) taken and grades(s) earned. An official grade report from Cambridge International must be provided to the college.

b. Students shall earn college credit if a grade of e/E or better (which is the equivalent to a grade of C in the United States) is earned on the Cambridge International AS and A Level Examination.
c. Using the current Cambridge translation table, course credit is awarded and listed on the student's academic record. Course credit is awarded based upon the academic program of study.
d. The course credit equivalency is documented on the student record.

3) College-Level Examination Program® (CLEP). The College-Level Examination Program® is a credit-by-examination program offered by the College Board, an educational nonprofit organization. The program allows students from a wide range of ages and backgrounds to demonstrate their mastery of introductory college-level material.
   a. If a CLEP exam in a subject is offered by the College Board, colleges shall require a student to take the CLEP exam if he or she seeks to demonstrate proficiency in the subject area by examination.
   b. Colleges shall award credit to a student who scores at or above the credit- granting score recommended by the American Council on Education at the time the college evaluates the student's official score. report. Colleges shall award the same amount of credit to a student who scores satisfactorily on the relevant CLEP exam as a student who successfully completes the related course.
   c.)Students who perform satisfactorily on College-Level Examination Program exams shall receive a standardized code in the college's Student Information System.
   d. Students who did not receive a satisfactory score on a CLEP exam may retake the exam after three (3) months.

4) DANTES Subject Standardized Tests (DSST). DANTES Subject Standardized Tests are credit-by-examination tests developed by the Defense Activity for Non-Traditional Education Support (DANTES), a United States Department of Defense program.
    a. Colleges shall award credit to a student who scores at or above the credit- granting score recommended by the American Council on Education at the time the college evaluates the student's official score report. Colleges shall award the same amount of credit to a student who scores satisfactorily on the relevant DSST as a student who successfully completes the related course.
    b. Students who did not receive a satisfactory score on a DSST may retake the exam after three (3) months.
5) International Baccalaureate® (IB) Diploma Programme. International Baccalaureate® Diploma Programme is a college-preparatory program for students age 16-19 administered by International Baccalaureate®, an international educational foundation. Standardized IB exams are used to assess student mastery of course content. Students receive scores on a "1" to "7" scale, with "7" being the highest.
    a. International credentials must be obtained from a recognized international institution that is validated by a US credentialing agency. A grade of (70) percent or higher must be earned for the courses being considered for credit.

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

Eff. April 1, 2021.

1D SBCCC 800.8 Challenge Exams/Proficiency

(a) Challenge Exam/Proficiency. A departmental or institutional exam for a community college course used to determine if a student's subject matter proficiency is equal to or greater than the corresponding proficiency the student would have achieved had he or she completed the actual course.

(b) Challenge Exam/Proficiency Standards

1) Each college is responsible for ensuring the validity and reliability of institutional challenge exams/proficiency.
2) Challenge exams/proficiency may be handwritten, computer-based, oral, practical, or a combination of these administration methods.
3) Developmental courses (as defined in 1D SBCCC 400.3(b)) supplemental courses (as defined in 1D SBCCC 400.8(b)(1)), and courses including clinical practice (as defined in 1D SBCCC 400.1(c)(2)) are not eligible for challenge exams/proficiency.
4) Challenge exams/Proficiency that are administered for courses contained in the Comprehensive Articulation Agreement (CAA) may be provided when the exam is vetted, administered, and graded by a qualified instructor in the discipline.

(c) Limitations on Students Eligible to Take Challenge Exams/Proficiency

1) A student must meet all pre-requisite requirements before he or she is eligible to take the challenge/proficiency examination for a course.
2) A student may only attempt a challenge exam/proficiency once.
3) A student may not take a challenge exam/proficiency if he or she has already earned a grade for the course. A challenge exam/proficiency may not be used to supersede a grade a student already earned in the applicable course.
4) Career and College Promise (CCP) students, a defined in 1D SBCCC 400.11, may participate in challenge/proficiency examinations to earn college credit but may not earn dual high school credit. To earn dual credit, students must enroll and successfully complete the college course.

5) If a CLEP exam in a subject is offered by the College Board, colleges may require a student to take the CLEP exam if he or she seeks to demonstrate proficiency in the subject area by examination.

(d) Colleges shall award credit for the applicable course to a student who successfully earns a grade of "C" or higher on a challenge exam/proficiency.

(e) If the college requires the student to enroll in the course to be challenged, for practical purposes the test should be administered and graded by the first week the course is offered but no later than course census. Individuals who are unsuccessful may choose to stay enrolled in the course to earn course credit.

(f) If the college challenge/proficiency examination occurs outside of regular course enrollment, then an optional assessment fee may be charged to cover administrative cost per 1E SBCCC 700.6.

(g) For students enrolled in the course, successful challenge/proficiency examination completion may result in the student falling below full-time student status which could negatively impact their financial aid status; therefore, students should consult with their advisors beforehand to discuss various options.

(h) Federal Pell grant funds cannot be used to pay for challenge exams/proficiency.

(i) Student hours shall not be reported for budget/FTE which result from challenge exams/proficiency except that the actual time required to take the exam may be counted in membership; students shall be registered in the class consistent with 1E SBCCC subchapter 300 or 1E SBCCC Subchapter 400 (1G SBCCC 200.95).

(j) Challenge Exams/Proficiency are not calculated into a student's cumulative grade point average.

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

Eff. April 1, 2021.

1D SBCCC 800.9 Portfolio Assessment

(a) Portfolio for Life and Work Experiences. A collection of artifacts documenting competencies gained through prior learning experiences that a student formally submits to a college.

(b) Portfolio assessment. The evaluation of a Portfolio for Life and Work Experiences by subject matter experts designated by the local college in its local policy to determine whether a student is awarded Credit for Prior Learning.

(c) Colleges may award Credit for Prior Learning based on portfolio assessment as provided by their local policies.

(d) If the college challenge examination occurs outside of regular course enrollment, then an optional assessment fee may be charged to cover administrative cost per 1E SBCCC 700.6.

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

Eff. April 1, 2021.

1D SBCCC 800.10 Public Safety Training (PST) Prefix Courses

(a) Courses in the Combined Course Library with a Public Safety Training (PST) prefix can be used for awarding prior-learning credit for industry-recognized public safety training and/or credentials.

(b) Consistent with 1D SBCCC 400.8(c), credit shall be considered for public safety training that meets the criteria outlined in the Public Safety Training (PST) course descriptions as listed in the Combined Course Library.

(c) Official documentation from the training provider or credentialing entity shall be provided to the college that validates, at a minimum, the description and length of training.

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

Eff. April 1, 2021.

CHAPTER E. STUDENT TUITION AND FEES

SUBCHAPTER 100. DEFINITIONS

1E SBCCC 100.1 Definitions

The following definitions apply to this Chapter:

(a) "Enroll" – To become a student in a course section by registering for the course section and either making payment or receiving financial aid for that course section. For the purposes of this definition, a tuition or registration fee waiver is a form of financial aid.

(b) "Local Fees" – A fee charged to a student for a good or service provided by the college other than instruction.

(c) "Register" – To complete the procedure defined by the college to sign up for a course section.

(d) "Registration Fee" – The amount charged to a student to enroll in a continuing education course that earns budget FTE as described in 1G SBCCC 100.99.

(e) "Self-Supporting Fee" – A fee charged to a student to enroll in a course that is offered on a self-supporting basis, as provided by 1E SBCCC 600.

(f) "Tuition" - The amount charged to a student to enroll in a curriculum course that earns budget FTE as described in 1G SBCCC 100.99.

(g) "Waive" – To exempt a student from paying a charge that would otherwise be required and adjust the student's account accordingly. The amount waived represents revenue foregone by the entity that would have otherwise received the benefit of the revenue.

(h) "Audit" – Shall have the same meaning as in 1D SBCCC 700.1(a).

History Note: Authority G.S. 115D-5;
Eff. May 16, 2014;
Temporary Amendment Eff. July 1, 2017.
Amended Eff. November 1, 2017

SUBCHAPTER 200. GENERAL PROVISIONS

1E SBCCC 200.1 Authority to Establish Tuition and Fees

(a) Colleges shall charge students tuition and registration fees consistent with this chapter. Colleges are authorized to charge self-supporting and local fees established by their boards of trustees consistent with this chapter.

(b) Colleges shall provide students through publicly-available means information about all approximate tuition and fees required for a course prior to enrollment. Tuition and fees shall be kept to a minimum consistent with the State Board philosophy to keep student costs as low as possible.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 200.2 Time Due, Deferred Payment, Failure to Pay

(a) Time Due. If a student registers on or before the first date of a course section, tuition, registration fees, and other fees required for enrollment are due on a specific date prescribed by the college that is on or before the census date of the course section. If a student registers after the first date of the course section, tuition, registration fees, and other fees required for enrollment are due on or by the census date. A student may satisfy the requirement for payment due through one or more of the following methods:

(1) Directly paying the college.

(2) Demonstrating to the college's satisfaction that the student is eligible for financial aid or other third-party payment.

(3) Entering into a deferred payment plan authorized by 1E SBCCC 200.2(b).

(4) Providing evidence of eligibility for a tuition or registration fee waiver consistent with 1E SBCCC 800.

To ensure tuition receipts are deposited to the credit of the fiscal year in which the Fall academic term occurs, colleges shall begin collecting curriculum tuition payments for the Fall academic term on or after July 1 of that year.

(b) Deferred Payment. The college may, with approval of the board of trustees, prescribe written procedures to permit short-term deferred payment or payment in installments; provided, however, that payment in full is due by the end of the academic term. For the purposes of this section, “short term” is defined as a period that does not extend beyond the last day of the academic term.

(c) Failure to Pay. Unless otherwise prohibited by law, colleges may not enroll or distribute an academic credential to a student with an outstanding balance for tuition or registration fees except under the following circumstances:

(1) The college anticipates that the outstanding balance will be paid using pending financial aid;

(2) A person or organization demonstrates to the satisfaction of the college the ability to pay the outstanding obligation and guarantees in writing to pay the balance if the student fails to do so;

(3) A student is registered in a course section offered for the benefit of a company or agency. For the purpose of this rule, company or agency specific course sections are courses where the company pays the tuition or registration, and courses where attendance in the course section is limited to employees of the company or agency;

(4) A student is classified as a captive or co-opted student pursuant to 1D SBCCC 700.98(a); or

(5) A student is registered in a course that is on a specialized course list approved by the State Board of Community Colleges and supports the organizational training needs for entities specified in G.S. 115D-5(b)(2).

(6) The college, in its discretion, determines that the outstanding balance is due to a COVID-19 related reason.

Unless otherwise prohibited by law, colleges may withhold transcripts of grades and any other service pending resolution of outstanding monetary obligations. This statement shall not be construed to prohibit a college's board of trustees from adding more stringent provisions that are allowable under law regarding outstanding monetary balances.

History Note: *Authority G.S. 115D-5; G.S. 115D-39;*
Eff. May 16, 2014;
Amended Eff. February 1, 2015.
Temporary Amendment Eff. March 19, 2020.
Temporary Amendment Repealed Eff. April 17, 2020.
Temporary Amendment Eff. April 20, 2020. Temporary Amendment expires October 14, 2020.
Temporary Amendment Eff. October 14, 2020.
Temporary Amendment Eff. July 1, 2024. Temporary Amendment expires December 31, 2024.
Amended Eff. May 1, 2025

1E SBCCC 200.98 Authority to Establish Tuition and Fees

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; 116-143.1; S.L. 1995, c. 625;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; September 1, 1982; August 17, 1981;
January 14, 1980;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. August 1, 2004; July 1, 1998;
Repealed Eff. May 16, 2014.

1E SBCCC 200.99 Deposit of Fees

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; 115D-58.9;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; August 17, 1981;
Repealed Eff. May 16, 2014.

SUBCHAPTER 300. CURRICULUM TUITION

1E SBCCC 300.1 Tuition for Curriculum Programs

(a) Tuition Rates. The State Board shall set a uniform tuition rate per credit hour and a maximum tuition amount per academic term for resident and non-resident students consistent with actions taken by the General Assembly.

(b) Tuition Required. Colleges are required to charge students tuition to enroll in a curriculum course that earns Budget FTE as described in 1G SBCCC 100.99. Students are required to pay tuition, or have a third-party pay on their behalf, to enroll in a curriculum course, unless waived by law. See also 1E SBCCC Subchapter 800.

(c) Tuition for Student Enrolled in More than One College. If a student enrolls for the same academic term at two or more community colleges, the student may pay the total amount of tuition and registration fees to the student's "home" college, at the discretion of the “home” college. For the purposes of this section, "home" college means the college in which the student initially enrolls for the academic term. The "home" college shall work with the other college or colleges in which the student is enrolled to ensure the student is not charged more tuition than the maximum allowed by the State Board for the academic term. Student membership hours as defined in Chapter G for instruction received shall be reported by the college in which the respective instruction occurred.

(d) Deposit of Tuition. All tuition receipts are State funds. Colleges must deposit all tuition receipts to the credit of the State Treasurer, consistent with State law.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 300.2 Family Relocation Tuition

(a) As provided by G.S. 115D-39(a), community colleges may charge resident tuition rates to nonresident students who are members of families that were transferred to this state by businesses, industries, or civilian families transferred by the military, for employment. Prior to enrollment at the resident tuition rate, the nonresident student shall fulfill the following conditions:

1) Demonstrate that his or her family moved to this state within the 12 months preceding enrollment;
2) Present a letter to the college from the employer on corporate letterhead stating that the employee, through whom the student claims this benefit, relocated to this state for employment with that business, industry, or military establishment;
3) Present proof of his or her familial relationship with the employee, unless the student is the employee;
4) Present proof that the student lives in the same house with the employee, unless the student is the employee;
5) Present proof that the student is financially dependent on the employee through which the student claims this benefit, unless the student is the employee; and
6) Comply with the requirements of the Selective Service System, if applicable.

(b) The number of students at a college eligible for resident tuition under this Rule in a given academic year shall not exceed one percent of the average number of nonresident students, rounded up to the next whole number, enrolled at the college during the preceding academic year. If a college charges resident tuition to students eligible under this section, eligible students shall be granted this benefit on a first-come, first-served basis.

(c) Each local board of trustees shall adopt and publish a written policy specifying whether the college will charge resident tuition rates to nonresident students who satisfy the provisions of this section. If a local board of trustees adopts a policy that allows the college to charge resident tuition rates to nonresident

students who satisfy the provisions of this section in some instances and not in others, the local board of trustees' policy shall specify the factors the college will use to determine when to grant the resident tuition rate and when to deny the resident tuition rate.

History Note: Authority G.S. 115D-5; G.S. 115D-39
Eff. May 16, 2014.

1E SBCCC 300.99 Tuition and Fees for Curriculum Programs

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; 116-143.1; P.L. 93-508; S.L. 1995, c. 625; S.L. 2010-31, s. 8.6;

Eff. February 1, 1976;

Amended Eff. September 1, 1993; December 1, 1984

Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. June 1, 1994;

Temporary Amendment Eff. June 1, 1997;

Amended Eff. April 1, 2011; August 1, 2010; April 1, 2005; August 1, 2002; August 1, 1998;

Repeal Eff. May 16, 2014.

SUBCHAPTER 400. CONTINUING EDUCATION REGISTRATION FEES

1E SBCCC 400.1 Continuing Education Registration Fees

(a) Registration Fee Rates. The State Board shall set a uniform registration fee schedule for continuing education courses based on course length, consistent with actions taken by the General Assembly.

(b) Registration fee required. Colleges are required to charge students a registration fee to enroll in a continuing education course section that earns budget FTE as described in 1G SBCCC 100.99. Students are required to pay a registration fee, or have a third-party pay on their behalf, to enroll in a continuing education course, unless waived by law. See also 1E SBCCC Subchapter 800.

(c) Deposit of Registration Fees. All registration fee receipts are State funds. Colleges must deposit all registration fee receipts to the credit of the State Treasurer, consistent with State law.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 400.99 Fees for Extension Programs

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; S.L. 1995, c. 625;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; August 1, 1983; August 17, 1981;
Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. June 1, 1994;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. September 1, 2011; August 1, 2002; July 1, 1998;
Repeal Eff. May 16, 2014.

SUBCHAPTER 500. ADULT HIGH SCHOOL EQUIVALENCY TEST FEES

1E SBCCC 500.1 Adult High School Equivalency Test Fees

(a) Adult High School Equivalency Testing Fee. The State Board of Community Colleges shall establish a uniform fee charged to students taking an adult high school equivalency test administered at a community college. The adult high school equivalency testing fee is separate and in addition to the fee, if any, charged by and retained by a third-party entity under contract with the System Office to provide the adult high school equivalency test.

(b) Required Payment. Students must pay the adult high school equivalency testing fee prior to taking any test within the adult high school equivalency test battery.

(c) Deposit of Fees. All adult high school equivalency testing fee receipts are State funds. Colleges must deposit all testing fee receipts to the credit of the State Treasurer, consistent with State law.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 500.99 Reserved for Future Codification

SUBCHAPTER 600. SELF-SUPPORTING COURSE SECTIONS

1E SBCCC 600.1 Definitions

The following definitions apply to this Subchapter:

(a) “Direct costs” - The costs required to provide an instructional course section. Examples of direct costs include, but are not limited to, instructor salaries and salary-related benefits (i.e. retirement contributions, health insurance, etc.), travel to and from the instructional site, course curriculum development costs, instructional supplies, equipment, building rental, insurance, advertising, printing, postage, mailing costs, and any other costs specifically related to the course section. Refreshments and meals may be included as a direct cost if disclosed to potential students prior to the start of the course section.

(b) “Indirect costs” – The costs associated with activities and services that support instruction, but which cannot be exclusively assigned to a course section. Examples of indirect costs include, but are not limited to, student services, administrative costs, utilities, custodial services, and security services, which cannot be exclusively assigned to a course section.

(c) “Self-supporting” - Funding the direct and indirect costs of a course or set of courses through receipts collected from students or from a third-party on behalf of students enrolled in the course or set of courses.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 600.2 Authority to Charge Self-supporting Fees

(a) Authority to Charge. Colleges are authorized to offer curriculum and continuing education course sections on a self-supporting basis and charge self-supporting fees to students who enroll in self-supporting course sections.

(b) Local Policy. The board of trustees shall adopt a policy regulating self-supporting activities prior to a college offering self-supporting course sections. This policy shall include, at minimum, the following elements:

1) The method the college must use to determine self-supporting fee rates, and
2) The permissible uses of excess funds generated from self-supporting activities.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 600.3 Self-supporting Fee Rates

(a) A college shall set all self-supporting fees consistent with the policy adopted by its board of trustees. A college may adopt different self-supporting fees for different courses and activities, subject to the limitations established by this subsection.

(b) Curriculum Self-Supporting Fee Rates: Colleges shall determine self-supporting fees for curriculum courses using one of the following two methods of calculation:

1) Pro-rata Share Method. The amount charged to each student shall approximate the pro-rata share of the direct and indirect costs associated with providing self- supporting instruction. Unless the college can demonstrate a need for a higher rate, a college may estimate indirect costs by applying its federal indirect cost rate or a rate up to 25%, whichever is higher, to the direct costs of providing the self-supporting activity. The amount charged to the student shall be calculated based on either 1) the estimated costs of an individual self-supporting course section divided by the number of students expected to enroll in the course section or 2) the estimated costs of a set of self-supporting course sections divided by the number of students expected to enroll in the set of course sections. Each student must pay the self-supporting fee even if the sum of the curriculum tuition and self-supporting fees charged to the student for the academic term exceeds the maximum tuition rate set by the State Board and academic term.

2) Transparent Rate Method. The college shall charge each student an amount consistent with the curriculum tuition rate based on residency status. The transparent rate method shall only be used if the receipts generated through this method can adequately support the direct and indirect costs of the self- supporting instruction.

(c) Continuing Education Self-Supporting Fee Rates: Colleges shall set self-supporting fees for continuing education course sections at a level at or below the local market rate for the type of continuing education instruction provided.

History Note: Authority G.S. 115D-5; G.S. 115D-39;

Eff. May 16, 2014.

1E SBCCC 600.4 Deposit and Use of Self-supporting Fees

(a) Deposit of Self-Supporting Fees. Colleges shall deposit self-supporting fee receipts in an institutional unrestricted general ledger account. Any course section initially designated as self-supporting cannot be changed to a State-funded designation after the college collects any receipts for the course section.

(b) Use of Self-Supporting Fee Receipts. Self-supporting fee receipts shall be used to support the direct and indirect costs of the self-supporting course sections. Colleges shall not use state funds for direct costs of self-supporting course sections. If a full- time faculty member teaches a self-supporting course section, colleges shall either

1) pro-rate the faculty salary based on the time allocated between state-funded and self-supporting course sections in the faculty member's course load, or
2) reimburse State funds an amount equal to the number of instructional hours associated with self-supporting course section multiplied by the instructor's hourly rate of pay.

(c) Excess Receipts. If self-supporting receipts exceed expenditures for the fiscal year, colleges shall use excess receipts to either support the costs of future self- supporting course sections or to support costs authorized by 1E SBCCC 700.7.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 600.99 Fees for Extension Programs

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; S.L. 1995, c. 625;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; August 1, 1983; August 17, 1981;
Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. June 1, 1994;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. September 1, 2011; August 1, 2002; July 1, 1998; Repeal Eff. May 16, 2014.

SUBCHAPTER 700. LOCAL FEES

1E SBCCC 700.1 General Provisions

(a) Authority to Charge. Colleges are authorized to charge local fees that are established by the local board of trustees under the provisions of this Subchapter.

(b) Local Policy. The local board of trustees must establish all local fees and adopt policies governing the use of local fee receipts, consistent with this Subchapter.

(c) Deposit and Use of Local Fees. Colleges shall deposit receipts derived from local fees in an unrestricted institutional account. Colleges shall use local fee receipts only for the purposes for which the fee was approved by the local board of trustees, consistent with this Subchapter.

(d) Local Fees Charged to Students Attending More than one College: If a student enrolls for the same semester at two or more colleges of the system, the student shall pay local fees required by each institution, as prescribed by the colleges' local fee policies.

(e) Annual Reporting Requirement. The college shall report all required local fees established by the board of trustees to the System Office on an annual basis as directed by the System Office.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 700.2 Student Activity Fees

(a) Student Activity Fee Rates. The local board of trustees is authorized to establish a fee charged to students to support student activities. The student activity fee shall not exceed $50 per academic term which will be indexed annually based on the unadjusted 12-month ended December Consumer Price Index percent change for all items each year. Student activity fees shall not be charged to individuals who participate only in meetings or seminars organized by the college. For the purposes of this Subchapter, “meeting or seminar” means a group of people gathered on a one-time basis primarily for discussion under the direction of a leader or resource person(s).

(b) Use of Student Activity Fee Receipts: Colleges shall use student activity fee receipts to support the cost of providing student activities, excluding those activities listed in sub-subsection (3) below.

1) Permissible Activities: For the purposes of this section, “student activity” means an activity that is provided primarily for the benefit of students and whose participants are primarily students, excluding instruction for which students pay tuition and registration fees. Examples of student activities include the following:
    a. student centers;
    b. student government associations;
    c. student clubs;
    d. student enrichment and student social activities;
    e. student identification cards;
    f. student athletics;
    g. student health services; and
    h. student accident insurance
2) Permissible expenses: In support of student activities, the college may use student activity fee receipts to support the following types of expenses:

a. College personnel directly providing student activities, such as student government association staff, student activity coordinators, coaches, club sponsors, or club advisors;
b. Stipends or scholarships to students who serve as officers of student organizations;
c. Employee and student travel to student activities held at off-campus locations;
d. Other purchased goods or services needed to conduct the student activity;
e. Equipment, including vehicles, used directly for student activities;
f. Capital improvement projects constructed for student activities, such as student centers, student lounges, and athletic facilities. If a capital improvement project serves multiple purposes, student activity fee receipts may be used to support capital expenditures in proportion to the square footage of the project dedicated to student activities.

3) Impermissible expenses: Colleges shall not use student activity fee receipts to support personnel and other operating costs related to college employees having positions that are the fiscal responsibility of the State or local governments and do not directly support student activities, including, but not limited to, academic advisors, counselors, recruiters, admissions staff, and security personnel. Colleges shall not use student activity fee receipts for capital improvements projects constructed for purposes other than student activities.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.
Amend Eff. October 1, 2024.

1E SBCCC 700.3 Instructional Technology Fees

(a) Fee Rates. The local board of trustees is authorized to establish a fee charged to students to support student access to instructional technology. The instructional technology fee shall not exceed $48 per academic term for curriculum students and $5 per course for continuing education students. However, subject to the prior approval of the SBCC, local boards of trustees have the authority to establish an instructional technology fee that exceeds the $48 per academic term for curriculum students. Instructional technology fees shall not be charged to individuals who participate only in meetings or seminars.

(b) Use of Fee Receipts. Instructional technology fee receipts shall be used to support costs of procuring, maintaining, and operating instructional technology, including both information technology (hardware and software) used primarily for instructional purposes and specialized instructional equipment necessary for hands-on instruction. Colleges are authorized to use instructional technology fee receipts to hire support positions to operate, maintain, and repair this technology, as well as buy the necessary supplies and materials for operations. Instructional technology fee receipts shall not be used to purchase computers and other technology used primarily by college employees, nor may instructional technology fee receipts be used to support positions that do not directly support this instructional technology.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 700.4 College Access, Parking and Security (CAPS) Fees

(a) Fee Rates. The local board of trustees is authorized to establish a fee charged to students to use college parking facilities and college property and to promote student access to the campus.

(b) Use of CAPS Fee Receipts. CAPS fee receipts shall only be used to support costs

1) for acquiring, constructing, and maintaining the college's parking facilities;
2) for parking enforcement;
3) for providing student transportation; and
4) for the security of college property.
    a. Security costs include, but are not limited to, salaries, related benefits, and operating costs associated with security personnel; contracted security services; vehicles, equipment, and capital improvements necessary to secure college property.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.
Amended Eff. October 1, 2019.

1E SBCCC 700.5 Required Specific Fees

(a) Fee Rates. The local board of trustees is authorized to establish specific fees to support other required academic costs for consumable goods or services that are specifically required for a course. Such academic costs include, but are not limited to, tools, uniforms, insurance, certification/licensure fees, e-text, lab and other consumable supplies. The local board of trustees shall set specific fee rates based on the estimated cost of providing the good or service.

(b) Use of Specific Fee Receipts. Specific fee receipts shall be used for the purposes for which they are charged. If specific fee receipts exceed expenditures for the purposes for which they are charged, the college must expend the excess receipts consistent with the provisions outlined in 1E SBCCC 700.7.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 700.6 Other Fees

(a) The local board of trustees is authorized to establish other fees. “Other fees” means fees to support costs of goods or services provided by the college that are not required for enrollment. Examples include, but are not limited to, student health and other insurance fees, graduation fees, transcript fees, optional assessment fees, library/equipment replacement fees, and fees to participate in a specific event or activity. The local board of trustees shall set other fee rates based on the estimated cost of providing the good or service.

(b) Use of Fee Receipts. Other fee receipts shall be used for the purposes for which they are charged. If other fee receipts exceed expenditures for the purposes for which they are charged, the college must expend the excess receipts consistent with the provisions outlined in 1E SBCCC 700.7.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 700.7 Excess Fee Receipts

If receipts collected through fees authorized by 1E SBCCC 600.3, 1E SBCCC 700.5, 1E SBCCC 700.6, and 1H SBCCC 300.1(g) exceed expenditures on authorized purposes, the following provisions apply:

(a) Excess receipts shall only be used for one or more of the following purposes: instruction, student support services, student financial aid (e.g. scholarships, grants, and loans), student refunds, student activities, curriculum development, program improvement, professional development, promotional giveaway items, instructional equipment, and capital improvements and acquisition of real property.

(b) Excess receipts shall not be used for any of the following purposes: supplemental compensation or benefits of any personnel, administrative costs, entertainment expenses, and fundraising expenses.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014;
Amended Eff. November 1, 2015.

1E SBCCC 700.98 Other Fees

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; S.L. 1979, Ch. 1300;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; September 1, 1988; August 17, 1981;
Repeal Eff. May 16, 2014.

1E SBCCC 700.99 Authority to Establish Tuition and Fees

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; 116-143.1; S.L. 1995, c. 625;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; September 1, 1982; August 17, 1981;
January 14, 1980;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. August 1, 2004; July 1, 1998;
Repeal Eff. May 16, 2014.

SUBCHAPTER 800. WAIVERS

1E SBCCC 800.1 Definitions

The following definitions apply to this subchapter:

(a) “Tuition and Registration Fee Waiver” - A waiver that exempts an individual from paying curriculum tuition or continuing education registration fees that would otherwise be required to enroll in a course and deposited with the State Treasurer. The amount waived represents revenue foregone by the State. A tuition and registration fee waiver shall not be construed to mean inclusion of any other fees or charges (i.e. local fees, textbooks/supplies, and insurance) that are required for enrolling in a course or program. The amount charged to students who qualify as a resident for tuition purposes pursuant to G.S. 115D-39 and G.S. 116-143 is not a tuition waiver for the purposes of this Subchapter.

(b) “Authorized Group or Organization” - A category of students or organizations that are authorized by law to be granted a tuition or registration fee waiver.

(c) “Eligible Training” - Training that the State Board of Community Colleges has approved that is eligible to be waived for a specific authorized group, consistent with law.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 800.2 General Provisions

(a) Proof of Eligibility. To obtain a waiver for a curriculum course section that begins at any point during an academic term, an individual must establish proof that he or she is a member of an authorized group or organization as of the first day of the applicable academic term to meet the criteria provided in 1G SBCCC 200.93. To obtain a waiver for a continuing education course, an individual must establish proof that he or she is a member of an authorized group or organization as of the first day of the course section to meet the criteria provided in 1G SBCCC 200.94.

1) Notwithstanding subsection (a), trainees enrolled in Basic Law Enforcement Training (BLET) courses must obtain a letter of sponsorship from a state, county, or municipal law enforcement agency that is effective as of the first day of the course section to be eligible for a tuition or registration fee waiver and meet the criteria provided in 1G SBCCC 200.93 or 1G SBCCC 200.94. The college must maintain documentation of the sponsorship on file. A sponsorship letter shall remain effective for one year from the date of issuance unless the law enforcement agency rescinds its sponsorship earlier. If the law enforcement agency rescinds its sponsorship prior to the student completing the course section, the student shall be in class membership if he or she otherwise meets the criteria for class membership provided in 1G SBCCC Subchapter 200 and any applicable local policies adopted pursuant to 1D SBCCC 400.2(c). The student must pay the applicable tuition or registration fees to remain enrolled in the course section.

(b) Admission Requirements. Persons in an authorized group or organization must meet the same admission requirements as students that are not in an authorized group to enroll in courses for which the student is eligible for a waiver.

(c) Proof of Eligibility. To obtain a waiver, individuals must establish proof of eligibility as a member of an authorized group or organization. To be eligible

for a tuition or registration fee waiver, trainees enrolled in Basic Law Enforcement Training (BLET) courses must obtain a letter of sponsorship from a state, county, or municipal law enforcement agency prior to enrollment and uphold the terms of the sponsorship until completion of the BLET course. The college must maintain documentation of the sponsorship on file.

(d) (d)Reporting FTE: Unless otherwise prohibited by law, students eligible for an authorized waiver shall be counted in the computation of enrollment for funding purposes (BFTE) in a manner consistent with non-waived students, assuming all applicable reporting requirements are met.

(e) Self-Supporting Courses: Community colleges shall not grant tuition and registration fee waivers to students enrolled in self-supporting courses. The community college shall charge the student the self-supporting fee or use institutional funds to pay for the self-supporting fee on the student's behalf.

(f) Annual Reporting Requirement. As directed by the System Office, the college shall report the amount and number of tuition and registration fees waived by the college on behalf of individuals who are members of authorized groups or organizations on an annual basis to the System Office.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff .May 16, 2014;
Amended Eff. November 1, 2017; August 1, 2017; February 1, 2017.

1E SBCCC 800.97 Tuition and Fees for Curriculum Programs

REPEALED by State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; 116-143.1; P.L. 93-508; S.L. 1995, c. 625; S.L. 2010-31, s. 8.6;

Eff. February 1, 1976;

Amended Eff. September 1, 1993; December 1, 1984;

Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. June 1, 1994;

Temporary Amendment Eff. June 1, 1997;

Amended Eff. April 1, 2011; August 1, 2010; April 1, 2005; August 1, 2002; August 1, 1998;

Repeal Eff. May 16, 2014.

1E SBCCC 800.98 Fees for Extension Programs

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; S.L. 1995, c. 625;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; August 1, 1983; August 17, 1981;
Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. June 1, 1994;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. September 1, 2011; August 1, 2002; July 1, 1998; Repeal Eff. May 16, 2014.

1E SBCCC 800.99 Fee Waivers for the Human Resources Development Program

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; S.L. 2001, c.424, s.30.3(b) and (e);
Eff. February 1, 1976;
Amended Eff. August 17, 1981;
Temporary Amendment Eff. October 4, 2001;
Amended Eff. April 1, 2003. Repeal Eff. May 16, 2014.

SUBCHAPTER 900. REFUNDS

1E SBCCC 900.1 Curriculum Tuition Refunds

(a) The following definitions apply to this provision:

1) "Academic period" – An academic term or subdivision of an academic term during which a college schedules a set of course sections.
2) "Non-regularly scheduled course section" – A course section that meets the definition of "non-regularly scheduled course section" found in 1G SBCCC 200.93(c).
3) "Off-cycle course section" – A regularly scheduled course section that is not offered consistent with an academic period.
4) "Officially Withdraw" – The removal of a student from a course section by one of the following methods:
    a. The student notifies the authorized college official, as defined by the college's published procedures for withdrawal, of the student's intent to disenroll in a course section as outlined in the college's published procedures for withdrawal; or
    b. The college removes the student from the course section because the college cancels the course section or for any other reason authorized by written college policy.
5) "On-cycle course section" – A regularly scheduled course section that is offered consistent with an academic period.
6) "Regularly scheduled course section" – A course section that meets the definition of "regularly scheduled course section" found in 1G SBCCC 200.93(b).

(b) Unless otherwise required by law, community colleges shall not issue a tuition refund using State funds except under the following circumstances:

1) On-Cycle Course Sections:
    a. A college shall provide a 100 percent refund to the student if the student officially withdraws or is officially withdrawn by the college prior to the first day of the academic period as noted on the college calendar.

b. A college shall provide a 100 percent refund to the student if the college cancels the course section in which the student is registered.
c. After an on-cycle course section begins, a college shall provide a 75 percent refund to the student if the student officially withdraws or is officially withdrawn by the college from the course section prior to or on either of the following, as determined by local college policy and noted on the college calendar:
    i. The 10 percent point of the academic period, or
    ii. The 10 percent point of the course section.

2) Off-Cycle Course Sections:
    a. A college shall provide a 100 percent refund to the student if the student officially withdraws or is officially withdrawn by the college prior to the first day of the off-cycle course section.
    b.)A college shall provide a 100 percent refund to the student if the college cancels the course section in which the student is registered.
    c. After an off-cycle course section begins, a college shall provide a 75 percent refund to the student if the student officially withdraws or is officially withdrawn by the college from the course section prior to or on the 10 percent point of the course section.
3) Non-Regularly Scheduled Course Sections:
    a. A college shall provide a 100 percent refund to the student if the student officially withdraws or is officially withdrawn by the college prior to the first day of the non-regularly scheduled course section.
    b. A college shall provide a 100 percent refund to the student if the college cancels the course section in which the student is registered.

c. After a non-regularly scheduled course section begins, a college shall provide a 75 percent refund to the student if the student officially withdraws or is officially withdrawn by the college from the non-regularly scheduled course section prior to or on the 10th calendar day after the start of the course section.

(c) Notwithstanding section (b), if the State Education Assistance Authority makes a final validation determination prior to the 10 percent point of the course section or academic term, as determined by local college policy and noted on the college calendar, a college shall provide a 100 percent refund using State funds if all of the following conditions apply:

1) At the time of the student's registration, the State Education Assistance Authority made an initial determination that the student was a resident for tuition purposes, as defined in G.S. 116-143.1(a).
2) After validation of the information provided in the student's residency application, the State Education Assistance Authority subsequently determines that the student was a nonresident for tuition purposes, as defined in G.S. 116-143.1(a).
3) The student officially withdraws from the course section within 10 calendar days of the college notifying the student of the change in residency status.

(d) If the State Education Assistance Authority makes a final validation determination that a student is a nonresident for tuition purposes, as defined in G.S. 116-143.1(a), after the 10 percent point of the course section or academic term, as determined by local college policy and noted on the college calendar, the college shall apply the nonresident tuition determination to the following term.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014;
Amended Eff. February 1, 2017.

1E SBCCC 900.2 Continuing Education Registration Fee Refunds

(a) The following definitions apply to this provision:

1) “Non-regularly scheduled course section” – A course section that meets the definition of “non-regularly scheduled course section” found in 1G SBCCC 200.94(b).
2) “Officially withdraw” – See definition in 1E SBCCC 900.1(4).
3) “Regularly scheduled course section” – A course section that meets the definition of “regularly scheduled course section” found in 1G SBCCC 200.94(a).
4) “Independently scheduled course section” – A course section that meets the definition of “independently scheduled course section” found in 1G SBCCC 200.94(d).

(b) Unless otherwise required by law, community colleges shall not issue a registration fee refund using State funds except under the following circumstances:

1) A college shall provide a 100 percent refund to the student if the student officially withdraws or is officially withdrawn by the college from the course section prior to the first course section meeting.
2) A college shall provide a 100 percent refund to the student if the college cancels the course section in which the student is registered.
3) After a regularly scheduled or independently scheduled course section begins, the college shall provide a 75 percent refund upon the request of the student if the student officially withdraws or is officially withdrawn by the college from the course section prior to or on the census date, as defined in 1G SBCCC 200.94(b)(C)(i) or 1G SBCCC 200.94(d)(C)(i), of the course section. This sub- section applies to all course sections except those course sections that begin and end on the same calendar day. Colleges shall not provide a student a refund using State funds after the start of a course section that begins and ends on the same calendar day.

4) After a non-regularly scheduled course section begins, the college shall provide a 75 percent refund upon the request of the student if the student withdraws or is withdrawn by the college from the course section prior to or on the 10th calendar day after the start of the course section.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.
Amended Eff. April 1, 2020.

1E SBCCC 900.3 Refund Due to Death of Student

If a student, having paid the required tuition or registration fees for a course section, dies prior to completing that course section, all tuition and registration fees for that course section shall be refunded to the estate of the deceased upon the college becoming aware of the student's death.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 900.4 Military Refund

(a) Upon request of the student, each college shall:

1) Grant a full refund of tuition and registration fees to military reserve and National Guard personnel called to active duty or active duty personnel who have received temporary or permanent reassignments as a result of military operations that make it impossible for them to complete their course requirements; and
2) Buy back textbooks through the colleges' bookstore operations to the extent allowable under the college's buy back procedures.

(b) Colleges shall use distance learning technologies and other educational methodologies, to the extent possible as determined by the college, to help active duty military students, under the guidance of faculty and administrative staff, complete their course requirements.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014;
Amended Eff. September 1, 2014.

1E SBCCC 900.5 Refund of Self-Supporting and Local Fees

Local boards of trustees shall adopt local refund policies for self-supporting fees and local fees.

History Note: Authority G.S. 115D-5; G.S. 115D-39;
Eff. May 16, 2014.

1E SBCCC 900.98 Tuition and Fees for Curriculum Programs

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; 116-143.1; P.L. 93-508; S.L. 1995, c. 625; S.L. 2010-31, s. 8.6;

Eff. February 1, 1976;

Amended Eff. September 1, 1993; December 1, 1984;

Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. June 1, 1994;

Temporary Amendment Eff. June 1, 1997;

Amended Eff. April 1, 2011; August 1, 2010; April 1, 2005; August 1, 2002; August 1, 1998;

Repeal Eff. May 16, 2014.

1E SBCCC 900.99 Fees for Extension Programs

REPEALED by the State Board of Community Colleges, eff. 16 May 2014.

History Note: Authority G.S. 115D-5; 115D-39; S.L. 1995, c. 625;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; August 1, 1983; August 17, 1981;
Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. June 1, 1994;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. September 1, 2011; August 1, 2002; July 1, 1998; Repeal Eff. May 16, 2014.

SUBCHAPTER 1000. AUDITED COURSES

1E SBCCC 1000.1 General Provisions

(a) Tuition and Fees Required. Except as otherwise provided by law, students who audit a course section are required to pay the applicable tuition, registration fee, and other fees charged consistent with this Chapter.

History Note: Authority G.S. 115D-5; G.S. 115B-2.2;
Temporary Adoption Eff. July 1, 2017;
Amended Eff. November 1, 2017.

1E SBCCC 1000.2 Special Provisions for Senior Citizens

(a) Definition of Senior Citizen. For the purposes of this provision, an individual is a senior citizen if the individual is at least 65 years of age as of the first day of the applicable course section. The individual must provide proof of age through a driver's license, State identification card, or other government-issued document.

(b) No Tuition or Registration Fee Required. Notwithstanding 1D SBCCC 700.1; 1E SBCCC 300.1, 1E SBCCC 400.1, and 1E SBCCC 1000.1(a) and consistent with G.S. 115B-2.2, a senior citizen may audit a course section without payment of any required tuition or registration fee.

(c) Self-Supporting Fees Required. Senior citizens shall pay the applicable self-supporting fee for enrollment or registration into a self-supporting course section.

(d) Local Fees. Senior citizens shall pay any applicable local fees to audit a course section consistent with the college's local fee policies.

(e) Reporting: Colleges shall follow System Office procedures for tracking and reporting the number of senior citizens who audit courses under subsection (b). Student membership hours associated with senior citizens who audit courses under subsection (b) shall not be counted in the computation of enrollment for funding purposes (budget full-time equivalent students).

History Note: Authority G.S. 115D-5; G.S. 115B-2.2;
Temporary Adoption Eff. July 1, 2017;
Amended Eff. November 1, 2017.

CHAPTER F. STUDENT FINANCIAL ASSISTANCE

SUBCHAPTER 100. FINANCIAL AID

1F SBCCC 100.97 Student Loan Funds For Vocational And Technical Education

(a) The loan fund shall be held by the State Board and released by the System President of the Department of Community Colleges to meet loan commitments made by the various institutions.

(b) The Department of Community Colleges shall disseminate information concerning the Student Loan Fund to all chief administrative officers of technical institutes and community colleges, hereinafter referred to as institutions. The Department of Community Colleges shall prepare news releases, brochures, and other publications interpreting the student loan program.

(c) Applicants for the loans shall be furnished copies of the governing rules adopted by the board. Recipients of loans, by virtue of having complied with all the requirements for receiving aid, shall thereby be acknowledging their agreement to abide by the purpose of the fund and the rules prescribed by the board. Each institution is responsible for administering the fund and for making and collecting the loans. Periodically, as determined by the System President of the Department of Community Colleges and the State Board, collections on the loans shall be transmitted to the State Board. The institution, through a student loan committee, shall be responsible for the selection of those candidates to be recipients of student loans.

(d) The System President of the Department of Community Colleges shall request institutions to furnish his office with appropriate enrollment verification that recipients of student loans are full-time students, and other necessary reports and information for proper records and control of total program.

(e) The State Board shall have authority to revoke any loan if and when it should be determined that:

1) The information submitted in support of the application was willfully reported erroneously or incompletely; or
2) The student is not pursuing his work satisfactorily.

(f) It shall be the responsibility of the loan recipients to keep the chief administrative officers of institutions informed of any change in address, status, or employment.

(g) Recipients of student loans may be granted financial assistance of not more than three hundred dollars ($300.00) per academic school year. The number of loans shall be determined by the demand and the availability of funds.

(h) Recipients of student loans shall execute promissory notes on forms approved by the Attorney General. All student loans shall be evidenced by said notes, approved by and made payable to the institution granting the loan, which shall bear interest at the rate of three and one-half percent per annum. Repayment of such principal together with accrued interest thereon, shall be made over a minimum of five-year repayment period, commencing one year after the maker of the note ceases to be a full-time student in an institution and ending six years after such date. Interest shall accrue from the beginning of such repayment period. In the event the loan recipient acquires a disability as defined in the North Carolina Workers' Compensation Act, or dies, the unpaid indebtedness shall be canceled. In the event a loan recipient fails to maintain a "c" average or permanently withdraws from the institution, the entire indebtedness shall become due payable, with interest commencing on that date.

(i) Each candidate for a loan must:
1) be a resident of North Carolina and be or expect to be a full-time student of the approved institution as defined by the State Department of Community Colleges;
2) declare that he is in need of financial aid to continue his studies as evidenced by information on furnished forms;
3) apply on forms provided by the State Department of Community Colleges;

4) be approved by the institution student loan committee;
5) use the proceeds of the loan only for the payment of tuition and required fees, institutional equipment, materials, and books, board and room, and similar living expenses.

(j) Applications shall be submitted to the chief administrative officers of institutions on forms prescribed and supplied by the System President of the Department of Community Colleges. Additional forms essential to the operation of the Student Loan Fund may be developed in the discretion of the System President of the Department of Community Colleges.

History Note: Authority G.S. 115D-1; 115D-5;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. March 1, 1997; December 1, 1984.

1F SBCCC 100.98 Community College Grant Program

Reserved for Future Codification

1F SBCCC 100.99 Targeted Assistance/Less Than Half Time

Reserved for Future Codification

CHAPTER G. FULL-TIME EQUIVALENT (FTE)

SUBCHAPTER 100. DEFINITIONS AND GENERAL PROVISIONS

1G SBCCC 100.1 Definitions

The following definitions apply to this Chapter:

(a) Credit Hours": Shall have the same meaning as in 1D SBCCC 400.1(c).

(b) Academic Term Reporting Period": The calendar year is divided into three academic term reporting periods and are defined as follows

1) :Spring Term (Period 1): January 1 - May 15;
2) Summer Term (Period 2): May 16 - August 14;
3) Fall Term (Period 3): August 15 - December 31.

(c) "Annual Reporting Period". The annual reporting period for instructional programs is defined as the Summer Term (Period 2), Fall Term (Period 3), and Spring Term (Period 1) reporting periods completed immediately preceding the end (June 30th) of a specified fiscal year.

(d) "Budget Full-Time Equivalent (BFTE)" – The number of full-time equivalent (FTE) students for which colleges are funded through State funding formulas.

(e) "Full-Time Equivalent (FTE) Student" – An amount of instruction that equates to 512 student hours in membership as defined in 1G SBCCC 200.93 and 1G SBCCC 200.94.

(f) "Instructional Cost" – The direct cost of delivering course content to include the salary of the instructor(s), fringe benefits, supplies, materials and travel paid from college funds.

History Note: Authority G.S. 115D-5; 115D-54; S.L. 1995, c. 625;
Eff. September 1, 1993;
Temporary Amendment Eff. July 20, 2018; June 1, 1997;
Amended Eff. April 1, 2020; October 1, 2018; November 1, 2017; May 1, 2017; December 1, 2012; July 1, 1998.

1G SBCCC 100.98 Reserved For Future Codification

1G SBCCC 100.99 Budget FTE Funding

(a) All student membership hours generated by the college for a given class shall be counted for budget FTE purposes provided 100 percent of the instructional cost is paid from college funds (funds budgeted through the college's budget including State Current, County Current, or College Funds). These provisions apply to all instructional contracts which generate budget FTE including Basic Skills classes.

1) College-sponsored instruction shall not supplant existing training which may take place without the college's involvement.
2) A company or entity may reimburse the college for a given class up to 50 percent of the instructional cost. The student hours in membership generated in the class may be reported for budget FTE. If the college is reimbursed for more than 50 percent of the instructional cost for a given class, student hours in membership reported for the class shall be prorated in the same proportion as the college funding. If the college is reimbursed for 100 percent of the instructional cost, the class would be gratis [see Paragraph (b) of this Rule] and no budget FTE would be generated.
3) In cases where a company or entity donates funds to a college with no expectation for instruction in return, these funds shall be treated as college funds and may be used to generate budget FTE.
4) The community college shall not contract with a company or entity for that company or entity to provide training to its current employees.

(b) Any class for which the instructor's services are provided at no cost or for which the instructional cost is paid totally and directly by an external agency is a "gratis" class. In this situation, the class is reported as self-supporting, and does not generate budget/FTE. If a portion of the class is gratis, student hours shall be prorated accordingly.

(c) Categorical state allotments to colleges, except literacy, such as Small Business, Customized Training Programs, Community Service, and Block

Grants do not earn budget/FTE and are not subject to the provisions of this Rule.

History Note: Authority G.S. 115D-5; 115D-31; 115D-58.5; S.L. 2001, c. 424, s. 30.3(b),(e);

Eff. September 1, 1988;
Temporary Amendment Eff. October 15, 1992 for a period of 180 days to expire on April 15, 1993;
Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. June 1, 1994; September 1, 1993;
Temporary Amendment Eff. October 4, 2001;
Amended Eff. April 1, 2020; December 1, 2012; May 1, 2009; April 1, 2003.

SUBCHAPTER 200. FTE REPORTING CATEGORIES/CRITERIA

1G SBCCC 200.1 General Provisions

(a) FTE Reporting. As directed by the System Office, colleges shall report FTE enrollment in all course sections scheduled during each academic term reporting period. If a course section is scheduled for a time period that crosses academic term reporting periods, the FTE enrollment shall be reported as follows:

1) For curriculum course sections that are regularly scheduled, as defined in 1G SBCCC 200.93(b), FTE enrollment shall be reported in the academic term reporting period in which the 10% point of the class falls.
2) For curriculum course sections that are non-regularly scheduled, as defined in 1G SBCCC 200.93(c), and all continuing education course sections, FTE enrollment shall be reported in the academic term reporting period in which the last day of the course falls.

The System Office shall provide colleges no less than 21 calendar days after the end of the academic term reporting period to submit FTE enrollment data.

(b) Instruction Provided Outside the College's Service Area. Excluding clinical instruction, a college may provide instruction outside its service area, as established per 1A SBCCC 300, only if the appropriate instructional service agreement is executed consistent with 1D SBCCC 300.6 and 1D SBCCC 400.96. If the instructional service agreement provides for the sharing of FTE, the colleges that are party to the agreement shall prorate the number of FTE reported consistent with the provisions of the agreement and the rules of this Chapter.

(c) Making Up Instructional Hours Due to Adverse Weather or Other Emergency Events. A college is responsible for delivering instruction to meet the learning outcomes of each course it provides. If it is not possible or it will not be possible to reschedule all class hours missed due to adverse weather or other emergency events, the instruction may be made up by other alternatives included in the college's adverse weather policy or other policies,

such as online instruction and alternative assignments. In a correctional education setting, a college may make up instructional time by issuing evening and weekend assignments and documenting students' successful completion of the assignments. The college must maintain documentation of how instruction was rescheduled or otherwise made up until released from all compliance reviews.

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

Eff. May 1, 2017

Temporary Amendment Eff. October 19, 2018; Temporary Amendment Expired April 17, 2019;

Amended Eff. November 1, 2019

Temporary Amendment Eff. March 19, 2020. Temporary Amendment Expired September 15, 2020.

Temporary Amendment Eff. September 15, 2020.

Amended Eff. May 1, 2021.

1G SBCCC 200.93 Reporting of Student Hours in Membership for Curriculum Classes

(a) Academic Term. College boards of trustees shall locally determine the beginning and end date for each academic term within the timeframes of the academic term reporting periods defined in 1G SBCCC 100.1, unless an exception is granted by the System President. The System President may grant an exception if it would not result in an overlap with another academic term, the 10% point of all course sections would fall within the corresponding academic term reporting period, and the exception would not negatively impact the college's ability to meet data reporting requirements. The academic semester for credit courses shall be designed so that classes may be scheduled to include the number of instructional hours shown in the college catalog and the approved curriculum program of study compliance document and reported for FTE purposes (see 1D SBCCC 400.95(a)). Instructional hours include scheduled class and laboratory sessions as well as examination sessions. Length of semesters or courses may vary as long as credit hours are assigned consistent with 1GSBCCC
100.1 and as long as membership hours are reported consistent with the other provisions of this Rule. If necessary to meet the needs of particular constituents (for example, courses provided at high schools, military bases, prisons, or at the specific request of business), without an exception by the System President, colleges may schedule curriculum course sections that fall outside the academic term beginning and end dates, as defined by the college's board of trustees. If such course sections cross academic term reporting periods, FTE enrollment shall be reported consistent with the provisions of 1G SBCCC 200.1(a).

(b) Regularly Scheduled Classes.

1) A class is regularly scheduled if it meets all of the following criteria:
    a. Assigned definite beginning and ending time;
    b. Specific days the class meets is predetermined;

c. Specific schedule is included on the Institution Master Schedule or other official college documents;
d. Class hours are assigned consistent with college catalog and curriculum standard requirements; and
e. Identified class time and dates are the same for all students registered for the class excluding clinical or cooperative work experience. This may include in-person or synchronously online, as long as the instructor and student are engaged in live interactions.
    i. Classes which have a regularly scheduled lecture section and a non regularly scheduled laboratory section or online asynchronous option shall satisfy this criteria. The census date (10% point) shall be determined from the regularly scheduled portion of the class. Verification of student participation in the laboratory section or online asynchronous option of the class shall be available for review.
    ii. A student shall be considered absent if that student did not attend during the specified times or days the class was scheduled to meet. Classes that have a regularly scheduled section which include in-person instruction or digitally delivered synchronous instruction and an option to attend asynchronously shall satisfy this criteria.
    iii. A student shall be considered absent if that student did not attend during the specified times or days the class was scheduled to meet whether the class met in-person, synchronously, or asynchronously. Verification of student attendance in the asynchronous portion of the course shall be documented by electronic submission of content-related material.

2) A student shall be considered to be in class membership when the student meets all of the following criteria:

a. enrolled as evidenced by payment of the applicable tuition and fees, or obtained a waiver as defined in G.S. 115D-5(b);
b. attended one or more classes prior to or on the 10 percent point in the class;
c. has not withdrawn or dropped the class prior to or on the 10 percent point.

3) Definition of a Student Membership Hour. A student membership hour is one hour of scheduled class or laboratory for which the student is enrolled. A college shall provide a minimum of 50 minutes of instruction for each scheduled class hour. A college shall provide sufficient time between classes to accommodate students changing classes. A college shall not report more hours per student than the number of class hours scheduled in the approved curriculum program of study compliance document.
4) Calculation of Student Membership Hours for Regularly Scheduled Classes. Student membership hours are obtained by multiplying the number of students in membership at the 10 percent point in the class by the total number of hours the class is scheduled to meet for the semester as stated in the college catalog and the approved curriculum program of study compliance document (see 1D SBCCC 400.97(4)).
5) Maintenance of Records of Student Membership Hours. Accurate attendance records shall be maintained for each class through the 10 percent point of the class. Attendance records shall be signed by the instructor or lead instructor, verifying their accuracy, and shall be maintained by the college until released from all compliance reviews (see the Public Records Retention & Disposition Schedule for Institutions in the Community College System). Student membership hours shall be summarized in the Institution's Class Report and certified by the president or designee. For classes identified as non traditional delivery (see Subparagraph (e)(1) of this Rule), documentation of student contact prior to the 10 percent point shall be maintained in the same manner as the attendance records mentioned in this Rule.

(c) Non Regularly Scheduled Classes.

1) A non regularly scheduled class may include any or all of the following:
    a. a class where a definitive beginning and ending time is not determined;
    b. a class offered in a learning laboratory type setting (see 1G SBCCC 200.94(b)(6) for definition of learning laboratory);
    c. a class self paced in that the student progresses through the instructional materials at the student's own pace, and can complete the class as soon as the student has successfully met the educational objectives. Classes offered as independent study are generally offered in this manner;
    d. a class in which a student may enroll during the initial college registration period or in which the student may be permitted to enroll at any time during the semester; or
    e. any class not meeting all criteria for a regularly scheduled class, as shown in Subparagraph (b)(1) of this Rule, is considered to be a non regularly scheduled class for reporting purposes. Classes defined as non traditional (see Paragraph (e) of this Rule) or clinical practice (see Paragraph (g) of this Rule) which are identified as a separate student hour reporting category are not subject to the above provisions in Paragraph (c).
2) Definition of Student Membership. A student is considered to be in class membership when the student meets the following criteria:
    a. enrolled as evidenced by payment of the applicable tuition and fees, or obtained a waiver consistent with 1E SBCCC Subchapter 800; and
    b. attended one or more classes.
3) Definition of a Student Contact Hour. For non-regularly scheduled classes, student contact hour is defined as actual time of student attendance in a class or lab. 60 minutes shall constitute an hour. A college shall not report

more hours per student than the number of class hours scheduled in the approved curriculum program of study compliance document.

4) Calculation of Student Contact Hours for Non Regularly Scheduled Classes. For these classes, actual time of class attendance for each student determined to be in membership shall be reported. Student contact hours for these classes are the sum of all the hours of actual student attendance in a class in a given semester, and shall not exceed the hours in the approved curriculum program of study compliance document. (see 1D SBCCC 400.97(4)).
5) Maintenance of Records of Student Contact Hours. Accurate attendance records shall be maintained for each class of the nature described in this Rule through the entire semester. Attendance records shall be signed by the instructor or lead instructor, verifying their accuracy, and shall be maintained by the college until released from all compliance reviews (see the Public Records Retention & Disposition Schedule for Institutions in the Community College System). Student contact hours shall be summarized in the Institution's Class Report and certified by the president or designee.

(d) Skills Laboratory or Computer Tutorial Laboratory. Individualized instructional laboratories are similar to learning laboratories (see 1G SBCCC 200.94(b)(6)) except the participants are curriculum students. Skills labs or computer tutorial labs are remedial or developmental in nature and intended for students who are experiencing academic difficulty in a particular curriculum course. A skills laboratory instructor shall be qualified in the single subject area of the skills laboratory. A computer tutorial laboratory coordinator need not be qualified in any of the subject area(s) provided in a computer tutorial laboratory. Student contact hours may be reported for budget/FTE when students are required by their instructor to attend either of the laboratories for remedial or developmental work and when the skills laboratory instructors or computer tutorial coordinators are paid with curriculum instructional funds.

1) Documentation of instructor referral shall be maintained for compliance review purposes. The College shall maintain documentation until released from all compliance reviews.
2) Homework assignments shall not be reported for budget/FTE. (See 1G SBCCC 200.95(a)).
3) Calculation of Student Contact Hours for Skills Laboratory or Computer Tutorial Laboratory. For these classes, actual time of class attendance shall be reported; 60 minutes shall constitute an hour. Student hours generated for these types of classes are the sum of all the hours of actual student attendance in a class in a given semester.

(e) Classes Identified as Curriculum Non Traditional Delivery.

1) Definition. Due to the methodology by which instruction is delivered, non traditional delivery classes are not consistent with the definitions of regularly scheduled or non regularly scheduled classes described in this Rule. Non traditional delivery classes are defined as those classes which are offered through media such as internet, telecourses, videocassette and other electronic media excluding classes offered via the North Carolina Information Highway.
2) For those classes identified as non traditional delivery, student attendance in class or in an orientation session, submission of a written assignment or submission of an examination, is the basis for the determination of class membership at the 10 percent point of the class. Student membership hours earned in non traditional delivery classes shall be calculated by multiplying the number of students in membership, as defined in the prior sentence, times the number of hours assigned to the class in official college documents. For these classes, the number of hours assigned shall be consistent with the credit hours assigned according to 1G SBCCC 100.1, as well as the curriculum standard.
3) Non-traditional instruction delivered is pre-structured into identifiable units. Non traditional delivery classes do not include classes identified as independent study which are not media based.

(f) Curriculum Student Work Experience. The following criteria apply to the reporting guidelines for students enrolled in curriculum work experience, exclusive of work station based training. Examples of student work experience include cooperative education, practicums, and internships.

1) Student membership hours for student work experience shall not generate budget/FTE without prior approval by the System Office for such activities through the appropriate curriculum standard.
2) Work Experience. Work experience for curriculum courses shall earn budget/FTE at the 100 percent rate of assigned work experience hours and shall not exceed a maximum of 320 membership hours per student per semester.
    a. These classes shall be coordinated by college personnel paid with college instructional funds and may be located in one or more sites.
    b. These classes shall be specified in the approved curriculum of the college consistent with the applicable curriculum standard (see 1D SBCCC 400.97(3)(a)(ii)(D)).
    c. The college shall maintain documentation of all student work experience hours.

(g) Clinical Practice. Colleges shall report instructional hours of curriculum courses which include clinical practice, as defined in 1D SBCCC 400.1(c)(2), consistent with the rules for regularly scheduled classes in Paragraph (b) of this rule if the course meets the following criteria:

1) Assigned definite beginning and ending time;
2) Specific days the class meets are predetermined, although class times, dates, and locations may vary for enrolled students;
3) Clinical hours scheduled are included on the Institution Master Schedule or other official college documents;
4) Class hours are assigned consistent with the college catalog and curriculum standards set forth in 1D SBCCC 400.8;
5) Class hours shall be scheduled to provide a minimum of 50 minutes of instruction; and

6) College instructors who are qualified to teach in the particular program supervise and are paid with college instructional funds for all scheduled class hours (classroom and clinical).

College personnel shall make documentation verifying student participation in clinical practice available for compliance purposes.

History Note: Authority G.S. 115D-5; S.L. 1995, c. 625;
Eff. September 30, 1977;
Amended Eff. July 24, 1978;
Emergency Amendment Eff. August 10, 1978 for a period of 120 days to expire on December 8, 1978;
Emergency Amendment Made Permanent With Change Eff. December 8, 1978;
Amended Eff. September 1, 1993; September 1, 1988; September 1, 1985; November 1, 1983;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. May 1, 2022; September 1, 2018; May 1, 2017; December 1, 2012; August 1, 2004; August 1, 2000; July 1, 1998.

1G SBCCC 200.94 Reporting of Student Hours in Membership for Continuing Education Course Sections

(a) Definitions.

1) Synchronous. Teaching method in which instructor(s) and students are engaging in learning at the same time.
2) Asynchronous. Teaching method that uses learning resources to facilitate information sharing outside the constraints of time.
3) Census Date. Date marking the end of the add/drop period for a course section.
4) Census Window. The census window begins on the start date of the course section and ends on the census date.

(b) Regularly Scheduled Course Sections.

1) Definition of Regularly Scheduled Course Section includes Traditional and HyFlex Delivery Methods (1B SBCCC 100.1 Definitions). A course section is considered to be regularly scheduled if it meets all of the following criteria:
    a. Has an assigned definite beginning and ending time;
    b. Has specific predetermined days and times the course section meets;
    c. Students may enroll during the initial college registration period or at any time prior to the census date of the course section.
        i. Census date shall be determined from the calculation of the total scheduled course section hours divided by 10 (ten) and applying the rounded whole number to the beginning hours of the course section;
    d. The course section is consistent with course standards as defined in 1D SBCCC 300.5(c); and
    e. Times and dates are the same for all students registered for the course section excluding clinical or work experience. This may include in-person or synchronously online, as long as the instructor and student are engaged in live interactions.

i. Course sections which have a regularly scheduled lecture section and a non-regularly scheduled laboratory or clinical section, or online asynchronous option will satisfy the criteria. The census date shall be determined from the regularly scheduled portion of the course section. Verification of student participation in the laboratory, clinical section, or online asynchronous option of the course section shall be available for review.

ii. A student is considered absent if that student did not attend during the specified times or days the course section was scheduled to meet. Classes that have a regularly scheduled section which included in-person instruction or digitally delivered synchronous instruction and an option to attend asynchronously shall satisfy this criteria.

iii. A student shall be considered absent if that student did not participate during census window, whether the class met in person, synchronously, or asynchronously. Verification of student attendance in the asynchronous portion of the course shall be documented by electronic submission of an activity.

2) Definition of Student Membership. A student is considered to be in course section membership when the student meets all of the following criteria:

a. Enrolled as evidenced by payment of the applicable registration fees or obtained a waiver consistent with 1E SBCCC Subchapter 800.

b. Attended one or more scheduled dates within the course sections held prior to or on the census date of the course section as defined in 1G SBCCC 200.94(b)(1)(C)(i); and

c. Has not withdrawn or dropped the course section prior to or on the census Date of the course section.

3) Student Membership Hour. A student membership hour is one hour of scheduled course section or laboratory for which the student is enrolled. A college shall provide a minimum of 50 minutes of instruction for each scheduled course section hour. A college shall not report more hours per student than the number of course section hours scheduled in official college documents. Colleges shall not report more hours per student than the number of hours specified in the instructor's contract.

4) Calculation of Student Membership Hours for Regularly Scheduled Course Sections. Student membership hours are obtained by multiplying the number of students in membership at the census date of the course section by the total number of hours the course section is scheduled to meet as stated in official college documents.

5) Maintenance of Records of Student Membership Hours. Accurate attendance records shall be maintained for each course section. Attendance records shall be signed by the instructor or lead instructor, verifying their accuracy, and shall be maintained by the college until released from all compliance reviews as provided in the Public Records Retention & Disposition Schedule for Institutions in the Community College System. Student membership hours shall be summarized in the Institution's Class Report and certified by the president or designee.

(c) Non-Regularly Scheduled Course Sections.

1) Definition of Non-Regularly Scheduled Course Section. A non-regularly scheduled course section shall be consistent with course standards as defined in 1D SBCCC 300.5(c). Any course section that does not meet the definition of regularly scheduled pursuant to 1G SBCCC 200.94(b)(1) or the definition of independently scheduled pursuant to 1G SBCCC 200.94(d)(1) is considered a non-regularly scheduled

course section. A non-regularly scheduled course section may have any or all of the following features:

a. A course section where a definitive beginning and ending time is not determined;
b. A course section offered in a learning laboratory setting (see Subparagraph (c)(6) of this Rule for definition of learning laboratory);
c. A self-paced learning where the student progresses through the instructional materials at the student's own pace and can complete the courses as soon as the student has successfully met the educational objectives. Course sections offered as independent study are generally offered in this manner;
d. Students may enroll during the initial college registration period or at any time during the semester; or

2) Definition of Student Membership. A student is considered to be in course section membership when the student meets the following criteria:
   a. Enrolled as evidenced by payment of the applicable registration fees, or obtained a waiver consistent with 1E SBCCC Subchapter 800; and
   b. Attended one or more scheduled dates within a course section.
3) Definition of Student Contact Hour. A student contact hour is one hour of student attendance in a course section for which the student is in membership as defined in Subparagraph (c)(2) of this Rule. Sixty minutes shall constitute an hour.
4) Calculation of Student Contact Hours for Non-Regularly Scheduled Course Sections. For these course sections, actual time of course section attendance for each student determined to be in membership shall be reported. Sixty minutes shall constitute an hour. Student contact hours for these course sections are the sum of all the hours of actual student attendance in a course section in a given semester.

5) Maintenance of Records of Student Contact Hours. Accurate attendance records shall be maintained for each course section. Attendance records shall be signed by the instructor or lead instructor, verifying their accuracy, and shall be maintained by the college until released from all compliance reviews as provided in the Public Records Retention and Disposition Schedule for Institutions in the Community College System. Student membership hours shall be summarized in the Institution Class Report and certified by the president or designee.
6) Learning Laboratory. Learning laboratory programs consist of self-instruction using programmed text, audio-visual equipment, and other self-instructional materials. A learning laboratory coordinator has the function of bringing the instructional media and the student together on the basis of objective and subjective evaluation and of counseling, supervising, and encouraging persons working in the laboratory. Contact hours shall be calculated as noted in Subparagraph (c)(4) of this Rule.

(d) Course Section Identified as Independently Scheduled.

1) A course section is considered independently scheduled if it meets all the following criteria:
    a. A course section where definitive begin and end times are not defined.
    b. Instructional content is delivered asynchronously.
    c. A course section in which a student may enroll during the initial college registration period or in which a student may be permitted to enroll at any time prior to the census date of the course section.
        i. The census date shall be determined from the calculation of the total scheduled course section hours divided by four (4) and applying the rounded whole number from the end date of the course section. If the calculated number equals one (1) or less than one (1) then the next to last

date is the census date. No census date shall be applied on the end date of the course section.

ii. Verification of student attendance in an Independently Scheduled course section shall be documented by electronic submission of an activity or assignment with a timestamp within the census window.

2) Definition of Student Membership: A student is considered to be in course section membership when the student meets the following criteria:
   a. Enrolled as evidenced by payment of the applicable registration fees or obtained a waiver consistent with 1E SBCCC Subchapter 800.
   b. Accessed instructional content prior to or on the census date of the course section as defined in 1G SBCCC 200.94(d)(1)(C)(i); and
   c. Has not withdrawn or dropped the course section prior to or on the census date of the course section.
3) Student Membership Hour. A student membership hour is one hour of scheduled instructional content. A college shall not report more hours per student than the number of course section hours scheduled in official college documents. Colleges shall not report more hours per student than the number of hours specified in the instructional contract.
4) Calculation of Student Membership Hours. Student membership hours are obtained by multiplying the number of students in membership at the census date in the course section by the total number of instructional hours scheduled as stated in official college documents.
5) Maintenance of Records of Student Membership Hours. Accurate course content participation records shall be maintained for each course section. Records shall be signed by the instructor or lead instructor, verifying their accuracy, and shall be maintained by the college until released from all compliance reviews as provided in the

Public Records Retention and Disposition Schedule for Institutions in the Community College System. Student membership hours shall be summarized in the Institution Class Report and certified by the president or designee.

History Note: Authority G.S. 115D-5; S.L. 1995, c. 625;
Eff. September 1, 1988;
Amended Eff. September 1, 1993;
Temporary Amendment Eff. June 1, 1997
Amended Eff. August 1, 2023; April 1, 2020; September 1, 2018; May 1, 2017; December 1, 2012; August 1, 2004; August 1, 2000; July 1, 1998.

1G SBCCC 200.95 Limitations in Reporting Student Membership Hours

(a) Student hours shall not be reported for budget/FTE, which result from:

1) Conferences or visits.
2) Seminars or Meetings.
3) Programs of a service nature rather than instructional classes.
4) Enrollment of high school students not in compliance with 1D SBCCC 400.2, 1D SBCCC 300.4(c) and 1D SBCCC 200.95.
5) Unsupervised classes.
6) Proficiency or challenge exams except that the actual time required to take the exam may be counted in membership; students shall be registered in the class consistent with 1E SBCCC Subchapter 300 or 1E SBCCC Subchapter 400.
7) Homework assignments.
8) Inter-institutional or intramural sports activities.

(b) Self-supporting classes shall not be reported for regular budget purposes (those classes supported by student fees or a class in which instruction is provided gratis); all recreational continuing education classes fall in this category.

(c) Workforce Continuing Education instruction shall not be offered in sheltered workshops and adult developmental activity centers (ADAP) except sheltered workshops and ADAP centers may contract with the community college to provide workforce continuing education courses on a self-supporting basis.

History Note: Authority G.S. 115D-5;
Eff. September 1, 1988;
Temporary Amendment Eff. October 15, 1992, for a period of 180 days to expire on April 15, 1993;
Amended Eff. September 1, 1993;
Temporary Amendment Eff. November 1, 1993, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. May 1, 2017; February 1, 2015; December 1, 2012; April 1,

2010; June 1, 2008; April 1, 1997; June 1, 1994.

Temporary Amendment Eff. 01 February 2020.

Amended Eff. February 1, 2022.

1G SBCCC 200.96 Training for Public Safety Agencies

(a) Training for Public Safety Agencies. Notwithstanding 1G SBCCC 100.1(f) and 1G SBCCC 100.99(a)(1), the following Budget FTE funding rules apply to courses provided by a community college in partnership with the public safety agencies listed under G.S. 115D-5(b)(2) and (2a) that support the organizations' training needs:

(1) Instructional costs may include the direct costs of delivering course content.

(A) Salary of the instructor(s), fringe benefits, supplies, materials, travel paid from college funds, and

(B) Equipment and specialized facilities specific to public safety training programs.

(2) If all instructional costs, as defined in (a)(1), are provided at no cost or paid totally and directly by an external agency, the course section is considered "gratis" and shall be reported as self-supporting. The course section shall not generate Budget FTE.

(3) If a college only provides instructional costs as defined in (a)(1)(B), the college may report student membership hours for Budget FTE in accordance with 1G SBCCC 100.99(a).

(4) Notwithstanding 1G SBCCC 100.99(a)(2), an agency may reimburse the college for a given course section up to 50% of the instructional costs as defined by (a)(1)(A). The student membership hours generated in the course section may be reported for budget FTE. If the college is reimbursed for more than 50 percent of the instructional cost for a given class, student hours in membership reported for the class shall be prorated in the same proportion as the college funding. If the college is reimbursed for 100 percent of the instructional cost, the class would be gratis, in accordance with (a)(2), and no budget FTE would be generated.

(5) For all other course sections, the college shall report all student membership hours for Budget FTE.

(b) Notwithstanding 1G SBCCC 100.99(a)(4), the following rules apply to courses provided by a community college in partnership with the public safety agencies listed under G.S. 115D-5(b)(2) and (2a) that support the organizations' training needs:

(1) A community college may contract with a public safety agency in their service area(s) to provide instructors for certification training that supports the college's educational mission and that leads to a credential or is a continuing education course that supports maintenance of an existing credential.

(2) Instructor(s) provided by the public safety agency must remain compensated by the agency for the duration of the contracted educational offering as specified by

contract. The lead instructor must be solely assigned to the course during the contracted course times.

(3) The college must maintain control over all aspects of the educational offering.

(4) When applicable, only the college may exercise its delivery agency status, and all processes thereof, during any given educational offering.

(5) The college shall report all student membership hours for Budget FTE in accordance with 1G SBCCC 100.99(a).

History Note: Authority G.S. 115D-5;
Eff. August 1, 2004;
Amended Eff. August 1, 2025; May 1, 2017; June 1, 2008.

1G SBCCC 200.97 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 and underemployed individuals. FTE shall be generated from HRD programs. Each college shall provide HRD instruction and support necessary for unemployed and dislocated workers to be served within the college service areas.

History Note: Authority G.S. 115D-5;
Eff. November 1, 2005.

1G SBCCC 200.98 Customized Training Program

(a) Local colleges shall provide customized training programs for companies experiencing job growth, productivity enhancement needs, or creating technology investment to support the economic development of the State. Training programs for these companies shall be administered by the local college, with consultation and assistance from the department's System Office Economic Development staff.

(b) State funds are appropriated to the North Carolina Community College System office in a separate line to support the Customized Training Program. These funds shall be used only to support companies experiencing job growth, productivity enhancement or technology investment.

History Note: Authority G.S. 115D-5;
Eff. February 1, 1976;
Readopted Eff. January 5, 1978;
Amended Eff. July 1, 2009; September 1, 1993; December 1, 1984.

1G SBCCC 200.99 Reporting Student Membership Hours to the Department

REPEALED by the State Board of Community Colleges, eff. 1 May 2017.

History Note: Authority G.S. 115D-5; 115D-31; 115D-58.5; S.L. 1995, c. 625;
Eff. September 1, 1988;
Temporary Amendment Eff. June 1, 1997; Amended Eff. May 1, 2009; July 1, 1998;
Repeal Eff. May 1, 2017.

SUBCHAPTER 300. RESERVED FOR FUTURE CODIFICATION

SUBCHAPTER 400. FTE REPORTING ACCOUNTABILITY

1G SBCCC 400.1 General Provisions

The State Board shall maintain an accountability function to ensure the credibility of the number of budget FTE students reported to the General Assembly for funding purposes and the equitable distribution of State and federal funds among the colleges. This function shall include periodic reviews of college compliance with the provisions in Title 1, Chapter G and in Title 1, Chapter E of the State Board Code, and any rules referenced therein. This function shall also include opportunities for colleges to receive coaching from the System Office on areas of potential risk of non-compliance, sound documentation practices, and the use of mitigating controls.

History Note: Authority G.S. 115D-5(m);
Eff. November 1, 2017.

1G SBCCC 400.2 Definitions

(a) “Compliance review” - A periodic, objective assessment of college compliance with State laws and State Board rules governing the reporting of data used as the basis of college budget allocations as well as the charging and waiving of tuition and registration fees, as defined in 1E SBCCC 100.1.

(b) “High Risk” –

1) Course sections in which the majority of students receive a tuition or registration fee waiver as provided under Subchapter 800 of Title 1, Chapter E;
2) Course sections provided completely asynchronously online; or
3) Course sections held in facilities that are not owned or under long-term lease by the college.

(c) “Findings and Reports” –

1) No findings – A college shall receive a final report of no findings when the conditions listed in 1G SBCCC 400.3(c)(1) are satisfied and the number of incorrectly reported hours for FTE do not exceed one percent of the sample in a particular programmatic area (Curriculum, Continuing Education, and College and Career Readiness – Basic Skills).
2) Coaching Letter – A college may receive a coaching letter which identifies risk areas found during the compliance review and includes recommendations for improvement.
3) Minimal Finding – A finding is minimal when the conditions listed in 1G SBCCC 400.3(c)(1) are not satisfied and the number of incorrectly reported hours for FTE exceed one percent but does not exceed five percent of the sample of records reviewed for a particular programmatic area (Curriculum, Continuing Education, and College and Career Readiness – Basic Skills).
4) Material Finding – A finding is material when the conditions listed in 1G SBCCC 400.3(c)(1) are not satisfied and the number of incorrectly reported hours for FTE exceed five percent of the sample reviewed for

a particular programmatic area (Curriculum, Continuing Education, and College and Career Readiness – Basic Skills). A material finding will result in a reversion of funds.

5) Subsequent Reviews – A college with minimal finding may be required to undergo a compliance review the following fiscal year for the program area/areas in which the findings occurred. A college with a material finding shall be required to undergo a compliance review the following fiscal year for the program area/areas in which the findings occurred.

(d) “Statistically valid sample” – A sample of course section records that provides a ninety-five percent (95%) confidence level that the sample is representative of the relevant population of course section records.

History Note: Authority G.S. 115D-5(m);

Eff. November 1, 2017.

Amend Eff. August 1, 2024.

1G SBCCC 400.3 Compliance Reviews

(a) Frequency. The System Office shall conduct a compliance review of each college once every two fiscal years unless the college's prior year review has material findings. If a compliance review has material findings, the System Office shall conduct a compliance review during the subsequent fiscal year. If a college is not scheduled for a compliance review in a particular year, the college president may request the System Office conduct one, subject to the availability of resources.

(b) Period of Review. Compliance reviews shall review a sample of records for college- funded basic skills, continuing education, and curriculum course sections for which FTE was reported for the Summer, Fall, and Spring terms completed immediately preceding the end (June 30) of the most recently completed fiscal year.

(c) Compliance Review Components. A compliance review shall include the following components:

1) Review of Course Section Sample. System Office Compliance Services staff shall review a statistically valid sample of course section records to ensure a college has reported FTE that is included in budget full-time equivalent (BFTE) calculations consistent with the provisions of this Chapter. For each course section in the review sample, System Office Compliance Services staff shall determine whether the following conditions were satisfied:

    a. The college did not report FTE for activities disallowed in 1G SBCCC 200.95.
    b. The State Board has approved the college to provide the course.
    c. It is appropriate for the FTE associated with the course section to be included in BFTE calculations per 1G SBCCC 100.99.
    d. Any minors enrolled in a basic skills, continuing education, or curriculum course section have met the requirements of 1D

SBCCC 200.95, 1D SBCCC 300.4(c), or 1D SBCCC 400.99, respectively.

e. The number of FTE reported by the college for the course section complies with Subchapter 200 of Title 1, Chapter G of the SBCCC.

f. The course section took place in the college's service area or the appropriate instructional services agreement was executed. If instruction was delivered under an instructional service agreement, the FTE was pro-rated (if applicable) consistent with the terms of the agreement.

g. The instruction was provided either through a college-employed instructor or through a third-party contract that complies with contracted instruction rules in Title 1, Chapter D of the SBCCC.

h. The college charged or waived the applicable tuition or registration fees consistent with the rules in Title 1, Chapter E of the SBCCC.

2) Review of Internal Class Visits. Each college shall include a local plan to visit a sample of continuing education course sections as part of the Continuing Education Accountability and Integrity Plan required under 1D SBCCC 300.4(a). System Office Compliance Services staff shall review documentation to ensure the college is following its internal class visit plan, but no other components of this plan shall be reviewed by the compliance examiner.

(d) Financial reversions. (*Reserved for future codification*)

(e) Compliance Review Findings. Compliance Services shall provide a written report of any material compliance review findings to the college president, local college board of trustees, the State Board of Community Colleges, and the State Auditor. If a college disagrees with any of the findings in the report, the college president may submit a written appeal to the State Board of Community Colleges (SBCC). The written appeal shall identify one or more of

following bases for appeal and provide evidence in support of each basis for appeal:

1) One or more compliance review findings are outside the scope of the factors listed in 1G SBCCC 400.3(c);
2) One or more compliance review findings constitute an error in application of the law; or
3) One or more compliance review findings constitute an error in fact. The college must submit the written appeal within 30 days of receipt of the compliance review report. The Accountability and Audit Committee of the State Board of Community Colleges shall review the appeal and make its recommendation to the full State Board. The Accountability and Audit Committee of the State Board of Community Colleges will base its recommendation on whether the college established more likely than not that each compliance review finding under appeal satisfied either of the factors listed above in 1G SBCCC 400.3(e)(1) – (e)(3).

(f) Compliance Review Advisory Committee.

1) The Committee shall be composed of the following members, each of whom shall serve for a three-year term:
    a. Three college presidents appointed by the President of the North Carolina Association of Community College Presidents.
    b. Two instructional administrators appointed by the President of the North Carolina Association of Community College Instructional Administrators.
    c. One continuing education administrator and one basic skills director appointed by the President of the North Carolina Community College Adult Educators Association.
    d. One continuing education administrator appointed by the Continuing Education Leadership Committee established under 1D SBCCC 300.5(b)(2).

e. One curriculum registrar/records manager appointed by the President of the Student Development Administrators Association.
f. One continuing education registrar/records manager appointed by the Continuing Education Leadership Committee established under 1D SBCCC 300.5(b)(2).
g. The designee of the North Carolina Community College System President, who will be responsible for convening the Advisory Committee at least biannually.
h. The designee of the State Auditor, who will serve as a non-voting member.

2) No member of the Compliance Review Advisory Committee shall serve more than two consecutive terms of three years on the Committee. This limitation does not prohibit an individual from serving future terms after a period of non-service.
3) The Compliance Review Advisory Committee is responsible for receiving college feedback about the compliance review process and making recommendations to the State Board of Community Colleges on desired policy changes and to the North Carolina Community College System Office on desired procedural changes. The Committee shall report to the Accountability and Audit Committee of the State Board at least annually on any recommendations.

History Note: Authority G.S. 115D-5(m);
Eff. November 1, 2017.

1G SBCCC 400.4 Special Reviews

Upon request of the college president, a majority vote of a college board of trustees, or the North Carolina Community College System President, North Carolina Community College System Office Compliance Services staff may conduct a special review to investigate any concern identified by the college or System President, as applicable, related to the reporting of data used as the basis of college budget allocations or the charging and waiving of tuition and registration fees. A special review may include class visits and a review of records beyond the documents requested through a compliance review conducted under 1G SBCCC 400.2.

History Note: Authority G.S. 115D-5(m);

Eff. November 1, 2017.

CHAPTER H. FISCAL MANAGEMENT

SUBCHAPTER 100. DEFINITIONS

1H SBCCC 100.1 Definitions

The following definitions apply to this Chapter:

(a) “County funds” – Funds appropriated to the college by the local tax-levying authority.

(b) “Institutional funds” – Funds budgeted and expended through college accounts that are not allocated to the college by the State Board of Community Colleges, nor appropriated to the college by the local tax-levying authority.

(c) “State funds” – All funds that are allocated to colleges by the State Board of Community Colleges, regardless of the revenue source.

(d) “Categorical funds” - Funds appropriated to the college from any state government source that are targeted for particular categories of projects, students, special programs, or special purposes. These funds may not be used for any other purpose than the purpose for which they were allocated.

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

Eff. November 1, 2015.

Amend Eff. June 1, 2023.

SUBCHAPTER 200. STATE FUNDS

1H SBCCC 200.1 Allocation of Funds

(a) The State Board shall allocate State funds to colleges using one or more of the following methods:

1) Formula allocation: Allocations calculated using a formula of objective, verifiable factors.
2) Competitive allocation: Allocations determined through a competitive process through which colleges apply for funds and the colleges' requests are evaluated and ranked based on identified criteria.
3) Direct allocation: Funds allocated directly to a specific college when one of the following conditions apply:
    a. The General Assembly directs that funds shall be allocated to a specific college.
    b. The terms of a grant award require that grant funds be allocated to a specific college.
    c. A college has programmatic ability unique among colleges and the desire to fulfill the objectives for which the funds are allocated.

(b) Notwithstanding subsection (a) of this rule, the State Board delegates to the President of the North Carolina Community College System the authority to approve allocations made pursuant to any of the following:

1) 1H SBCCC 200.1(a)(2) if the total amount of funds allocated under the competitive process does not exceed $250,000.
2) 1H SBCCC 200.1(a)(3)(A) and (B).
3) 1H SBCCC 200.1(a)(3)(C) if the total amount of funds allocated to the college does not exceed $250,000.

    The System Office shall provide at least biannually a report to the State Board listing any allocations approved by the President pursuant to this delegated authority.

(c) At the time of allocation, the System Office shall notify colleges of the allocation period, which is the time period during which the college is

authorized to expend the allocation. The System Office shall extend the allocation period if additional time is needed for the college to complete the objectives for which the funds were allocated, funds remain available, and the extension of the allocation period is in the best interest of the NC Community College System as determined by the System President.

(d) Colleges receiving categorical funds from any state government source must report the receipt and use of such funds annually to the North Carolina Community College System in accordance with the System's Annual Reporting Plan.

(e) The System Office may reduce a college's allocation under the following circumstances:

1) At the System Office's request, a college voluntarily forgoes an amount of its approved allocation because it is not able to fully expend the funds and other colleges have a need for those funds; or
2) A college fails to meet pre-determined programmatic or expenditure benchmarks that were communicated to the college when the State Board initially allocated funds and other colleges have a need for those funds; or
3) Revenue collections are not meeting budget projections and there is a projected cash shortfall of greater magnitude than one that can be covered through projected unexpended allocations.

(f) If a college's allocation is reduced as provided in subsection (d), the System Office shall reallocate those funds to other colleges that demonstrate need and an ability to utilize the funds if there is no projected cash shortfall.

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

Eff. November 1, 2015.

Amended Eff. June 1, 2023; September 1, 2019.

1H SBCCC 200.2 Withholding of State Funds or Administrative Support

(a) Institutions shall be operated in compliance with G.S. 115D and all rules in this Title. In order for an institution to continue receiving State financial and administrative support, the institution shall:

(1) Maintain accreditation an institutional accrediting agency in accordance with North Carolina law and acquire and maintain accreditation or licenses for each program offered which has an individual accreditation or licensure requirement in accordance with G.S. 115D-5(a) and 1B SBCCC 400.96.

(2) Employ faculty, assign teaching and non-teaching loads, and provide technical assistance to faculty consistent with the criteria of its institutional accrediting agency in accordance with 1C SBCCC 300.97; 1D SBCCC 200.93; and 400.93.

(3) Submit required data to the System Office on each of the performance measures and publish the ratings on each measure in accordance with G.S. 115D-31.3 and 1B SBCCC 400.98.

(4) Complete and submit to the System Office all reports in accordance with the North Carolina Community College System Annual Reporting Plan that the System Office communicates to the colleges.

(5) Manage institutional operations and resources consistent with law. An institution that receives four or more written findings in its final published financial statement audit conducted under G.S. 115D-58.16 for two consecutive audit cycles shall be in violation of this Rule.

(6) Report the intentional damage, theft, embezzlement, or misuse of any state-owned personal or real property by institutional officials or employees to the Director of the State Bureau of Investigation in accordance with G.S. 143B-920.

(7) Comply with 1C SBCCC 200.94.

(8) Comply with any request for information, documents, or any other request of the State Board.

(b) In addition to the provisions of G.S. 115D-6, the State Board may withhold funds for the president's salary or terminate state financial and administrative support of any institution that fails to comply with any provision of Paragraph (a) of this Rule.

History Note: Authority G.S. 114-15.1; 115D-4.1; 115D-5; 115D-6; 115D-31.3; 115D-32;
Eff. November 1, 2015.
Amended Eff. August 1, 2025.

1H SBCCC 200.3 Disbursement of State Funds

State funds expended by the colleges shall be disbursed through a disbursing account that the State Treasurer has established for each college. The signature of college officials that are authorized by the college president to sign vouchers issued on State funds shall be maintained on file with the State Treasurer and the State Board. The State Treasurer will furnish signature cards for this purpose.

History Note: Authority G.S. 115D-58.3;

Eff. November 1, 2015.

1H SBCCC 200.4 Expenditure of State Funds

State funds shall be expended consistent with the purposes for which the State Board allocated the funds. In the event that a college expends State funds for an unauthorized purpose, the college shall reimburse the State for the amount from non-State funds.

History Note: Authority G.S. 115D-5;
Eff. November 1, 2015.

1H SBCCC 200.5 Expenditure of State Funds: Travel and Allowances

State funds shall be expended for travel consistent with travel procedures prescribed by the Office of State Budget and Management in the State of North Carolina Budget Manual or a policy adopted by the college's board of trustees that is more restrictive than the procedures prescribed in the North Carolina Budget Manual.

History Note: Authority G.S. 115D-5; 115D-54;
Eff. November 1, 2015.

1H SBCCC 200.6 Expenditure of State Funds: Accreditation Expenses & Dues

(a) Accreditation expenses relative to an institutional accrediting agency may be paid from State funds within the institution's current allotment. These expenses shall be limited to payment of travel, subsistence, lodging, and honorarium incurred by members of visiting committees, other bona fide representatives, and members of the staff of accrediting organizations. This Rule permits payment of only those expenses for which an institution is customarily invoiced by an accrediting organization following a visit.

(b) The institution may pay from State funds the required annual dues of the institutional accrediting agency, and such institutional association membership dues as the board of trustees deems to benefit the institution. Regarding membership dues, this Rule applies to annual dues of correspondents and candidates for membership, as well as accredited members.

(c) The institution may also pay from State funds the fees for accrediting individual programs offered by the institution if the college president determines that the accreditation provides value to graduates of the program.

History Note: Authority G.S. 115D 5; 115D 55;
Eff. November 1, 2015.
Amended Eff. August 1, 2025.

1H SBCCC 200.7 Expenditure of State Funds: Campus Security

Colleges may use up to a specific amount of State funds designated by the State Board for campus security. Under this authority, colleges may:

1) Hire security or campus police personnel;
2) Contract for professional security services and other security-related services; and
3) Purchase surveillance cameras, call boxes, alert systems, and other equipment-related expenditures, excluding vehicles.

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

Eff. November 1, 2015.

1H SBCCC 200.8 Expenditure of State Funds: Employee Recognition

Colleges may use State funds for purchases related to the recognition of employees for meritorious service through programs such as the one authorized by the State for State employees. In addition, State funds may be expended, not to exceed $50, for the purchase of a plaque or for the printing and framing of a certificate to recognize employee service or performance. The expenditure of State funds for these purposes is subject to the availability of funds within the college.

History Note: Authority G.S. 115D-5;
Eff. November 1, 2015.

1H SBCCC 200.9 Expenditure of State Funds Prohibited: Athletics

Colleges shall not use State funds to create, support, maintain, or operate an intercollegiate, club, or intramural athletics program. Athletic programs may only be supported by student activity fees or other non-State funding sources that are authorized for that purpose. Intercollegiate athletics programs shall be operated consistent with 1B SBCCC 600.99.

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

Eff. November 1, 2015.

1H SBCCC 200.10 Expenditure of State Funds Prohibited: Promotional Giveaway Items and Other Gifts

Colleges shall not use State funds to purchase promotional giveaway items or other gifts for any reason, including promotional giveaway items purchased for college marketing and advertising. “Promotional giveaway items” are items given to an individual or entity for less than fair market value that do not serve an instructional or institutional purpose. Items that serve “an instructional or institutional purpose” are those used for classroom instruction and daily, routine operations of the college not associated with marketing, advertising, recruiting, or fundraising. See 1E SBCCC 700.7(a), 1H SBCCC 300.3(b)(1), and 1H SBCCC 300.4 for rules related to sources of institutional funds that may be used for giveaway items.

History Note: Authority G.S. 115D-5;
Eff. November 1, 2015.

1H SBCCC 200.11 Expenditure of State Funds Prohibited: Purposes

Unless otherwise authorized by law, colleges may not use State funds for the budget items listed in G.S. 115D-32, since these items are the responsibility of the tax-levying authority as defined in G.S. 115D-2.

History Note: Authority G.S. 115D-5;
Eff. November 1, 2015.

1H SBCCC 200.86 Withholding of State Funds or Administrative Support

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 114-15.1; 115D-4.1; 115D-5; 115D-6; 115D-31.3; 115D-32;

Eff. December 1, 2004;

Repealed Eff. November 1, 2015.

1H SBCCC 200.87 Operating Budget Requests: Distribution of Funds

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-3; 115D-5; 115D-54; S.L. 1995, c. 625;
Eff. February 1, 1976;
Amended Eff. September 30, 1977;
Emergency Amendment Eff. July 1, 1978 for a period of 120 days to expire on October 29, 1978;
Emergency Amendment Made Permanent Eff. July 24, 1978;
Amended Eff. June 1, 1987; July 1, 1983;
Temporary Amendment Eff. August 25, 1988 for a period of 180 days to expire on February 20, 1989;
Amended Eff. September 1, 1993; April 1, 1989;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. May 1, 2009; July 1, 1998;
Repealed Eff. November 1, 2015.

1H SBCCC 200.88 Distribution of Federal Vocational Education Funds

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115C-154; 115C-158; 115D-5; 115D-31; P.L. 101-392;

Eff. February 1, 1976;

Amended Eff. September 1, 1993; August 17, 1981; January 6, 1978;

Repealed Eff. November 1, 2015.

1H SBCCC 200.89 Equipment Budget Requests: Distribution of Funds

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Filed as an Emergency Amendment Eff. July 1, 1978 for a period of 120 days to expire on October 29, 1978;

Authority G.S. 115D-5; 115D-55;

Eff. February 1, 1976;

Emergency Amendment Made Permanent Eff. July 24, 1978;

Amended Eff. September 1, 1993; July 1, 1984; August 1, 1983; July 1, 1981;

Repealed Eff. November 1, 2015.

1H SBCCC 200.90 Library Book Funding System and Budgetary Application

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Filed as an Emergency Amendment Eff. July 1, 1978 for a period of 120 days to expire on October 29, 1978;
Authority G.S. 115D-5; 115D-31;
Eff. February 1, 1976;
Emergency Amendment Made Permanent Eff. July 24, 1978; Amended Eff. September 1, 1993; August 1, 1983; July 1, 1981;
Repealed Eff. November 1, 2015.

1H SBCCC 200.91 Appropriation Requests and Allocation Policy

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Filed as an Emergency Amendment Eff. July 1, 1978 for a Period of 120 Days to Expire on October 29, 1978;

Statutory Authority G.S. 115D-5; 115D-54;

Eff. February 1, 1976;

Amended Eff. January 6, 1978;

Emergency Amendment Made Permanent Eff. July 24, 1978;

Amended Eff. September 1, 1993; September 1, 1985; August 17, 1981;

Repealed Eff. November 1, 2015.

1H SBCCC 200.92 Disbursement of State Funds

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-58.3;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; December 1, 1984; August 17, 1981;
Repealed Eff. November 1, 2015.

1H SBCCC 200.93 Expenditure of State Funds: Accreditation Expenses & Dues

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-55;
Eff. February 1, 1976;
Amended Eff. April 1, 2009; August 1, 1983; August 17, 1981; September 30, 1977;
Repealed Eff. November 1, 2015.

1H SBCCC 200.94 Expenditure of State Funds: Postage Machines

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; August 17, 1981;
Repealed Eff. November 1, 2015.

1H SBCCC 200.95 Expenditure of State Funds: Certificate Costs

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-39;
Eff. February 1, 1976;
Amended Eff. November 1, 1983; August 17, 1981;
Repealed Eff. November 1, 2015.

1H SBCCC 200.96 Expenditure of State Funds: Special Funds

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-54;
Eff. February 1, 1976;
Repealed Eff. November 1, 2015.

1H SBCCC 200.97 Expenditure of State Funds: Travel and Allowances

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Filed as an Emergency Amendment Eff. September 13, 1978 for a period of 90 days to expire on December 12, 1978;

Authority G.S. 115D-5; 115D-54;

Eff. February 1, 1976;

Amended Eff. September 30, 1977;

Emergency Amendment Made Permanent with Change Eff. December 8, 1978;

Amended Eff. August 17, 1981; July 1, 1980;

Repealed Eff. November 1, 2015.

1H SBCCC 200.98 Maintenance of Plant Flexibility

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; S.L. 2009-451, s. 8.17(b);
Emergency Adoption Eff. September 30, 2009;
Temporary Adoption Eff. December 29, 2009;
Eff. April 1, 2010;
Repealed Eff. November 1, 2015.

1H SBCCC 200.99 Expenditure of State Funds Prohibited: Intercollegiate Athletics

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5;
Eff. August 1, 2009;
Repealed Eff. ***Error! Hyperlink reference not valid.***.

SUBCHAPTER 300. INSTITUTIONAL FUNDS

1H SBCCC 300.1 Live Client Projects

(a) Definition. Live client projects are defined as:

1) educational programs in which students, as part of their educational experiences and as part of the instructional course requirements, repair or remodel non- college owned personal property or real property; or
2) educational programs that construct structures that are sold, produce goods that are sold, or provide services for a fee, such structures, goods or services being the normal and necessary product of learning activities of students.

(b) Local Procedures. If a college elects to engage in live client projects, college management shall adopt procedures for the administration of such projects, consistent with State laws and rules, that include, at minimum, the following elements:

1) Definition of criteria that will be used to select project clientele,
2) Methodology for determining client charges,
3) Management of liability issues for students participating in live projects,
4) Assignment of liability for the integrity of the finished product or service, and
5) Required administrative approvals prior to beginning a live project. Colleges shall select clientele and establish client charges through an objective process that prevents private individuals or entities from accruing, from the live client project, benefits a college shows to be unreasonable. Colleges shall not engage in live client projects that repair or remodel property for companies or individuals that are in the business of equipment resale unless the property undergoing repair or remodeling is used in the usual course of the business and is not being resold.

(a) Live Client Project Charges. Colleges are authorized to charge project clientele for goods or services produced through a live client project. In the case of (a)(1) of this Rule, the owner of the property shall supply or pay for all parts required. In

the case of (a)(2) of this rule, the college shall charge all clientele for the value of the goods and services provided through a live customer project. Live client project receipts shall be deposited into an unrestricted institutional account. A college may determine locally whether discrete live client projects are accounted for in separate institutional accounts or in one account used for multiple live client projects.

(b) Use of Live Client Project Receipts. All costs that otherwise would not have been incurred absent the live client project shall be supported by funds from the institutional account that receives the live client project receipts and shall not be supported from State funds. These costs include, but are not limited to, supplies and materials used in producing the good or service, additional personnel required to serve clients, specialized equipment, liability insurance, and other costs directly related to the live client project as distinguished from an instructional program that does not produce income. In the context of construction live client projects, these costs include, but are not limited to, all building materials, land, land improvements, amounts paid to subcontractors for work not performed by students or employees of the college, any actual interest paid on construction loans or financing arrangements provided for by a partnering third-party entity, and any legal fees and closing costs that may be required. Live client project receipts may also be used to supplement instructional costs of those programs engaging in live client projects. The college shall maintain detailed records so that the college may prepare annual financial statements and a complete audit of the account may be made after the close of the fiscal year.

(c) Surplus Equipment Live Client Projects. For live client projects that involve the repair of equipment purchased with State funds or federal surplus property, with a subsequent sale as surplus under the rules of the State Division of Purchase and Contract, the proceeds of such sales shall be deposited as a refund of expense to the equipment budget of the college.

(d) Construction Live Client Projects. For construction live client projects where a permanent building is constructed on the college’s campus or on property owned by the college, the board of trustees shall follow all requirements of the General

Statutes in acquiring the building materials and any subcontracted work, as well as in disposing of the building and property. College employees on the permanent payroll of the college are permitted to perform construction or repair work as long as project costs do not exceed the maximum thresholds established in G.S. 143-135. A project cannot be subdivided to evade the provisions of G.S. 143-135.

(e) Patron Service Live Client Projects. Notwithstanding subsection (d) of this section, a college may use a combination of State funds and live client project receipts to support costs associated with providing services to patrons, such as cosmetology and dental hygiene services.

(f) Disposition of Discontinued Live Client Project Fund Balance. If a college decides to discontinue a live client project activity, any unexpended funds in the live client project institutional account shall be used for other live client projects or used consistent with the provisions of 1E SBCCC 700.7.

History Note: Authority G.S. 115D-5; 115D-14; P.L. 97-300;
Eff. November 1, 2015.

1H SBCCC 300.2 Reserved For Future Codification

1H SBCCC 300.3 Bookstore and Bookstore Commissions

(a) Bookstore operations. All financial transactions pertaining to bookstore operations shall be accounted for in a proprietary institutional account and kept separate from all other activities of the college. At least every four years, the board of trustees of each college shall review the college's mark-up on textbooks and other instructional materials sold through the bookstore to determine if the mark-up is appropriately balanced between affordability for students and other priorities identified by the local board of trustees.

(b) Use of bookstore operating revenues. Bookstore receipts shall first be used to support bookstore operating expenses including, but not limited to salaries and benefits of bookstore personnel, purchase of inventory, marketing, supplies, travel, equipment associated with the operation of the bookstore, enhancement of the bookstore, and bookstore facility support costs, such as, utilities, housekeeping, maintenance, and security.

(c) Excess bookstore revenues. Receipts in excess of the above operating expenses shall be transferred to the appropriate account and expended consistent with the following provisions:

1) Funds may be used to support instruction, student support services, student financial aid (e.g. scholarships, grants, loans, Work Study), student refunds, student activities, giveaways to students, curriculum development, program improvement, professional development, instructional equipment, and capital improvements related to facilities associated with the bookstore and student activities.
2) Funds shall not be used to support any supplemental salary, benefit, or other form of compensation for the college president. Funds shall not be used to support administrative costs, promotional giveaways to individuals other than students, entertainment expenses, fundraising expenses, and capital improvements not allowed under (c)(1) above.

History Note: Authority G.S. 115D-5; 115D-58.13;
Eff. November 1, 2015.

1H SBCCC 300.4 Vending and Concession Activities

The board of trustees of each college shall adopt local policies consistent with G.S. 115D-58.13 for the depositing, budgeting, appropriating, and expending of funds generated through vending machines and other concession activities. Funds generated through vending facilities, vending machines, and other concession activities shall be deposited into an unrestricted institutional account. These funds shall not be used to support the salary, benefits, or any other compensation reportable as income to the Internal Revenue Service of the college president.

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

Eff. November 1, 2015.

1H SBCCC 300.97 Live Projects

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-14; P.L. 97-300;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; August 17, 1981;
Repealed Eff. November 1, 2015.

1H SBCCC 300.98 Handling Overhead Receipts and Allowances

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-54;
Eff. February 1, 1976;
Amended Eff. August 17, 1981;
Repealed Eff. November 1, 2015.

1H SBCCC 300.99 Bookstore: Vending Machine

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-58.13;
Eff. February 1, 1976;
Amended Eff. December 1, 2004; September 1, 1993; December 1, 1984;
August 17, 1981;
Repealed Eff. November 1, 2015.

SUBCHAPTER 400. PROPERTY AND CAPITAL IMPROVEMENTS

1H SBCCC 400.1 Definitions

The following definitions apply to this Subchapter:

(a) “Capital improvement project” - real property acquisition, new construction or rehabilitation of existing facilities, and repairs and renovations as defined in G.S. 143C-1-1.

(b) “Formal capital improvement project” - a project requiring the estimated expenditure of public money in an amount equal to or more than the monetary threshold as defined in G.S. 143-129(a).

(c) “Informal capital improvement project” - a project requiring the estimated expenditure of public money in an amount less than the monetary threshold as defined in G.S. 143-129(a).

History Note: Authority G.S. 115D-5;
Eff. November 1, 2015.

1H SBCCC 400.2 Surplus and Irreparable Books and Book-Like Media

Books and book-like media originally purchased from State or federal funds, when they are no longer useful to an institution shall be disposed of by the institution. Book-like media include audio visual materials, CD's, electronic resources, and other learning resources of durable nature. These materials may be destroyed locally through standard recycling methods or disposed of by the institution through a local sale; disposed of through a profit-sharing arrangement with a company that resells and recycles books and book-like media; through donations to non-profit, tax-exempt organizations (including college foundations) or tax-supported agencies or institutions; or through public bid sale by the State Surplus Property Agency. Colleges shall maintain records and receipts of each sale for auditing purposes. Colleges shall use any receipts generated from the sale of surplus books and book-like media to purchase additional books and book-like media.

History Note: Authority G.S. 115D-5; 115D-31;
Eff. November 1, 2015.

1H SBCCC 400.3 Donated or Loaned Property

(a) A board of trustees may accept property donated to the college for any lawful educational purpose that is consistent with the mission and purpose of the community college system.

(b) A board of trustees shall obtain State Board approval prior to accepting a donation of real property.

(c) Any funds derived from the sale or lease of property donated to a college for a specific educational purpose shall be used to accomplish that purpose.

(d) A board of trustees may permit a private business enterprise that loans or donates instructional equipment to the college to use the college's facilities to demonstrate the donated or loaned equipment to customers or potential customers of the private business enterprise provided that:

1) The board of trustees shall develop procedures to regulate the use of its facilities for this purpose; and
2) The lender's or donor's use of the college facilities shall not interfere with the education of students.

History Note: Authority G.S. 115D-5; 115D-15; 115D-20;
Eff. November 1, 2015.

1H SBCCC 400.4 Capital Project Approval and Obtaining Capital Funds

(a) Project Approval. The State Board shall approve all formal capital improvement projects, regardless of the source of funds, and all informal college capital improvement projects that are supported in part or in total with State funds. As part of the request submitted to the State Board, the college shall certify that its board of trustees has voted to approve the project. The State Board delegates to the President of the North Carolina Community College System the authority to approve, subject to State Board ratification, a capital improvement project if the college has an urgent need and provides evidence that the college will be negatively impacted if approval is delayed until the next regularly scheduled meeting of the State Board. The System President shall present the project to the State Board for ratification at its next regularly scheduled meeting.

(b) Amendments to approved projects. The State Board shall approve amendments to capital projects approved under subsection (a) of this rule, except the State Board delegates to the President of the North Carolina Community College System or the President's designee the authority to approve an amendment that meets one or more of the following conditions:

1) Decreases project funding,
2) Increases project funding solely with non-State funds, or
3) Transfers previously approved State funds (excluding bond funds) to another previously approved project.

History Note: Authority G.S. 115D-5;
Eff. November 1, 2015.
Amended Eff. August 1, 2019.

1H SBCCC 400.5 Open-End Design Agreements

A board of trustees of a community college may enter into open-end design agreements. An open-end design agreement is an annual service agreement for professional design services provided on a routine or as needed basis for miscellaneous projects as described in 01 NCAC 30D .0302(f). These open-end design agreements are subject to the following limitations:

1) The college shall publicly announce an open-end design agreement pursuant to 23 NCAC 02D .0605 to inform interested designers of the college's need for an open- end agreement for design services.
2) The college board of trustees shall select the designer for open-end design agreements in accordance with the college's designer selection procedures for informal capital improvement projects.
3) The total estimated cost of each informal capital improvement project shall not exceed the maximum expenditure established by G.S. 143-64.34 for each informal capital improvement project that can be designed using the services of a designer secured through an open-end design agreement.
4) The initial term of the open-end design agreement shall be the same as the initial term established for fixed term contracts in 01 NCAC 30D .0302(f).
5) Design fees for any single project designed under an open-end design agreement shall not exceed the single project monetary limit established for a fixed term contract by 01 NCAC 30D .0302(f).
6) Regardless of the number of projects during the initial term of an open-end design agreement, the total amount of fees paid under an open-end design agreement during its initial term shall not exceed the maximum fees payable under a fixed term contract during the fixed term contract's initial year as established by 01 NCAC 30D .0302(f).
7) A board of trustees of a community college may extend the initial term of the original open-end design agreement for a maximum of one additional year.

8) The maximum amount payable under an open-end design agreement during any additional term after the initial term shall not exceed the maximum amount payable under a fixed term contract during any additional term after the initial term as established by 01 NCAC 30D .0302(f).
9) If the term of an open-end design agreement is extended for one additional year and regardless of the number of projects, the sum of the fees paid for the initial term of the agreement and for the yearlong extension shall not exceed the limitation established by the State Building Commission for the maximum amount payable under fixed term contracts in 01 NCAC 30D .0302(f).
10) A community college shall not have more than one open-end design agreement with the same firm at the same time.

History Note: Authority G.S. 115D-5;
Eff. November 1, 2015.

1H SBCCC 400.6 Construction Prequalification Policy

Community colleges shall use the State Construction Office (SCO) prequalification policy, assessment ratings matrix, and prequalification forms when prequalifying bidders for construction projects as allowed under G.S. 143-135.8. The policy and forms are available from the SCO. This requirement is for colleges choosing to prequalify bidders. Colleges are not required to prequalify bidders.

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

Eff. November 1, 2015.

1H SBCCC 400.93 Surplus and Irreparable Books and Book Like Media

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-31;
Eff. February 1, 1976;
Readopted Eff. Amended Eff. Repealed Eff.
January 5, 1978; November 1, 1983; November 1, 2015.

1H SBCCC 400.94 Equipment Purchases

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-31; 115D-54;
Eff. February 1, 1976;
Amended Eff September 1, 1993; December 1, 1984; July 15, 1978;
September 30, 1977;
Repealed Eff. November 1, 2015.

1H SBCCC 400.95 Surplus Property

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-14; 115D-54;
Eff. February 1, 1976;
Readopted Eff. Amended Eff. Repealed Eff.
January 5, 1978;
September 1, 1993; December 1, 1984; November 1, 2015.

1H SBCCC 400.96 Donated or Loaned Property

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-15; 115D-20;
Temporary Adoption Eff. October 21, 1998;
Temporary Adoption Expired August 13, 1999; Eff. August 1, 2000;
Amended Eff. August 1, 2010; May 1, 2006;
Repealed Eff. November 1, 2015.

1H SBCCC 400.97 Acquisition of Equipment

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-58.5(b); 115D-58.15;
Temporary Adoption Eff. October 21, 1998;
Temporary Adoption Expired August 13, 1999; Eff. August 1, 2000;
Repealed Eff. November 1, 2015.

1H SBCCC 400.98 Capital Project Approval and Obtaining Capital Funds

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; August 17, 1981;
Repealed Eff. November 1, 2015.

1H SBCCC 400.99 Open-End Design Agreements

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 143-64-34;
Eff. May 1, 2006;
Repealed Eff. November 1, 2015.

SUBCHAPTER 500. PROCUREMENT

1H SBCCC 500.1 Noncertified Source Purchases

(a) Community colleges may purchase the same or substantially similar supplies, equipment, and materials from noncertified sources as provided in G.S. 115D-58.5(b) and G.S. 115D-58.14. “Noncertified sources” are defined as vendors that do not provide supplies, equipment, and materials through a State term contract. "Substantially similar" is defined as items having comparable, but not identical characteristics in terms of quality, service and performance as items available under State term contracts.

(b) Each college shall submit to the System Office an annual report showing the number of purchases made from noncertified sources for supplies, equipment, or materials; the amount of funds expended for each purchase; and the amount of funds that would have been expended under the State term contract. When exercising the purchasing authority granted by G.S. 115D-58.14, each college shall also document the use of this authority on the purchase order.

(c) The System Office shall monitor the use of noncertified source purchases and shall make an annual report to the State Board. The report shall include the number of noncertified source purchases made by the colleges and the amount of funds expended.

History Note: Authority G.S. 115D-5; 115D-20; 115D-58.14; S.L. 2009-132; Eff. November 1, 2015.

1H SBCCC 500.2 Special Purchasing Delegations

REPEALED by the State Board of Community Colleges, eff. November 1, 2025.

History Note: Authority G.S. 115D-5; 115D-58.14(b); S.L. 2009-132, s. 1;
Eff. November 1, 2015.
Repeal Eff. November 1, 2025

1H SBCCC 500.95 Purchase/Computer Hardware: System Software/State Contract

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 143-58.1(b); S.L. 1995, c. 625;
Eff. September 1, 1985;
Amended Eff. July 1, 1998;
Repealed Eff. November 1, 2015.

1H SBCCC 500.96 Noncertified Source Purchases

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-20; 115D-58.14; S.L. 2009-132;
Temporary Adoption Eff. October 21, 1998;
Temporary Adoption Expired August 13, 1999; Eff. August 1, 2000;
Amended Eff. May 1, 2010;
Repealed Eff. November 1, 2015.

1H SBCCC 500.97 Special Purchasing Delegations

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5; 115D-58.14(b); S.L. 2009-132, s. 1;
Eff. August 1, 2010;
Repealed Eff. November 1, 2015.

1H SBCCC 500.98 Acquisition of Automated Data Processing (ADP) Resources

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5;
Eff. February 1, 1976;
Amended Eff. November 1, 1983; August 17, 1981; January 6, 1978;
Repealed Eff. November 1, 2015.

1H SBCCC 500.99 No Cost Extension of Contracts

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 115D-5;
Eff. February 1, 1976;
Readopted January 5, 1978;
Amended Eff. September 1, 1993; December 1, 1984;
Repealed Eff. November 1, 2015.

SUBCHAPTER 600. EXTERNAL USE OF COLLEGE FACILITIES AND RESOURCES

1H SBCCC 600.1 Assistance for Economic Development

A board of trustees that permits a private business enterprise to use college facilities or personnel pursuant to G.S. 66-58(c) or G.S. 115D-20(12) shall enter into a written agreement with the private business enterprise prior to providing any services. The agreement shall state the terms and conditions including costs to the college for the use of college facilities and personnel.

History Note: Authority G.S. 66-58(c); 115D-20(12);
Eff. November 1, 2015.

1H SBCCC 600.99 Assistance for Economic Development

REPEALED by the State Board of Community Colleges, eff. 1 November 2015.

History Note: Authority G.S. 66-58(c); 115D-20(12);
Temporary Adoption Eff. October 10, 2001;
Eff. April 1, 2003;
Repealed Eff. November 1, 2015.

TITLE 2 - PROPRIETARY SCHOOLS

CHAPTER A. PROPRIETARY SCHOOLS

SUBCHAPTER 100. DEFINITIONS

2A SBCCC 100.1 Definitions

(a) The following definitions apply throughout this Chapter unless the context of a specific rule indicates otherwise:

(1) “Catastrophic loss amount” - the amount of funds required to protect prepaid student tuition in case of a large-scale event that would draw against the Student Protection Fund. The amount is one million five hundred thousand dollars ($1,500,000).

(2) “Classes or schools” as stated in G.S. 115D-88(4a) - classes or schools, which are offered by the seller of the equipment or the seller's agent.

(3) “Equipment” as stated in G.S. 115D-88 includes software.

(4) "Fund cap amount" - the catastrophic loss amount plus a reserve amount. The fund cap amount is two million dollars ($2,000,000).

(5) “Proprietary school” - any business school, trade school, technical school, or correspondence school which:

(A) offers postsecondary education or training for profit or for a tuition charge or offers classes for the purpose of teaching, for profit or for a tuition charge, any program of study or teaching one or more of the courses or subjects needed to train and educate an individual for employment; and

(B) has any physical presence within the State of North Carolina; and

(C) is privately owned and operated by an owner, partnership or corporation.

(6) “Remote sites” - approved instructional environments in the same county that do not have any administrative staff or administrative functions such as recruiting, accounting and record keeping taking place.

(7) “Reserve amount” - the difference between the catastrophic loss amount and

the fund cap amount. Its purpose is to reduce the possibility of the Student Protection Fund being completely depleted. The reserve amount is five hundred thousand dollars ($500,000).

(8) “Sale” - a change in ownership resulting in a new owner having ownership interest in greater than 50% of the company’s stock or assets. For the purposes of this Chapter, a sale does not include:

(A) a transfer of the entire portion of the owner’s ownership interest and control to a member of the owner’s family (whether or not the family member works at the school) that includes parent, stepparent, sibling, step-sibling, spouse, child or stepchild, grandchild or step-grandchild; spouse’s parent or stepparent, spouse’s sibling or step-sibling, spouse’s child or stepchild, spouse’s grandchild or step-grandchild; child’s spouse, and sibling’s spouse; or

(B) a transfer of the entire portion of the owner’s ownership interest and control, upon the retirement or death of the owner, to a person (who is not a family member) with an ownership interest in the school who has been involved in management of the school for at least two years preceding the transfer, and who has established and retained the ownership interest for at least two years prior to the transfer.

(9) “SBPS” – the abbreviation for State Board of Proprietary Schools.

(10) “Student Protection Fund” is a statewide fee-supported fund. The Student Protection Fund is further defined in Subchapter 500 of this Chapter.

(11) “Users” as stated in G.S. 115D-88(4a) - employees or agents of purchasers.

History Note: Authority G.S. 115D-88; 115D-89; 115D-90; 115D-91; 115D-92; 115D-95.1; Eff. September 1, 1993;
Amended Eff. July 1, 2025; August 1, 2014; July 1, 2010; August 13, 2005; December 1, 2004.

SUBCHAPTER 200. EXEMPTIONS

2A SBCCC 200.1 Exemption

In accordance with G.S. 115D-88(2), employers may contract with third party agencies to provide training for their employees. Schools or classes conducted by third party agencies for an employer to train the employer's employees are also exempt from the provisions of Chapter 115D, Article 8.

History Note: Authority G.S. 115D-88; 115D-89; 115D-90; 115D-91; 115D-92; 115D- 95.1;
Eff. September 1, 1993;
Amended Eff. August 1, 2014; July 1, 2010; August 13, 2005; December 1, 2004.

SUBCHAPTER 300. LICENSURE

2A SBCCC 300.1 Application for Initial License

(a) Any person or persons operating a proprietary school in the State of North Carolina shall obtain a license from the North Carolina State Board of Community Colleges except as exempt by G.S. 115D-88.

(b) Any person or persons seeking to operate a proprietary school that requires licensure shall submit a preliminary application setting forth the proposed location of the school, the qualifications of the Chief Administrator of the school, a description of the facilities available, courses to be offered, and financial resources available to equip and maintain the school. Upon approval of the preliminary application, a final application may be submitted. The final application shall be verified and accompanied by the following:

1) A certified check or money order made payable to the North Carolina State Treasurer in the amount established by the State Board of Proprietary Schools and published annually under the North Carolina Proprietary School Fee Schedule;
2) A guaranty bond or alternative to a guaranty bond as set forth in G.S. 115D-95. Except as otherwise provided herein, the bond amount for a proprietary school shall be at least equal to the maximum amount of prepaid tuition held at any time during the fiscal year. During the initial year of operation, the guaranty bond amount or an alternative to a guaranty bond amount shall be based on the projected maximum amount of prepaid tuition that will be held at any time during that year. In any event, the minimum surety bond shall be twenty five thousand dollars ($25,000);
3) A certified check or money order for the Student Protection Fund in the amount of one thousand two hundred and fifty dollars ($1,250) made payable to the North Carolina State Treasurer;
4) A copy of the school's catalog or bulletin. The catalog shall include a statement addressing each item listed in G.S. 115D-90(b)(7);

5) A financial statement showing capital investment, assets and liabilities, and the proposed operating budget which demonstrates financial stability or a financial statement and an accompanying opinion of the school's financial stability by either an accountant, using generally accepted accounting principles, or a lending institution;
6) A detail of ownership; (This must show stock distribution if the school is a corporation, or partnership agreement if the school will be operated as a partnership.)
7) Information on all administrative and instructor personnel who will be active in the operation of the school, either in full- or part-time capacity; (This information must be submitted on forms provided for this purpose.)
8) Enrollment application or student contract form;
9) School floor plan showing doors, windows, halls, and seating arrangement; also offices, rest rooms, and storage space; the size of each room and seating capacity shall be clearly marked for each classroom; lighting showing kind and intensity shall be indicated for each room; the type of heating and cooling system used for the space occupied shall be stated;
10) Photostatic copies of inspection reports or letters from proper officials to show that the building is safe and sanitary and meets all local city, county, municipal, state, and federal regulations such as fire, building, and sanitation codes; and
11) If the building is not owned by the school, a photostatic copy of the lease held by the school for the space occupied.

(c) A person or persons purchasing a proprietary school already operating as a licensed school shall comply with all of the requirements for securing an initial license. A license is not transferable to a new owner. All application forms and other data shall be submitted in full. Such terms as "previously submitted" when referring to a former owner's file are not acceptable. If a proprietary school offers classes in more than one county, the school's operations in each

such county constitutes a separate school requiring a separate license. Classes conducted by the school in separate locations shall be reported and approved prior to advertising and commencement of classes.

(d) Remote sites shall not have any administrative staff or any administrative functions such as recruiting, accounting or record keeping. Each remote site shall be subject to an initial remote site fee and an annual renewal fee to be paid by a certified check or money order made payable to the North Carolina State Treasurer, in the amount established by the SBPS and published annually under the North Carolina Proprietary School Fee Schedule. Each remote site shall have an initial site visit and a visit during each annual audit.

(e) Classes conducted at remote sites by licensed schools shall be approved prior to advertising and commencement of classes. Any course offered at a remote site shall be a part of an approved program of study for that licensed school.

(f) Changes in application information presented for licensure or relicensure relating to mission, programs, location or stock distribution require prior approval and licensure amendment by the State Board of Community Colleges.

    1) Program additions require curriculum reviews and program or course approvals prior to initiation. A certified check or money order in the amount established by the SBPS and published annually under the North Carolina Proprietary School Fee Schedule made payable to the North Carolina State Treasurer shall accompany each additional program approval request.
    2) Single course additions or revisions may be individually approved when schools submit a request for license amendment. Course additions or revisions requiring curriculum review, instructor evaluation, and equipment site assessment are subject to the curriculum review fee established by the SBPS and published annually under the North Carolina Proprietary School Fee Schedule to be paid by a certified

check or money order made payable to the North Carolina State Treasurer.

3) School relocations require site visits and approvals prior to use. A certified check or money order in the amount established by the SBPS and published annually under the North Carolina Proprietary School Fee Schedule made payable to the North Carolina State Treasurer shall accompany each site relocation approval request.
4) Other site assessment visits, such as for program additions and revisions, shall require a certified check or money order made payable to the North Carolina State Treasurer in the amount established by the SBPS and published annually under the North Carolina Proprietary School Fee Schedule.

History Note: Authority G.S. 115D-88; 115D-89; 115D-90; 115D-91; 115D-92; 115D- 95.1;

Eff. September 1, 1993;

Amended Eff. August 1, 2014; July 1, 2010; August 13, 2005; December 1, 2004.

2A SBCCC 300.2 Application for License Renewal

(a) All licenses issued shall expire on June 30.

(b) All issued licenses shall extend from July 1 through June 30, inclusive; except that any license initially issued on or after April 1 shall expire on June 30 of the following calendar year.

(c) Schools desiring the renewal of their license shall submit an application on or before March 1 of each year. The application shall be accompanied by the following:

(1) All information required of schools applying for an initial license that has not been previously submitted;

(2) Verification that the guaranty bond or alternative to the guaranty bond is in an amount equal to the greatest amount of unearned paid tuition in the school's possession at any time during the prior fiscal year.

(3) Copy of current catalog containing all information required of schools applying for initial license; and

(4) Any supplementary information necessary to bring information on the school up to date.

(d) A certified check or money order in the amount established by the SBPS and published annually under the North Carolina Proprietary School Fee Schedule made payable to the North Carolina State Treasurer shall be received on or before March 1.

(e) Proprietary schools shall make payment to the Student Protection Fund in the amount set forth in G.S. 115D-95.1. The full and timely payment into the Student Protection Fund is a condition of licensure. The State Board of Community Colleges shall not refund any payment to the Student Protection Fund in the event that a school's license is suspended or revoked.

(f) Proprietary schools shall make adjustments to the guaranty bond or alternative to the guaranty bond requirements of schools based on G.S. 115D-95.

(g) The SBPS will tabulate the balance of the Student Protection Fund as of December 31 of each year and establish the percentage amounts identified in Subparagraph (e)(1) of this Rule.

History Note: Authority G.S. 115D-89; 115D-91; 115D-92; 115D-95.1; S.L. 2009-562 s.4;
Eff. September 1, 1993;
Amended Eff. July 1, 2025; February 1, 2024; August 1, 2014; July 1, 2010;
August 13, 2005; December 1, 2004

2A SBCCC 300.3 Application to Amend License

Reserved for Future Codification

History Note: Authority G.S. 115D-88; 115D-89; 115D-90; 115D-91; 115D-92; 115D- 95.1;

Eff. September 1, 1993;

Amended Eff. August 1, 2014; July 1, 2010; August 13, 2005; December 1, 2004.

2A SBCCC 300.4 Application Upon Sale of Proprietary School

Reserved for Future Codification

History Note: Authority G.S. 115D-88; 115D-89; 115D-90; 115D-91; 115D-92; 115D- 95.1;

Eff. September 1, 1993;

Amended Eff. August 1, 2014; July 1, 2010; August 13, 2005; December 1, 2004.

2A SBCCC 300.5 Suspension, Revocation, or Failure to Renew License

REPEALED by State Board of Community Colleges, eff. 1 August 2014.

History Note: Authority G.S. 115D-93; 150B-22 thru 150B-37;
Eff. September 1, 1993;
Amended Eff. December 1, 2004;
Repealed Eff. August 1, 2014.

2A SBCCC 300.6 North Carolina Proprietary School Fee Schedule

Each proprietary school subject to Article 8 of Chapter 115D shall make payment as directed by the SBPS according to the following fee schedule:

1) Initial license - $5,000.
2) Annual license renewal - $2,500. Any license renewal application submitted through the North Carolina Proprietary Board Licensure Portal after March 1st shall be assessed a $500 late fee.
3) Program additions - $200.
4) Program revisions - $200.
5) School relocations - $500.
6) Remote sites - $1,000 initial site fee, plus annual renewal fee of $750.
7) Site assessments to verify statutory or SBCC Code compliance, or to approve program additions or changes - $500.

History Note: Authority G.S. 115D-89.3; 115D-92;

Eff. August 1, 2014;

Amended Eff. November 1, 2023; February 1, 2023; February 1, 2017; February 1, 2015.

SUBCHAPTER 400. GENERAL PROVISIONS

2A SBCCC 400.1 Administration

(a) One person shall be designated as the chief administrator of the school or branch thereof. The chief administrator shall be qualified in accordance with the requirements listed in Paragraph (c) of this Rule.

(b) The chief administrator is defined as the person directly responsible for the school's program, the methods of instruction, the employment of instructors, the organization of classes, the maintenance of the school plant and the equipment, the advertising used, and the maintenance of proper administrative records and all other procedures related to the administration of the school or class.

(c) The chief administrator shall have the following qualifications:

1) Be a person of good moral character;
2) Be a graduate of an accredited college or university accredited by an agency that is recognized by the U.S. Department of Education; and,
3) Have the experience, competency, and capacity to lead the school.

(d) Chief administrators and other administrative personnel who possess qualifications which are equivalent to the requirements prescribed herein for chief administrators may be approved individually by the North Carolina Community College System President or designee.

History Note: Authority G.S. 115D-87; 115D-89; 115D-90;
Eff. September 1, 1993;
Amended Eff. December 1, 2004.

2A SBCCC 400.2 Admission Requirements

(a) The admission requirements for schools licensed under Article 8 of Chapter 115D of the General Statutes of North Carolina shall be made available to the public and administered as written.

(b) As a prerequisite to enrolling in a certificate or diploma course, the school shall require one of the following:

1) Graduation from a public, private, or home high school that operates in compliance with state or local law;
2) A certificate of high school equivalency;
3) Graduation from a community college or university that operates in compliance with state or local law;
4) Completion of secondary education that is equivalent to high school education in the United States;
5) The student's signed, notarized attestation of graduation from a public, private, or home high school that operates in compliance with state or local law, receipt of a certificate of high school equivalency, graduation from a community college or university that operates in compliance with state or local law, or completion of secondary education equivalent to high school education in the United States;
6) For individuals beyond the age of compulsory secondary school attendance who did not graduate from a public, private, or state home high school, obtain a certificate of high school equivalency, graduate from a community college or university that all operate in compliance with state or local law, or complete secondary education equivalent to high school education in the United States; demonstration of an ability to benefit as determined by any test instrument approved by the Department of Education; or
7) The school shall only admit a student pursuant to Subsection (b)(5) if the student provides the school with written evidence of the student's inability to obtain a copy of the student's high school transcript, certificate of high school equivalency, community college or university

transcript, or completion of secondary education equivalent to high school education in the United States.

The school shall not permit high school students to attend the school during the time that high schools are in regular session, except in individual cases approved by the student's high school principal in writing. The proprietary school shall include a copy of the approved form in the student's record.

(c) Schools shall maintain a copy of the high school transcript in the student's record for students admitted pursuant to Subsection (b)(1) of this Section.

(d) Schools shall maintain a copy of the certificate of high school equivalency in the student's record for students admitted pursuant to Subsection (b)(2).

(e) Schools shall maintain a copy of the community college or university transcript in the student's record for students admitted pursuant to Subsection (b)(3).

(f) Schools shall maintain a copy of the educational diploma or transcript, translated in English, for students admitted pursuant to Subsection (b)(4).

(g) Schools shall maintain a copy of the student's signed, notarized attestation for students admitted pursuant to Subsection (b)(5).

(h) Schools shall maintain the results of the ability to benefit test in the student's record for students admitted pursuant to Subsection (b)(6).

(i) The school may admit students to special courses or subjects which are part of the approved curriculum offered by the school when the school deems the student can benefit from the instruction offered.

(j) If total tuition is greater than five-thousand dollars ($5,000), the school may collect up to 50 percent of the total tuition prior to that mid-point of the program. The remainder of the tuition may be collected only when the student has completed one- half of the program. Federal regulations regarding the disbursement of tuition shall supersede state disbursement regulations stated in this Rule.

History Note: Authority G.S. 115D-89; 115D-90;

Eff. September 1, 1993;

Amended Eff. August 1, 2024, February 1, 2016; August 1, 2014;

December 1, 2004.

2A SBCCC 400.3 Advertising

(a) A licensed school shall not advertise through any media that it offers courses that the school has not been licensed to offer.

(b) Printed catalogs, bulletins, or prospectus information shall be specific with respect to prerequisite training required for admission to the school courses, the curricula, the contents of courses, graduation requirements, tuition and other fees, refunds and allowances for withdrawals and unavoidable or extended absences.

(c) Schools shall not use any name, title, or other designation, by way of advertising or otherwise, that is misleading or deceptive as to character of the institution, or its influence in training and employment for students.

(d) Schools shall not use a photograph, cut, engraving, or illustration in catalogs, sales literature, or otherwise in such a manner as to convey a false impression as to the size, importance, or location of the school's equipment.

(e) Schools shall not use endorsements, commendations, or recommendations by students in favor of a school unless it is with the consent of the writer and without financial compensation or offer of financial compensation. These materials shall be kept on file by the school.

(f) Schools shall publish tuition rates, payment methods, and refund policies in their catalogs or as a catalog addendum and shall not deviate from these rates and policies. All catalog addenda shall show an effective date and be readily available to the student.

(g) Schools shall not make, cause, permit to be made, or publish any false, untrue, or deceptive statement or representation by way of advertising or otherwise concerning other proprietary schools or their activities in attempting to enroll students or concerning the character, nature, quality, value, or scope of any course of instruction or educational service offered or in any other material respect.

(h) A school or class shall not solicit students to enroll by means of "blind" advertisements or advertisements in the "help wanted" or other employment columns of newspapers, publications, and Internet job banks.

(i) Schools shall not make false, untrue, or deceptive statements of representatives regarding the opportunities in any vocation or field of activity as a result of the completion of any given course of instruction or educational service.

(j) Advertisement shall not use salary-related terms or phrasing such as, "up to", "top", or "high salary".

(k) Any salary claims shall show comparisons between local and national employment data and shall be for entry-level positions.

(l) Any salary claims shall be documented and on file at the institution for public viewing.

(m) Advertisements shall not offer promotions or special inducements to prospective students or enrollees.

(n) Advertisements and school representatives shall not guarantee or imply positions or employment to prospective students.

(o) If a licensed proprietary school, in any of its advertisements, printed materials or media, use the phrase or a similar phrase "Licensed by the North Carolina State Board of Community Colleges" then that phrase must be immediately succeeded by the following disclaimer: "The North Carolina State Board of Community Colleges is not an accrediting agency."

History Note: Authority G.S. 115D-89; 115D-90;
Eff. September 1, 1993;
Amended Eff. December 1, 2004.

2A SBCCC 400.4 Ethics

(a) Schools licensed under Article 8 of Chapter 115D of the General Statutes of North Carolina shall not offer premiums or special inducement to prospective students or enrollees. Scholarships may be offered provided terms of scholarship are published in the school catalog.

(b) Failure to maintain tuition rates as published is grounds for suspension or revocation of the license of a school.

(c) No officer or representative of the school shall solicit any student to leave any school in which the student is enrolled or attends.

(d) A school representative shall not guarantee positions or employment to prospective students.

History Note: Authority G.S. 115D-89; 115D-90; 115D-93;
Eff. September 1, 1993;
Amended Eff. December 1, 2004.

2A SBCCC 400.5 Faculty

(a) An application for approval to teach in a licensed proprietary school shall be made on forms provided for this purpose. The application shall be filed with the Office of Proprietary Schools within 30 days of an instructor's beginning date.

(b) An instructor shall be qualified by education or work experience background and must meet the following qualifications as minimum requirements:

1) Be a person of good moral character;
2) Be at least 18 years of age;
3) Be a graduate of a college or university accredited by an agency that is recognized by the U.S. Department of Education, and hold at least an associate degree in a related field or meet the requirements of other occupational licensing, certification, or approval bodies requested to approve instructor adequacy; and,
4) Personnel who lack the educational requirement in Subsection (b)(3) above, but who are otherwise qualified based on relevant work experience, may be approved on an individual basis by the State Board of Proprietary Schools.

History Note: Authority G.S. 115D-89; 115D-90;
Eff. September 1, 1993;
Amended Eff. August 1, 2014; December 1, 2004.

2A SBCCC 400.6 Facilities and Equipment

(a) The school plant, premises, and facilities shall be adequate, safe, and sanitary and shall be in compliance with the statutory provisions and the rules and regulations of all local ordinances pertaining to fire, health, safety, and sanitation.

(b) The equipment, supplies, and instructional materials of the school shall be satisfactory and adequate in type, quality, and amount, and shall be suitable for satisfactory use in administering the course or courses of instruction. They shall also meet all requirements of statutory provisions and local ordinances, and rules and regulations adopted thereunder in regard to fire, health, safety, and sanitation.

History Note: Authority G.S. 115D-89; 115D-90;
Eff. September 1, 1993;
Amended Eff. December 1, 2004.

2A SBCCC 400.7 Financial Stability

A school licensed under G.S. 115D, Article 8, shall have sufficient finances to establish and carry out a program of education on a continuing basis.

History Note: Authority G.S. 115D-89; 115D-90;
Eff. September 1, 1993;
Amended Eff. August 1, 2014; December 1, 2004.

2A SBCCC 400.8 Instructional Program

(a) Schools shall not publish in their catalogs courses which they have not been licensed to offer. When a school is licensed to offer a course or program and enrolls students in the course or program, the school shall maintain sufficient and qualified faculty to teach all subjects required for completing the course or program during the time stipulated in the school's bulletin as the required time to complete the course or program and classes shall be scheduled so that the students will be able to receive instruction in all subjects for the number of instructional hours as advertised in the school's bulletin under which the students enrolled. When a school previously licensed to offer a course or program fails to maintain the qualifications for continuing the course or program, the course or program shall be removed from the catalog or stamped "not offered."

(b) The number of curriculum programs offered by a school shall be realistic in relationship to faculty employed and students enrolled. As a general rule, the number of curriculum programs offered shall not exceed the number of faculty employed on a full-time basis.

(c) The school shall establish its calendar one calendar year in advance and give full information to prospective and enrolled students about holidays; beginning and ending dates of each term and other important dates.

(d) Schools may measure instruction on a clock-hour or credit-hour basis. The catalog shall provide a clear definition of the method used. The school catalog shall show the number of clock hours or credit hours for each subject offered and the minimum clock hours or credit hours a student shall carry for full-time enrollment. Courses offered on a credit-hour basis shall show class hours, laboratory hours, and credit hours.

(e) The ratio between student and instructor shall be reasonable at all times and in keeping with generally accepted delivery modes, including technology and course content.

(f) Class period shall permit a minimum of 50 minutes net instruction. Class shall not be scheduled for more than two consecutive class periods without a break.

(g) Certificates and diplomas shall be issued only upon successful completion of a standard program of study.

(h) Students enrolled in diploma or certificate programs shall not be enrolled except at the beginning of each term or within the drop/add period which shall not exceed 10 percent of a semester course or 25 percent of quarters or clock hour courses. This provision is not applicable to classes offered on a multi-entry basis.

History Note: Authority G.S. 115D-89; 115D-90;
Eff. September 1, 1993;
Amended Eff. August 1, 2014; December 1, 2004.

2A SBCCC 400.9 Issuance of Certificates and Diplomas

A school licensed under G.S. 115D, Article 8, shall limit its offering in certificate and diploma programs and special subjects to the courses and subjects for which it has been licensed to offer. At the beginning of each term, each school shall post the schedule of subjects being offered during the term. This schedule will show the time and instructor for each subject and designate the room in which the subject will be taught. Each student shall be provided a schedule of classes for each term to show the student's individual schedule.

History Note: Authority G.S. 115D-89; 115D-90;
Eff. September 1, 1993;
Amended Eff. August 1, 2014; December 1, 2004.

2A SBCCC 400.10 Student Complaints

Reserved for Future Codification

2A SBCCC 400.11 Student Records

(a) A school licensed under G.S. 115D, Article 8, shall maintain current, complete, and accurate records to show the following:

1) An application for admission that includes the student's educational and personal background, age, and other personal characteristics.
2) Progress and attendance including date entered, dates attended, subjects studied, and class schedule; this record shall be in a form which permits accurate preparation of transcripts of educational records for purpose of transfer and placement, providing reports to government services or agencies, or for such other purposes as the needs of the student might require. Such transcripts shall be in the form understandable by lay persons and educators alike. The grading system on such transcripts shall be explained on the transcript form. Subjects appearing on the transcripts shall be numbered or otherwise designated to indicate the subject matter covered.
3) All student enrollment agreements shall include at a minimum, the program of study, program tuition and fees, date programs are to begin, time period covered by the tuition payment, and statement of or reference to the school's tuition refund policy.
4) All student account ledgers shall include, at a minimum, monies owed and paid by each student, and refunds issued by the school.
5) A copy of the student’s high school transcript or certificate of high school equivalency; or a signed, notarized attestation of either graduation from a public or private high school that operates in compliance with State or local law, graduation from a state registered home high school, or receipt of a certificate of high school equivalency, if the student provides the school with written evidence of the student’s inability to obtain a copy of the student’s high school transcript or certificate of high school equivalency; or for individuals beyond the age of compulsory secondary school attendance who did not graduate from a public, private, or state registered home high school or obtain a

certificate of high school equivalency, demonstration of an ability to benefit as determined by any test instrument approved by the Department of Education.

(b) Records of students shall be open for inspection by properly authorized officials of the State Board of Community Colleges.

(c) Financial records of the school shall be open for inspection by properly authorized officials of the State Board of Community Colleges.

History Note: Authority G.S. 115D-89; 115D-90;
Eff. September 1, 1993;
Amended Eff. August 1, 2024; August 1, 2014; December 1, 2004.

2A SBCCC 400.12 Student Refunds

(a) Any proprietary school that is licensed by the State Board of Community Colleges shall maintain and publish a policy relative to the refund of the unused portion of tuition, fees, and other charges in the event the student does not enter a course or withdraws or is discontinued therefrom. The policy and implementing regulations shall provide for, at a minimum, a one hundred percent (100%) refund if the student officially withdraws or is officially withdrawn by the school prior to the first day of instruction; a one hundred percent (100%) refund if the school cancels the program in which the student is enrolled; or a seventy-five percent (75%) refund, excluding any disclosed non-refundable fees, if the student officially withdraws or is officially withdrawn by the school on or before reaching twenty-five percent (25%) of the total instructional hours of the program in which the student is enrolled.

(b) To comply with applicable federal regulations regarding refunds; federal regulations regarding refunds will supersede state refund regulations in this Rule.

(c) Proprietary schools are not required to deposit funds collected for tuition with the State Treasurer's Office.

History Note: Authority G.S. 115D-89; 115D-90.

Eff. April 1, 1997;

Amended Eff. August 1, 2024; August 1, 2014; July 1, 2007; December 1, 2004.

2A SBCCC 400.13 Teach-Out Plan and Record Retention

(a) Each proprietary school shall adopt a teach-out plan. The plan shall be kept on file in the school's administrative office. A copy of the plan shall be submitted to the North Carolina SBPS with any application for initial licensure or license renewal. Amendments or revisions to the plan shall be submitted to the SBPS as they are made.

(b) The plan shall include the procedure for notifying students of a pending school closure and the teach-out arrangements with other educational or training institutions. The teach-out arrangements shall include provisions for students to complete their programs, to transfer to other equivalent programs at other institutions, and to be refunded that portion of their prepaid tuition and fees not earned by the school.

(c) Each student shall be given a minimum 30-day written notice of the school's intent to close. Prior to closure, school officials shall assist students with:

1) completing their programs at the school;
2) identifying equivalent programs at other institutions;
3) transferring to other institutions, and
4) receiving refunds.

(d) Prior to closure, a school shall file a copy of all student permanent academic and financial aid records with the Department of Cultural Resources.

History Note: Authority G.S. 115D-90;
Eff. December 1, 2004;
Amended Eff. August 1, 2014.

SUBCHAPTER 500. STUDENT PROTECTION FUND

2A SBCCC 500.1 Administration of the Student Protection Fund

(a) The State Board of Proprietary Schools shall administer the Student Protection Fund.

(b) If the Student Protection Fund balance is equal to or exceeds the Catastrophic Loss Amount, the State Board of Proprietary Schools shall suspend payments into the Student Protection Fund for schools that have been continuously licensed in North Carolina. The Board shall require licensed schools to resume payments into the Student Protection Fund if the balance of the Student Protection Fund is less than the catastrophic loss amount. The State Board of Proprietary Schools shall suspend all payments into the Student Protection Fund if the balance exceeds the Fund Cap Amount.

(c) If claims against the Student Protection Fund exceed the catastrophic loss amount, the State Board of Proprietary Schools may assess additional fees to compensate students qualified for repayment under the Student Protection Fund. The amount of the catastrophic assessment shall not exceed one-half of the amount of the annual revenue payment required by G.S. 115D-95.1. If the amount of the catastrophic assessment will be insufficient to cover qualified claims, the State Board of Proprietary Schools shall allocate funds among claims proportional to the amount of student loss and the amount in the Student Protection Fund.

(d) A student, or the student's parent or guardian, who has suffered a loss of tuition, fees, or any other instruction-related expenses paid to a proprietary school licensed under G.S. 115D-90 by reason of the school ceasing to operate for any reason, including, but not limited to the suspension, revocation, or nonrenewal of a school's license, bankruptcy, or foreclosure, may qualify for repayments under the Student Protection Fund. The State Board of Proprietary Schools must first issue repayment from the guaranty bonds and alternatives to the guaranty bond issued under G.S. 115D-95. If the Student Protection Fund is insufficient to cover the qualified claims, the State Board of Proprietary Schools must allocate funds among claims proportional to the amount of student loss and the amount in the Student Protection Fund.

History Note: *Authority G.S. 115D-89; 115D-95.1;*
Eff. July 1, 2010;
Amended Eff. July 1, 2025

2A SBCCC 500.2 Purpose of the Student Protection Fund

The purpose of the Student Protection Fund is to compensate students enrolled in a proprietary school licensed under G.S. 115D-90 who have suffered a loss of tuition, fees, or any other instruction-related expenses paid to the school by reason of the failure of the school to offer or to complete student instruction, academic services, or other goods and services related to course enrollment. Students are eligible to be compensated under the Student Protection Fund only if the school ceases to operate for any reason, including, but not limited to the suspension, revocation, or nonrenewal of a school's license, bankruptcy, or foreclosure.

History Note: Authority G.S. 115D-89; 115D-95.1;
Eff. August 1, 2014.

CHAPTER B. DUE PROCESS

SUBCHAPTER 100. PROCESS FOR REFUSAL TO ISSUE OR RENEW LICENSE

2B SBCCC 100.1 Standard for Refusing to Issue or Renew License

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. August 1, 2014.
Repealed Eff. February 1, 2020.

2B SBCCC 100.2 SBPS Recommendation to Refuse Licensure or License Renewal

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. August 1, 2014.
Repealed Eff. ***Error! Hyperlink reference not valid.***.

2B SBCCC 100.3 SBCC's Evaluation of the SBPS' Recommendation

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. August 1, 2014.
Repealed Eff. February 1, 2020.

2B SBCCC 100.4 Right to Hearing

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. August 1, 2014. Repealed Eff. February 1, 2020.

2B SBCCC 100.5 Hearing Process

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. August 1, 2014.
Repealed Eff. February 1, 2020.

2B SBCCC 100.6 SBCC Final Agency Decision

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;

Eff. August 1, 2014.

Repealed Eff. February 1, 2020.

CHAPTER B. DUE PROCESS

SUBCHAPTER 200. SUSPENSION OR REVOCATION OF LICENSE

2B SBCCC 200.1 Standard for Suspending or Revoking License

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. August 1, 2014.
Repealed Eff. February 1, 2020.

2B SBCCC 200.2 Complaints or Evidence of Proprietary School Noncompliance

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. August 1, 2014.
Repealed Eff. February 1, 2020.

2B SBCCC 200.3 Investigation

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;

Eff. August 1, 2014.

Repealed Eff. February 1, 2020.

2B SBCCC 200.4 Initial Recommendation to the SBCC

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. August 1, 2014.
Repealed Eff. February 1, 2020.

2B SBCCC 200.5 Right to Hearing

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;

Eff. August 1, 2014.

Repealed Eff. February 1, 2020.

2B SBCCC 200.6 Hearing Process

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. August 1, 2014.
Repealed Eff. February 1, 2020.

2B SBCCC 200.7 SBCC Final Agency Decision

REPEALED by the State Board of Community Colleges, eff. 1 February 2020.

History Note: Authority G.S. 115D-89; 115D-93;

Eff. August 1, 2014.

Repealed Eff. ***Error! Hyperlink reference not valid.***

SUBCHAPTER 300. EXEMPTIONS FROM LICENSURE

2B SBCCC 300.1 Claiming an Exemption from Licensure

If an entity believes it is exempt from the licensure requirements found in Article 8 of Chapter 115D of the North Carolina General Statutes and in Title II of the State Board of Community Colleges Code, the entity may request from the Executive Director of the Office of Proprietary Schools a decision as to whether the entity is exempt from licensure.

History Note: Authority G.S. 115D-89; 115D-93;

Eff. February 1, 2020.

Amended Eff. May 1, 2025

2B SBCCC 300.2 Notice of Decision and Right to Hearing

(a) If the Executive Director decides the entity is not exempt from licensure, it shall send the entity its decision, along with the rationale for the decision, in writing, via email or postal mail. The written decision shall advise the entity of the right to provide a response and request a hearing prior to the State Board of Community Colleges' (SBCC) final agency decision to grant or not grant an exemption. The response and request for a hearing must be in writing and signed by the chief administrator or other authorized agent of the entity. The entity has ten (10) business days from the date of receipt of the decision to request a hearing in front of the State Board of Proprietary Schools (SBPS).

(b) If the Executive Director does not receive a written request for hearing within ten (10) business days from the date the entity received the decision, the SBPS shall report this fact, along with a final agency decision recommendation to the State Board of Community Colleges to not grant an exemption.

(c) The SBCC shall consider the recommendation at its next regularly scheduled meeting and vote to grant or not grant an exemption. The SBCC action to grant or not grant an exemption shall become the SBCC's final agency decision. Within five (5) business days of the SBCC's action, the NCCCS General Counsel shall notify the entity of the SBCC's final decision.

History Note: Authority G.S. 115D-89; 115D-93;

Eff. February 1, 2020.

2B SBCCC 300.3 Hearing Process

(a) The Executive Director shall provide the entity at least 10 business days' notice of the date, time, and location of the hearing.

(b) The party appearing on behalf of the entity shall be an official of the entity or an attorney representing the entity.

(c) The Chair of the SBPS or the Chair's designee shall act as the Hearing Officer. The hearing shall be conducted as follows:

1) The entity's representative may present evidence for no more than one (1) hour in support of why the entity is exempt from licensure. The Hearing Officer has the discretion to extend this time, if circumstances warrant.
2) The entity's representative may present evidence in a question and answer format or a narrative format. The entity may also offer exhibits into evidence.
3) The Hearing Officer or other SBPS members may ask questions at any time throughout the hearing.
4) The legal rules of evidence will not apply, but the Hearing Officer may direct the presentation to the issues relevant to the entity's claim to be exempt from licensure.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. February 1, 2020.

2B SBCCC 300.4 SBCC Final Agency Decision

After the hearing detailed in 2B SBCCC 300.3, the SBPS shall make a final recommendation regarding the entity's claim to be exempt from licensure to the SBCC. The SBCC shall consider the recommendation at its next regularly scheduled meeting and vote to grant an exemption or to not grant an exemption. The SBCC action to grant or not grant an exemption shall become the SBCC's final agency decision. Within five (5) business days of the SBCC's action, the NCCCS General Counsel shall notify the entity of the SBCC's final decision.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. February 1, 2020.

SUBCHAPTER 400. REFUSAL TO ISSUE OR RENEW LICENSE

2B SBCCC 400.1 Standard for Refusing to Issue or Renew License

The State Board of Community Colleges (SBCC), by and through the State Board of Proprietary Schools (SBPS), may refuse to grant or renew a proprietary school license in accordance with G.S. 150B, Article 3, when a school fails to meet the requirements of the law and the rules adopted by the State Board of Community Colleges.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. February 1, 2020.

2B SBCCC 400.2 Notice of Refusal and Right to Hearing

(a) If the SBPS recommends refusal of a proprietary school's initial license or recommends nonrenewal of a proprietary school's license, the SBPS, by and through the Executive Director of the Office of Proprietary Schools, shall document the rationale for its recommendation in a document to be titled, "Refusal to Recommend Initial Licensure or License Renewal."

(b) The Executive Director shall send a copy of the "Refusal to Recommend Initial Licensure or License Renewal" to the chief administrator of the proprietary school at issue within five business days of the SBPS' recommendation with a copy to the following: 1) the Chair of the SBPS; 2) the NCCCS General Counsel; and 3) the NCCCS Executive Director of Communications.

(c) In the "Refusal to Recommend Initial Licensure or License Renewal," the Executive Director shall advise the chief administrator or other agent of the proprietary school at issue of the right to provide a response and request an informal hearing with the SBPS prior to the SBCC's final agency decision to grant or deny licensure. The response and request for hearing must be in writing and signed by the chief administrator or other authorized agent of the proprietary school, and it must be issued to the Executive Director on behalf of the SBPS within 10 business days of receiving the "Refusal to Recommend Initial Licensure or License Renewal."

(d) If the Executive Director does not receive the proprietary school's written response and request for hearing within 10 business days from the date the school received the "Refusal to Recommend Initial Licensure or License Renewal" notice, the Executive Director shall submit the SBPS recommendation and "Refusal to Recommend Initial Licensure or License Renewal" to the SBCC. The SBCC shall consider the recommendation at its next regularly scheduled meeting and vote to grant licensure or deny licensure to operate one or more programs. The SBCC action to grant or deny licensure shall become the SBCC's final agency decision on the proprietary school's application. Within five (5) business days of the SBCC's action, the NCCCS General Counsel shall notify the proprietary school of the SBCC's final decision.

(e) If the Executive Director receives a written response and request for hearing within 10 business days of the proprietary school administrator's receipt of the "Refusal to Recommend Initial Licensure or License Renewal" notice, the Executive Director shall submit the written response and request for hearing to the following: 1) the Chair of the SBPS; 2) the NCCCS General Counsel; and 3) the NCCCS Director of Communications. The SBPS shall calendar the informal hearing within 60 days of the Executive Director's receipt of the written response and request for hearing.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. *February 1, 2020*.
Amended Eff. *May 1, 2025*

2B SBCCC 400.3 Hearing Process

(a) The Executive Director of the Office of Proprietary Schools shall provide the proprietary school at least 10 business days' notice of the date, time, and location of the informal hearing.

(b) The party appearing on behalf of the proprietary school at issue shall be an official of the proprietary school or attorney representing the proprietary school.

(c) The SBPS Chair or the Chair's designee shall act as the Hearing Officer. The hearing shall be conducted as follows:

(1) The proprietary school's representative may present evidence for no more than one (1) hour in support of why the proprietary school's application for a license should be approved. The Hearing Officer has the discretion to extend this time, if circumstances warrant.

(2) The school's representative may present evidence in a question and answer format or a narrative format. The school may also offer exhibits into evidence and call witnesses. If witnesses are to be called, the school shall give the Executive Director at least five (5) business days- notice of whom the school intends to call.

(3) The Hearing Officer or other SBPS members may ask questions at any time throughout the hearing.

(4) The legal rules of evidence will not apply, but the Hearing Officer may direct the presentation to the issues relevant to licensure.

(5) A court reporter will transcribe the hearing.

History Note: Authority G.S. 115D-89; 115D-93; 150B-22;
Eff. *February 1, 2020.*
Amended Eff. *May 1, 2025*

2B SBCCC 400.4 SBCC Final Agency Decision

After the hearing detailed in 2B SBCCC 400.3, the SBPS shall make a final recommendation regarding the proprietary school's application for licensure to the SBCC. The SBCC shall consider the recommendation at its next regularly scheduled meeting and vote to grant licensure or deny licensure to operate one or more programs. The SBCC action to grant or deny licensure shall become the SBCC's final agency decision on the proprietary school's application. Within five (5) business days of the SBCC's action, the NCCCS General Counsel shall notify the proprietary school of the SBCC's final decision.

History Note: Authority G.S. 115D-89; 115D-93; 150B-22;
Eff. February 1, 2020.

SUBCHAPTER 500. SUSPENSION OR REVOCATION OF LICENSE

2B SBCCC 500.1 Standard for Suspending or Revoking License

The State Board of Community Colleges (SBCC), by and through the State Board of Proprietary Schools (SBPS), may suspend or revoke the license of a proprietary school license in accordance with G.S. 150B, Article 3, when a school fails to comply with the requirements of the law and the rules adopted by the State Board of Community Colleges.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. February 1, 2020.

2B SBCCC 500.2 Notice of Alleged Noncompliance

(a) The SBPS Executive Director may investigate a proprietary school subject to Article 8 of Chapter 115D of the North Carolina General Statutes, upon receipt of a signed written complaint or other compelling evidence alleging the school failed to comply with the requirements of law or the rules adopted by the SBCC.

(b) The Executive Director shall document all evidence of alleged noncompliance in a document to be titled, “Notice of Allegations”.

(c) The Executive Director shall send the “Notice of Allegations” to the chief administrator of the proprietary school at issue within five (5) business days of documenting the alleged noncompliance with a copy to the following: 1) the Chair of the SBPS; 2) the NCCCS General Counsel; and 3) the NCCCS Director of Communications. The Notice shall request the chief administrator or other agent of the proprietary school to submit a written response to the alleged noncompliance within ten (10) business days from the proprietary school’s receipt of the “Notice of Allegations.”

History Note: Authority G.S. 115D-89; 115D-93;
Eff. February 1, 2020.

2B SBCCC 500.3 Investigation

(a) The Executive Director of the Office of Proprietary Schools or the Executive Director's designee shall constitute an authorized official of the SBCC for the purpose of conducting investigations

(b) Pursuant to G.S. 115D-93(c)(3), the proprietary school under investigation shall permit the Executive Director of the Office of Proprietary Schools or the Executive Director's designee to obtain any information necessary to conduct the investigation.

(c) The investigation shall conclude within 60 days from the date the Executive Director issued the "Notice of Allegations" to the proprietary school at issue.

History Note: *Authority G.S. 115D-89; 115D-93;*
Eff. February 1, 2020.
Amended Eff. May 1, 2025

2B SBCCC 500.4 SBPS Recommendation and Right to Hearing

(a) Upon conclusion of the investigation in 2B SBCCC 500.3, the Executive Director of the Office of Proprietary Schools shall submit a written investigation report to the SBPS containing:

(1) Copy of the written complaint or Documentation of Noncompliance;

(2) Specification of the laws or rules the proprietary school allegedly violated and a detailed description of how the proprietary school allegedly violated each of the specified laws or rules;

(3) Description of investigation process; and

(4) Recommendation of revocation of the proprietary school's license to operate one or ore programs with a supporting rationale for revocation rather than for suspension; or

(5) Recommendation of suspension of the proprietary school's license to operate one or more programs with a supporting rationale for suspension rather than for revocation; or

(6) Recommendation to allow the proprietary school to retain its license to operate one or more programs with a supporting rationale for why revocation or suspension is not warranted.

(b) The SBPS shall evaluate the written investigation report and after due consideration, recommend the SBCC:

(1) Suspend the proprietary school's license to operate one or more programs; or

(2) Revoke the proprietary school's license to operate one or more programs; or

(3) Take no further action.

(c) Within five (5) business days of the SBPS action, the Executive Director shall submit the written investigation report and SBPS recommendation to the chief administrator of the proprietary school at issue with a copy to the following: 1) the Chair of the SBPS; 2) the NCCCS General Counsel; and 3) the NCCCS Director of Communications. If the SBPS recommended suspension or revocation of the proprietary school's license to offer one or more programs, the Executive Director shall notice the school of its right to request an informal hearing with the SBPS

prior to the SBCC's final agency decision to suspend or revoke the school's license. The request for an informal hearing must be in writing and signed by the chief administrator or other authorized agent of the proprietary school, and it must be received by the Executive Director on behalf of the SBPS within 10 business days of receiving the investigation report and SBPS recommendation.

(d) If the Executive Director of the SBPS does not receive the proprietary school's written request for an informal hearing within 10 business days from the date the school received the investigation report and SBPS' recommendation to suspend or revoke the school's license, the Executive Director shall submit the investigation report and SBPS recommendation to the SBCC. The SBCC shall consider the investigation report and recommendation at its next regularly scheduled meeting and vote to:

(1) Suspend the proprietary school's license to operate one or more programs; or

(2) Revoke the proprietary school's license to operate one or more programs; or

(3) Take no further action.

The SBCC action shall become the SBCC's final agency decision to suspend or revoke the proprietary school's license. Within five (5) business days of the SBCC's action, the NCCCS General Counsel shall notify the proprietary school of the SBCC's final decision.

(e) If the Executive Director of the SBPS receives a written request for an informal hearing within 10 business days of the proprietary school administrator's receipt of the investigation report and SBPS recommendation to suspend or revoke the school's license, the Executive Director shall submit the written request to the following: 1) the Chair of the SBPS; 2) the NCCCS General Counsel; and 3) the NCCCS Director of Communications. The SBPS shall calendar the informal hearing within 60 days of the Executive Director's receipt of the hearing request.

History Note: *Authority G.S. 115D-89; 115D-93;*
Eff. February 1, 2020.
Amended Eff. May 1, 2025

2B SBCCC 500.5 Hearing Process

The informal hearing process detailed in 2B SBCCC 400.3 shall apply. For the purpose of this rule, all references to denial of the proprietary school's application for license in 2B SBCCC 400.3 shall be replaced by references to the suspension or revocation of the proprietary school's license to operate one or more programs.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. February 1, 2020.

2B SBCCC 500.6 SBCC Final Agency Decision

After the hearing detailed in 2B SBCCC 500.5, the SBPS shall make a final recommendation regarding suspension or revocation of the school's license to offer one or more programs to the SBCC. The SBCC shall consider the recommendation at its next regularly scheduled meeting and vote to:

1) Suspend the proprietary school's license to operate one or more programs; or
2) Revoke the proprietary school's license to operate one or more programs; or
3) Take no further action.

The SBCC action shall become the SBCC's final agency decision on suspension or revocation of the proprietary school's license. Within five (5) business days of the SBCC's action, the NCCCS General Counsel shall notify the proprietary school of the SBCC's final decision.

History Note: Authority G.S. 115D-89; 115D-93;
Eff. February 1, 2020.

TITLE 3 – RULEMAKING PROCESS AND CODIFICATION SYSTEM

CHAPTER A. GENERAL
SUBCHAPTER 100. GENERAL

3A SBCCC 100.1 Purpose

(a) All rules in Title 3 of the SBCC Code govern the SBCC process for rulemaking and the system for codifying rules in the SBCC Code. The SBCC rulemaking process is designed to maximize the efficiency with which it takes to amend, adopt, or repeal a rule while simultaneously retaining a reputable, transparent rulemaking process that involves the public. The codification system is designed to provide clarity, consistency, and uniformity in the SBCC Code.

(b) The SBCC Code is available on the NCCCS website at http://www.nccommunitycolleges.edu/SBCCCode.

(c) SBCC rules that are not adopted in accordance with Chapter B of this title shall be unenforceable.

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014.

3A SBCCC 100.2 Definitions

The following definitions apply throughout this Chapter and to all forms prescribed pursuant to this Chapter unless the context indicates otherwise:

(a) "Action" - The adoption, amendment, or repeal of a rule.

(b) "Adopt" - The SBCC takes action to approve a new rule with a new rule number.

(c) "Amend" - The SBCC takes action to modify an existing rule with a deletion, addition or other change to that existing rule. “Amend” does not mean the deletion of a rule in its entirety.

(d) "Citation" - A reference to a rule by title and chapter or subchapter and section number.

(e) "NCCCS" - The North Carolina Community College System.

(f) "SBCC" - The State Board of Community Colleges.

(g) "SBCC Code" - The State Board of Community Colleges Code.

(h) “Permanent Rule” - A rule that the SBCC adopts in accordance with Title 3, Chapter B, Subchapters 200 and 300 of the SBCC Code.

(i) "Publication" - Publication on the NCCCS website in the SBCC Code section or entry into the SBCC Code.

(j) "Repeal" - The deletion of the entire text of a rule. When a rule is repealed, that rule number shall not be used again. The number, rule name, and final history note remain in the SBCC Code permanently for publication and reference purposes.

(k) “Rule” - Any SBCC regulation, standard, or statement applicable to any community college or proprietary school subject to Chapter 115D of the North Carolina General Statutes that implements or interprets an enactment of the General Assembly or Congress or a regulation adopted by a federal agency or that describes the procedure or practice requirements of the SBCC. The term includes the establishment of a fee and the amendment or repeal of a prior rule. The term does not include the following:

1) Statements, policies, or procedures concerning only the internal management of the System Office if the statement does not directly or

substantially affect the procedural or substantive rights or duties of a person not employed by the System Office.

2) Nonbinding interpretative statements from the System Office that merely define, interpret, or explain the meaning of a statute or rule.
3) Statements that set forth criteria or guidelines to be used by System Office staff in performing audits, investigations, or inspections; in settling financial disputes or negotiating financial arrangements; or in the defense, prosecution, or settlement of cases.

(l) “Substantive change” - The SBCC has amended language of a proposed rule after the comment period and the public hearing, if any, has taken place, and the amended language does one or more of the following:

1) Impacts the interests of persons who, based on the proposed text of the rule published on the NCCCS website could not have reasonably determined that the rule would affect their interests.
2) Addresses a subject matter or an issue that is not addressed in the proposed text of the rule.
3) Produces an effect that could not reasonably have been expected based on the proposed text of the rule.

(m) “Temporary rule” - A rule that the SBCC adopts without prior notice or hearing or upon any abbreviated notice or hearing in accordance with Title 3, Chapter B, Subchapter 400 of the SBCC Code.

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

Eff. June 1, 2014.

3A SBCCC 100.93 Petitions

REPEALED by the State Board of Community Colleges, eff. 1 June 2014.

History Note: Authority G.S. 143B-10(j)(2); 150B-20;
Eff. September 1, 1993;
Amended Eff. March 1, 1997;
Repealed Eff. June 1, 2014.

3A SBCCC 100.94 Hearing Officer

REPEALED by the State Board of Community Colleges, eff. 1 June 2014.

History Note: Authority G.S. 143B-10; 150B-21.2;
Eff. September 1, 1993;
Repealed Eff. June 1, 2014.

3A SBCCC 100.95 Hearings

REPEALED by the State Board of Community Colleges, eff. 1 June 2014.

History Note: Authority G.S. 143B-10; 150B-21.2;
Eff. September 1, 1993;
Amended Eff. March 1, 1997;
Repealed Eff. June 1, 2014.

3A SBCCC 100.96 Statement of Reasons for and Against Rule-Making Decision

REPEALED by the State Board of Community Colleges, eff. 1 June 2014.

History Note: Authority G.S. 143B-10; 150B-21.2;
Eff. September 1, 1993;
Amended Eff. March 1, 1997;
Repealed Eff. June 1, 2014.

3A SBCCC 100.97 Record of Rule-Making Proceedings

REPEALED by the State Board of Community Colleges, eff. 1 June 2014.

History Note: Authority G.S. 143B-10; 150B-21.2;
Eff. September 1, 1993;
Repealed Eff. June 1, 2014.

3A SBCCC 100.98 Fees

REPEALED by the State Board of Community Colleges, eff. 1 June 2014.

History Note: Authority G.S. 132-6;
Eff. September 1, 1993;
Repealed Eff. June 1, 2014.

3A SBCCC 100.99 Declaratory Rulings

REPEALED by the State Board of Community Colleges, eff. 1 June 2014.

History Note: Authority G.S. 150B-4;
Eff. September 1, 1993;
Amended Eff. March 1, 1997;
Repealed Eff. June 1, 2014.

CHAPTER B. RULEMAKING PROCESS

SUBCHAPTER 100. INITIATING RULEMAKING PROCESS

3B SBCCC 100.1 Petition for Rulemaking

(a) Any person, organization, or entity requesting the SBCC to adopt, amend, or repeal a rule has the authority to submit a written petition requesting such adoption, amendment, or repeal to the NCCCS President.

(b) For a petition for rulemaking to be approved for initiation of the rulemaking process, all written petitions for rulemaking shall include the following information from the requesting party:

1) The requesting party's name;
2) The requesting party's e-mail address;
3) The requesting party's proposed language for the adoption or amendment;
4) If the requesting party proposes the repeal of a rule, the requesting party shall identify the rule by title, chapter, subchapter, and rule section; and
5) The requesting party's rationale for proposed adoption, amendment, or repeal.

(c) On behalf of the SBCC, the NCCCS President or the NCCCS President's designee must communicate the President's decision to grant or to deny the rulemaking petition in writing to the requesting party within 120 calendar days from receipt of the rulemaking petition. The NCCCS President's decision to grant the rulemaking petition means that the SBCC will initiate the rulemaking process to adopt, amend, or repeal the substance of the rule proposed by the requester.

(d) If the NCCCS President denies the rulemaking petition, the NCCCS President or NCCCS President's designee shall provide the requesting party with the rationale for denying the rulemaking petition. If the NCCCS President denies the rulemaking petition, the NCCCS President or NCCCS President's

designee shall report the denial of the rulemaking petition to the Policy Committee of the State Board of Community Colleges for information.

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014.

3B SBCCC 100.2 State Board Review

(a) If the NCCCS President approves a rulemaking petition, consistent with SBCC Bylaws, the SBCC will evaluate the proposed rule adoption, amendment, or repeal for the first time on the SBCC agenda "For Future Action." The SBCC shall evaluate the proposed rule adoption, amendment, or repeal for initiation of the rulemaking process on the agenda "For Action" at the SBCC meeting following the SBCC's first review of the proposed rule, unless the SBCC determines otherwise.

(b) The SBCC shall initiate the rulemaking process when it is satisfied with the language of the proposed rule adoption, amendment, or repeal.

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

Eff. June 1, 2014.

SUBCHAPTER 200. PUBLIC INPUT

3B SBCCC 200.1 Publication of Proposed Rule

(a) The text of the proposed rule adoption, amendment, or repeal (Notice of Proposed Rule) shall be published conspicuously on the NCCCS website within two business days of the SBCC voting to initiate the rulemaking process.

(b) The text of the proposed rule adoption, amendment, or repeal shall comply with 3C SBCCC 200.1.

(c) The Notice of Proposed Rule shall have an explanation detailing the basis for the proposed adoption, amendment, or repeal.

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014.

3B SBCCC 200.2 Written Notification of Proposed Rules

Any person, organization, or entity may request written notification of a proposed rule adoption, amendment, or repeal by submitting a request via electronic mail to sbcccodenotifications@nccommunitycolleges.edu. NCCCS will provide copies of a proposed rule adoption, amendment, or repeal to requestors via electronic mail.

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

Eff. February 1, 2017.

3B SBCCC 200.3 Public Comment Period

(a) The SBCC will accept oral or written comments on the proposed rule for at least 30 calendar days after the Notice of Proposed Rule is published on the NCCCS website or until the date of the public hearing, whichever is longer.

(b) To ensure receipt, written comments shall be submitted via one of the following methods:

1) Electronic mail to publiccomments@nccommunitycolleges.edu;
2) Postal mail to NCCCS Rulemaking Coordinator, 5001 Mail Service Center; Raleigh, NC 27699-5001; or
3) Facsimile to (919) 807-7171.

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

Eff. June 1, 2014.

3B SBCCC 200.4 Public Hearing

(a) If the SBCC receives a written request for a public hearing via one of the methods specified in 3B SBCCC 200.3(b) within 15 calendar days of publication of the Notice of Proposed Rule on the NCCCS website, the SBCC must hold a public hearing and publish notice of the hearing conspicuously on the NCCCS website. There must be at least 10 calendar days between the notice of hearing and the actual date of the hearing.

(b) If the SBCC does not receive a written request for a public hearing, it is within the SBCC's discretion to determine whether it will hold a public hearing.

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014.

SUBCHAPTER 300. STATE BOARD APPROVAL PROCESS

3B SBCCC 300.1 Changes Based on Public Comment

(a) The SBCC, consistent with its Bylaws, will review all comments received at its meeting immediately following the end of the 30-day comment period, or at its meeting immediately following the public hearing, whichever occurs last.

(b) If the SBCC makes any substantive changes to the proposed rule after the end of the 30-day comment period, the changes shall be posted to the NCCCS website within two business days of the meeting wherein the SBCC amended the proposed rule.

(c) The public will have five business days from the date the amended proposed rule is published on the NCCCS website to provide written comments on the amended proposed rule. Written comments on the amended proposed rule shall be submitted in accordance with 3B SBCCC 200.3(b).

(d) After the conclusion of the five-day comment period in 3B SBCCC 300.1(c), the SBCC will review all additional comments at the meeting immediately following the end of the five-day comment period.

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

Eff. June 1, 2014.

3B SBCCC 300.2 State Board Rule Approval

(a) If the SBCC does not receive any public comments after the 30-day comment period in 3B SBCCC 200.3(a), or if the SBCC determines that the comments received do not warrant modification of the proposed rule, then the SBCC has the authority to adopt, amend, or repeal the proposed rule at its meeting immediately following the 30-day comment period in 3B SBCCC 200.3(a) or at its meeting immediately following the public hearing, whichever occurs last.

(b) If the SBCC does not receive any additional public comments after the five-day comment period in 3B SBCCC 300.1(c), or if the SBCC determines that the comments received do not warrant further modification of the proposed rule, then the SBCC has the authority to adopt, amend, or repeal the proposed rule at its meeting immediately following the five-day comment period.

(c) The SBCC shall adopt, amend, or repeal proposed rules within 180 calendar days after the end of the 30-day comment period in 3B SBCCC 200.3(a). If the SBCC does not adopt, amend, or repeal a proposed rule within 180 calendar days after the end of the 30-day comment period in 3B SBCCC 200.3(a), the SBCC shall comply with Subchapters 200 and 300 of this Chapter.

(d) All adopted, amended, or repealed rules shall be published on the NCCCS website in the SBCC Code section no later than one business day after the effective date of the rule.

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

Eff. June 1, 2014.

3B SBCCC 300.3 Effective Date

The effective date of all rules adopted, amended, or repealed by the SBCC shall be the first day of the month following the SBCC's adoption, amendment, or repeal, unless the SBCC specifies another effective date.

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014.

SUBCHAPTER 400. TEMPORARY RULES

3B SBCCC 400.1 Temporary Rule Standard

The SBCC has the authority to adopt a temporary rule or amend or repeal an existing rule on a temporary basis for the following reasons:

(a) To comply with federal or state law, and federal or state law requires adoption, amendment, or repeal in a time period less than the rulemaking time period allotted by the SBCC Code;

(b) To address a serious or unforeseen threat to the public health or safety; or

(c) To address an unforeseen circumstance where the State Board finds that adherence to the notice and hearing requirements in the SBCC Code would be contrary to the public interest of students or other community college stakeholders.

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014;
Amended Eff. April 1, 2017.

3B SBCCC 400.2 Adoption of Temporary Rules

(a) The SBCC has the authority to adopt a temporary rule or amend or repeal an existing rule on a temporary basis without prior notice or hearing or upon any abbreviated notice or hearing the SBCC finds practical at the SBCC meeting immediately following the event precipitating the need for a temporary rule.

(b) The SBCC shall publish the temporary rule on the NCCCS website within five business days after the SBCC adopts the temporary rule or amend or repeal an existing rule on a temporary basis. A statement specifying the basis for adopting a temporary rule or amending or repealing an existing rule on a temporary basis rather than following the process for a permanent rule shall accompany the temporary rule when it is published on the NCCCS website.

(c) The temporary rule expires on the earliest of the following dates:

1) The date specified in the temporary rule.
2) The effective date of the permanent rule adopted to replace the temporary rule.
3) 180 calendar days from the date the temporary rule was published on the NCCCS website, unless the permanent rule has been submitted to the SBCC for initiation of the rulemaking process within the 180 calendar days from the date the temporary rule was published on the NCCCS website. If the permanent rule initiated to replace the temporary rule is not adopted by the SBCC within 90 calendar days from the date the SBCC initiated the permanent rulemaking process, the temporary rule shall expire 90 days from the date the SBCC initiated the permanent rulemaking process.

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014;
Amended Eff. April 1, 2017.

CHAPTER C. CODIFICATION OF RULES

SUBCHAPTER 100. GENERAL RULE CODIFICATION PROVISIONS

3C SBCCC 100.1 Citation to Authorities

(a) The SBCC shall cite authorities according to the most current edition of the rules of citation contained in "A Uniform System of Citation" except as listed in Paragraph (b) of this Rule. "A Uniform System of Citation" is hereby incorporated by reference and includes subsequent amendments and editions.

(b) The SBCC shall cite:

1) the General Statutes of North Carolina as "G.S. #"
2) the Session Laws of North Carolina as "S.L. 20xx-xxx, s. #";
3) an Executive Order issued by the Governor as "E.O. # ((Governor's name) (year))";
4) the North Carolina Administrative Code as "(Title #) NCAC (Chapter or Subchapter #) (.####)"; and

(5) the North Carolina Register as "(Vol. #) NCR (Issue #), (page #)".

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

Eff . June 1, 2014.

3C SBCCC 100.2 Illustrations and Notes

The SBCC may include material in the text of a rule which is an illustration of something in the rule. Illustrations shall be examples or clarifications which, when not read, do not change the meaning of the rule. The material which is meant only as an illustration shall be set aside by preceding it with the word "Note:".

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014.

3C SBCCC 100.3 Codification System

(a) All rules shall be codified within the system described in Chapter C.

(b) The SBCC shall arrange its rules in titles. Within each title, there shall be chapters. Chapters shall be divided into subchapters and subchapters shall be arranged in sections.

(c) SBCC Code rules shall be cited as “(Title #)(Chapter #) SBCCC (Subchapter #)(.Section #)”.

(d) The SBCC may reserve in writing a specified chapter, subchapter, or section for future use.

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

Eff. June 1, 2014.

SUBCHAPTER 200. RULE FORMATTING

3C SBCCC 200.1 Rule Formatting Specifications

The SBCC shall format each rule submitted to the SBCC for initiation and adoption as follows:

1) Paper Specifications:
    a. 8½ by 11 inch plain white paper;
    b. black ink;
    c. Arial font face;
    d. 12 point font size;
    e. portrait print (8½ x 11);
    f. numbered lines on the left margin with each page starting with line 1;
    g. 1.5 line spacing;
    h. page numbers centered at the bottom of the page for each rule that has more than one page of text; and
    i. no staples.
2) Tab and Margin Settings:
    a. tab settings for all rules shall be set relative from the left margin at increments of 0.25; and
    b. text shall have one inch margins on all sides and be justified.
3) There shall be a brief introductory statement summarizing the status of the rule in the process of initiation and adoption placed in the header and italicized on the first page of any rule.
4) Chapter, Subchapter, and Rule Section Names:
    a. When a new chapter is proposed for adoption, the chapter letter and chapter name shall be in bold print, underlined with all letters capitalized, and centered with one tab following the chapter letter. Two lines shall be skipped between the prior rule and a new chapter name. One line shall be skipped between the chapter name and the subchapter name.

b. When a new subchapter of rules is proposed for adoption, the subchapter name shall be in bold print with all letters capitalized, and centered with one tab following the subchapter number. One line shall be skipped between the prior rule and a new subchapter name.
c. When a new section of rules is proposed for adoption, the section name shall be in bold print with the first letter of each word that is not an article capitalized. One line shall be skipped between the end of one rule section and the beginning of another rule section. No lines shall be skipped between the rule section name and the text of the rule.

5) The first digit of the title number shall be placed in position 1. One tab shall be between the rule number and rule name.
6) Body of the Rule:
    a. the body of the rule shall start on the line immediately following the rule name with the following markings:
        i. adoptions - new text shall be underlined;
        ii. amendments - any text to be deleted shall be struck through and new text shall be underlined; and
        iii. repeals - text of the rule shall not be included;
    b. there shall be no lines skipped in the body of the rule except before and in tables;
    c. the first level of text shall be flush left and with one tab after the closing parenthesis if the paragraph is identified by a letter;
    d. the second level of text shall start with one tab and one hanging indent after the closing parenthesis;
    e. the third level of text shall start with two tabs and one hanging indent after the closing parenthesis;
    f. the fourth level of text shall start with three tabs and one hanging indent after the closing parenthesis;

g. the fifth level of text shall start with four tabs and one hanging indent after the closing parenthesis; and
h. the sixth level of text shall start with five tabs and one hanging indent after the closing parenthesis.

7) The smallest unit of text to be struck through or underlined shall be an entire word with any punctuation that is part of the word or block of characters separated from other text by a space on each side. Punctuation shall be considered part of the word when there is no space between the punctuation and the word.

8) History Note Specifications:
a. shall be in italic font;
b. shall start on the second line following the body of the rule;
c. the first line of the History Note shall start in the first position; all lines following shall be two tabs;
d. the first line shall start with the words "History Note:", followed by one tab and the word "Authority". The SBCC shall then cite the authority(ies) in numerical order for that rule;
e. the effective date of the original adoption of the rule shall be the next line following the authority. The abbreviation "Eff." shall be followed by this date;
f. on the line following the "Eff." date, the amended dates shall be preceded with the words "Amended Eff." and the dates shall be listed in chronological order, with the most recent amended date listed first;
g. the repealed date of a rule shall be the last line of the history note and start with the words "Repealed Eff." followed by the date;
h. all items in the history note shall be separated by semicolons with the last line ending with a period;
i. all history of a rule shall be in chronological order following the authority for the rule; and

j. all dates in the history note shall be complete with the month spelled out, and shall not contain any abbreviations.

9) Numbers within the text shall be as follows:
   a. numbers from one to nine shall be spelled out;
   b. figures shall be used for numbers over nine; and
   c. if a phrase contains two numbers, only one of which is over nine, figures shall represent both.

10) Monetary figures within the text shall be spelled out followed by the numerical figure in parenthesis. Decimal and zeros shall be used only for even dollar amounts of sums less than one thousand dollars ($1,000).

11) Once the SBCC has adopted a rule, the rule shall be published on the NCCCS website in the SBCC Code section without complying with 3C SBCCC 200.1(1)(g) and (h) and without complying with 3C SBCCC 200.1(6)(a).

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014;
Amended Eff. June 1, 2016.

3C SBCCC 200.2 Rule Formatting Specifications for Substantive Changes

(a) The SBCC shall prepare for publication on the NCCCS website in the SBCC Code section any permanent rule that does not differ in any way from the proposed rule published on the NCCCS website in the SBCC Code section according to the general format instructions in 3C SBCCC 200.1(6).

(b) If a permanent rule differs in any way from the proposed rule published on the NCCCS website in the SBCC Code section, the following applies:

1) The SBCC shall identify changes in an adopted rule by striking through deleted portions, and underlining added portions. The unchanged text shall not be underlined.
2) The SBCC shall identify changes in an amended rule as follows:
    a. when text has been added, the text added shall be underlined and highlighted;
    b. when existing text has been deleted, the text deleted shall be struck through and highlighted;
    c. when text that was proposed to be deleted has been restored, the restored text shall be highlighted, but not underlined or struck through;
    d. when text that was proposed to be added has been deleted, the deleted proposed text shall be enclosed in brackets, struck through and highlighted; and
    e. when text is required to be highlighted, the highlighting shall be by highlight marker or shall be computer generated. The text shall show through the highlight and be clear and legible when reproduced.
3) If the SBCC repeals a rule originally noticed to be amended, then the SBCC shall submit the rule as a permanent repeal.

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

Eff. June 1, 2014.

3C SBCCC 200.3 Chapter Division

(a) The SBCC may use the chapter to divide titles into subject areas.

(b) When subdividing a title into chapters, the SBCC shall subdivide the entire title into at least two chapters.

(c) A chapter of the SBCC Code shall be represented by a capital letter. Chapter letters shall be lettered alphabetically.

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

Eff. June 1, 2014.

3C SBCCC 200.4 Subchapter Division

(a) The SBCC shall place rules in the same subject area in one subchapter. The subchapter is the subdivision that contains rules.

(b) All subchapters shall be represented as the first three digits preceding a decimal. Subchapters shall be numbered consecutively starting with Subchapter 100. unless a subchapter number has been reserved.

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

Eff. June 1, 2014.

3C SBCCC 200.5 Section Division

(a) The section shall be represented by the digits following a decimal. Sections shall be numbered consecutively unless a rule number has been reserved. The last digit of the first section shall be “1”.

(b) For rule sections adopted by the SBCC, the SBCC shall subdivide a section containing more than one idea into paragraphs labeled: (a), (b), (c), ... Any subdivided paragraphs shall be labeled: (1), (2), (3), ...; (A), (B), (C), ...; (i), (ii), (iii), ...; (I), (II), (III), ... All subdivisions of rules shall be represented by this order, and each label shall be in parentheses.

(c) For rule sections adopted by the SBCC when the section is not subdivided into paragraphs but contains a list, the sequence of labels for the lists shall be: (1), (2), (3), ...; (a), (b), (c), ...; (i), (ii), (iii), ...; (A), (B), (C), ...; (I), (II), (III), ...

(d) A rule shall not begin with a list. A list contained within a rule shall be preceded by some form of introductory material.

(e) If there is a list within a paragraph, the rule shall follow the sequence above in section (b).

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

Eff. June 1, 2014.

3C SBCCC 200.6 History Note

(a) The SBCC shall include a history note for each rule submitted to the SBCC for publication in the SBCC Code, containing the following information:

1) the authority for the rule;
2) the effective date of the adoption of the rule;
3))the effective date of the amendments to the rule including the proposed amendment listed in chronological order with the proposed amendment first;
4) the effective date of the repeal; and
5) any other history references pertaining to the rule.

(b) Notwithstanding Paragraph (a) of this Rule, the SBCC shall combine repealed rules with a single history note if the rules are consecutive numerically in the same section and the effective dates and repealed dates are identical. The SBCC shall combine authority cites and any other dates.

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

Eff. June 1, 2014.

3C SBCCC 200.7 Changes to Title, Chapter, Subchapter, or Section Names and History Notes

The SBCC may change the name of a section, subchapter, chapter, or title and a history note without complying with Title 3, Chapter B by posting notice of the change on the NCCCS website in the SBCC Code section. The effective date of the change shall be no earlier than ten business days from the date of the notice.

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

Eff. June 1, 2014.

3C SBCCC 200.8 Recodification of Rules

The SBCC may recodify one or more of its rules without complying with Title 3, Chapter B by posting notice of the change on the NCCCS website in the SBCC Code section. The notice shall contain the citation to the existing rule and the recodified citation, and the reasons for the recodification. The effective date of the recodification shall be no earlier than ten business days from the date of the notice.

History Note: Authority G.S. 115D-5;
Eff. June 1, 2014.

Title 4 – APPRENTICESHIPNC

CHAPTER A. GENERAL PROVISIONS

4A SBCCC 100.1 State Apprenticeship Agency is ApprenticeshipNC

The North Carolina Community Colleges System Office (through ApprenticeshipNC) functions as the State Apprenticeship Agency with authority to determine whether apprenticeship programs operating in this State conform to the provisions of Article 1A of Chapter 115D of the North Carolina General Statutes, the State Board of Community Colleges Code, and the standards published by the U.S. Secretary of Labor in Title 29, Parts 29 and 30 of the Code of Federal Regulations. The State Apprenticeship Agency is the state registration agency and has the responsibility for registering apprenticeship programs, agreements, and apprentices. The following federal regulations are hereby incorporated and adopted, to be administered by ApprenticeshipNC:

(a) 29 CFR 29.3 – Eligibility and procedure for registration of an apprenticeship program
(b) 29 CFR 29.4 – Criteria for apprenticeable occupations
(c) 29 CFR 29.5 – Standards of apprenticeship
(d) 29 CFR 29.6 – Program performance standards
(e) 29 CFR 29.7 – Apprenticeship agreement
(f) 29 CFR 29.8 – Deregistration of a registered program
(g) 29 CFR 29.9 – Reinstatement of program registration
(h) 29 CFR 29.12 – Complaints

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8
Eff: September 1, 2021

4A SBCCC 100.2 ApprenticeshipNC Headquarters

(a) The ApprenticeshipNC headquarters is located in the North Carolina Community Colleges System Office. The physical address is 200 West Jones Street, Raleigh, North Carolina, 27603.

(b) All correspondence should be sent to the following mailing address: North Carolina Community Colleges System Office ApprenticeshipNC
5001 Mail Service Center
Raleigh, NC 27699-5001

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8
Eff: September 1, 2021

4A SBCCC 100.3 Definitions

The definitions listed in 29 CFR 29.2 shall apply to terms found in the federal regulations administered by ApprenticeshipNC, as listed in 4A SBCCC 100.1. Other definitions that apply in this Chapter are as follows.

(a) Director – The Director of ApprenticeshipNC.

(b) Registration – The recognition by the Director and the recording with ApprenticeshipNC of an apprenticeship, apprenticeship agreement, or an apprentice signifying that the program, agreement, or individual complies with the rules, requirements, criteria, and standards of this Chapter.

(c) Related Instruction – An organized and systematic form of instruction designed to provide the apprentice or trainee with knowledge of the theoretical and technical subjects related to their trade or occupation. Such instruction may be given in a classroom, through occupational or industrial courses, by correspondence courses, through electronic media, or through other forms of self-study.

(d) Revision – Any substantive modification or change of the program standards of apprenticeship (including an affirmative action plan and a written description of the selection procedure) or of an apprenticeship agreement.

(e) Standards – The program standards of apprenticeship as set forth in 29 CFR 29.5.

(f) Technical Assistance – Guidance provided by ApprenticeshipNC staff in the development, revision, amendment, or processing of a potential or current program sponsor's Standards of Apprenticeship, Apprenticeship Agreements, or advice or consultation with a program sponsor to further compliance with this Chapter or guidance from ApprenticeshipNC on how to remedy nonconformity with this Chapter.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8

Eff: September 1, 2021.

4A SBCCC 100.4 Discretionary Powers of the Director

Notwithstanding any other provision of this Chapter, the Director of ApprenticeshipNC, under the supervision of the President of the North Carolina Community College System or the President's designee, retains the power to vary, at their discretion, the requirements for an apprenticeship program or agreement in order to respond to unique or unusual circumstances, including but not limited to the operation of apprenticeship programs in penal institutions, so long as and only to the extent that the variations are not contrary to federal or state law, that they serve to further apprenticeship in general and a certain apprenticeship program or agreement in particular, and that the Director does not act arbitrarily or capriciously.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8

Eff: September 1, 2021.

4A SBCCC 100.5 Minimum Qualifications of Apprentices

(a) An apprentice must have the following qualifications:

1) The apprentice must be at least 16 years old, except where a higher minimum age is otherwise fixed by law; and
2) The apprentice must be a high school graduate or, must have passed an equivalency examination. An exception can be granted with the approval of the Director, if the apprentice is currently enrolled as a high school student participating in a course of study that will meet graduation requirements.

(b) Additional minimum qualifications for apprentices may be established by the sponsor so long as the additional qualifications comply with the equal employment opportunity regulations listed in 4B SBCCC 100.1.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8

Eff: September 1, 2021

4A SBCCC 100.6 Program Registration Request Procedure

(a) Upon request by a prospective sponsor to an official of ApprenticeshipNC, or upon the initiative of an official of ApprenticeshipNC, a representative of ApprenticeshipNC shall contact the prospective sponsor for the purpose of discussing the requirements for registration and the procedures necessary to register and operate an apprenticeship program.

(b) If the prospective sponsor elects to request registration of an apprenticeship program, it shall complete and submit to the Director the following:

1) A written request, signed by the prospective sponsor, for registration of an apprenticeship program meeting the requirements of 29 CFR 29.5;
2) An original of the program standards of apprenticeship required under 29 CFR 29.5, including an affirmative action plan according to 29 CFR 30.4 and a written description of the selection procedure according to 29 CFR 30.10, unless otherwise exempted under 29 CFR 30.19;
3) A written agreement to comply with the program standards by a participating employer as provided; and
4) One of the following:
    a. A written acknowledgment of union agreement or "no objection" to the registration when the program standards, collective bargaining agreement, or other instrument provides for participation by a union in any manner in the operation of the substantive matters of the apprenticeship program and such participation is exercised;
    b. A written acknowledgment of a union's receipt of a copy of the completed application forms when the union represents employees in the trade which is an objective of the apprenticeship training, unless an acknowledgment under Part (A) of this Subparagraph is required; or
    c. A signed statement by the sponsor that no unions represent employees of the sponsor or participating employers in the trade which is an objective of the apprenticeship training.

(c) If the Director has received the completed application forms and has determined that the requirements for an apprenticeship program, as set forth in 29 CFR 29.5, are met, the program shall be approved and registered with ApprenticeshipNC. The sponsor shall be notified in writing of the registration.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8
Eff: September 1, 2021.

4A SBCCC 100.7 Registration and Approval of Apprenticeship Agreements and Individual Apprentices

(a) A sponsor or an individual, or a person or organization on behalf of the individual, shall request that an apprenticeship agreement between the individual and their sponsor be registered by submitting to the Director a copy of the apprenticeship agreement.

(b) If the following requirements are met, then the Director shall approve the apprenticeship agreement and cause it to be recorded by the division, which constitutes registration of the agreement:

1) The agreement is complete and applies to a registered apprenticeship program;
2) The agreement meets the apprenticeship agreement requirements listed in G.S. 115D-11.11, G.S. 115D-11.12, and 29 CFR 29.7; and (3)
3) The individual meets the minimum qualifications for an apprentice listed in 4A SBCCC 100.5.

(c) If the Director approves the apprenticeship agreement, the Director shall also and simultaneously cause the name of the individual who is to be trained under the agreement to be recorded, which constitutes registration of the individual.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8

Eff: September 1, 2021.

4A SBCCC 100.8 Denial of a Program Registration Request

(a) If the Director does not approve a request for registration of an apprenticeship program, apprenticeship agreement, or individual, the Director shall deny the request in writing to the requesting party, expressly stating the reason(s) for denial. The Director shall promptly notify the person whose individual registration has been denied when the person is not notified as the requesting party.

(b) The requesting party may resubmit the request for registration if the proposed apprenticeship program or apprenticeship agreement is revised to cure the problem(s) resulting in denial.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8
Eff: September 1, 2021.

4A SBCCC 100.9 Revision of Apprenticeship Program Standards or Agreements

(a) Any proposed revision of program standards of apprenticeship or an apprenticeship agreement shall be submitted in writing by the sponsor to the Director for approval.

(b) The revision becomes effective 90 days after the Director's receipt of the sponsor's proposed revision unless the Director, in writing, disallows the revision within that time. The Director may disallow part of the proposed revision and allow part, but in such event the sponsor may withdraw the entire proposed revision. If the revision is not approved, the Director shall notify the sponsor of the reasons for the disapproval and provide the sponsor with technical assistance.

(c) When a revision becomes effective, the Director shall record the revision so that it amends the program standards or agreement recorded by the division.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8z
Eff: September 1, 2021.

4A SBCCC 100.10 Termination and Extension of Agreements

(a) An apprenticeship agreement terminates when the period of the apprenticeship identified by the terms of the agreement expires.

(b) The agreement may be extended for a specified period by agreement of the apprentice and sponsor with the approval of the Director. The sponsor shall obtain the Director's approval of an extension in the manner provided in 4A SBCCC 100.9 for revision of apprenticeship standards or an apprenticeship agreement, except that an extension becomes effective within 30 days of the Director's receipt of the proposed extension unless the Director, in writing, disallows the revision within that time, stating the reason(s) for disallowance.

(c) Nothing in this Rule shall be construed to prevent a sponsor and an individual meeting the minimum qualifications of an apprentice, as set forth in 4A SBCCC 100.5, from executing an apprenticeship agreement.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8
Eff: September 1, 2021.

4A SBCCC 100.11 Certificate or Certificate of Completion

(a) Upon notification from a sponsor that an individual has completed their apprenticeship in the sponsor's registered apprenticeship program, the Director shall issue to the individual, or to the sponsor for the individual, a certificate of completion or other written indicia signifying that the individual has completed the training and instruction in a registered apprenticeship program in a certain, identified trade and the date the training was completed.

(b) Notwithstanding paragraph (a) of this Rule, the Director shall not issue the certificate of completion if the Director decides upon satisfactory evidence that the apprentice is not fully trained because the apprentice did not complete the apprenticeship or because the apprenticeship program did not comply with the rules of this Title. The Director shall give written notification to the sponsor and individual of the decision not to issue the certificate of completion and the reason(s) for the decision.

(c) Upon request of a sponsor, the Director may issue an honorary certificate of completion to recognize an individual who by training and experience was fully qualified as a journeyworker prior to the registration of the sponsor's apprenticeship program.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8

Eff: September 1, 2021.

4A SBCCC 100.12 Suspension During Union Activity

(a) Whenever the Director is on notice that a notice of election has been filed with the appropriate governmental agency or that a union has called a strike or is subject to a lockout, the Director shall order that the division shall suspend communications with any representative of the employer or the union on the subject of registration or revision of an apprenticeship program or agreement, except that the division may provide information regarding apprenticeship programs in general to the representative, until such time as the results of the election are certified by the appropriate authority or the strike or lockout is ended.

(b) The Director is on notice that a notice of election has been filed whenever a copy of the notice of election has been received by the Director at the address of the division. The Director is on notice of a strike or lockout whenever actual notice is provided of the strike or lockout.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8
Eff: September 1, 2021.

Chapter B. EQUAL EMPLOYMENT OPPORTUNITY IN APPRENTICESHIP

4B SBCCC 100.1 Adoption of Federal Rules Regarding Equal Employment Opportunity in Apprenticeship

As the State Apprenticeship Agency, the North Carolina Community Colleges System Office (through ApprenticeshipNC) is responsible for implementing equal opportunity standards relating to apprenticeship. These standards are established in Title 29, Part 30 of the Code of Federal Regulations. All apprenticeship programs registered in North Carolina must comply with the requirements incorporated herein by the effective date of this section, in accordance with 29 CFR 30.18. The following federal regulations are hereby incorporated and adopted, to be administered by ApprenticeshipNC:

(a) 29 CFR 30.2 – Definitions.
(b) 29 CFR 30.3 – Equal opportunity standards applicable to all sponsors.
(c) 29 CFR 30.4 – Affirmative action programs.
(d) 29 CFR 30.5 – Utilization analysis for race, sex, and ethnicity.
(e) 29 CFR 30.6 – Establishment of utilization goals for race, sex, and ethnicity.
(f) 29 CFR 30.7 – Utilization goals for individuals with disabilities.
(g) 29 CFR 30.8 – Targeted outreach, recruitment, and retention.
(h) 29 CFR 30.9 – Review of personnel processes.
(i) 29 CFR 30.10 – Selection of apprentices.
(j) 29 CFR 30.11 – Invitation to self-identify as an individual with a disability.
(k) 29 CFR 30.12 – Recordkeeping.
(l) 29 CFR 30.13 – Equal employment opportunity compliance reviews.
(m) 29 CFR 30.14 – Complaints.
(n) 29 CFR 30.15 – Enforcement actions.
(o) 29 CFR 30.16 – Reinstatement of program registration.
(p) 29 CFR 30.17 – Intimidation and retaliation prohibited.

(q) 29 CFR 30.18 – State Apprenticeship Agencies

(r) 29 CFR 30.19 – Exemptions.

History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8

Eff. September 1, 2021.

Amended Eff. February 1, 2022.