

STATE BOARD OF COMMUNITY COLLEGES

**Study of Admission of Undocumented Students into the NC Community College System**

**Request:** The State Board is asked to approve the contract with *JBL Associates, Inc.* for an amount not to exceed \$74,997 for the period of November 21, 2008 through April 16, 2009 to conduct an in-depth study of the issues surrounding the admission of undocumented students into North Carolina Community College System (NCCCS) curriculum programs.

**Rationale for Contract:** On August 15, 2008, the State Board of Community Colleges (State Board) approved a motion to continue to ban the admission of undocumented students to NCCCS curriculum programs while the long-term policy is being examined. The State Board has determined that a comprehensive overview of events to date and additional information on practices and policies in other states is needed to assist in the development of such a policy.

**Scope of Services:**

At its September 2008 meeting, the State Board approved a scope of a study that was included in the Request for Proposals. The study scope includes:

- i) Assemble a compendium of the history of admission of undocumented students to NCCCS curriculum programs. This history shall include relevant contextual information regarding any developments in federal and North Carolina state law regarding undocumented immigrants and any right they may have to access publicly supported services and post-secondary educational institutions. The consultant shall establish a timeline of relevant events, including, but not limited to:
  - Legal opinions rendered by the NC Attorney General's Office;
  - Directives issued by the NC Community College System Office (System Office);
  - Letters from federal agencies;
  - Actions taken by the State Board; and,
  - Resolutions passed by local college Boards of Trustees.

An appendix shall include copies of any formal communications or other documentation related to these events.

- ii) Review and evaluate the findings of the report on the admission of undocumented students that was completed by students from the Sanford Institute of Public Policy at Duke University during the 2005-06 school year. The consultant shall also incorporate the date this report was submitted to the NCCCS in the timeline required under (i) above.

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iii) Outline the policy of the University of North Carolina System on the admission of undocumented students. Discuss the procedural implications of adopting a similar policy within the NCCCS.

iv) Conduct a survey and analysis of policies for admission and pending or ratified legislation of undocumented students in public institutions of higher education in the following states: Arizona, California, Colorado, Florida, Georgia, Illinois, New Mexico, New York, South Carolina, Texas, and Virginia. Information gathered through the survey shall answer the following questions for each state:

- Whether or not undocumented students are admitted to curriculum programs of public institutions of higher education?
- How these educational institutions define undocumented or illegal students, if defined at all?
- What governing authority (i.e., legislature, statewide governance board, board of local institution) determined the admissions policy?
- If undocumented students are eligible for admission, are there any additional criteria or conditions that they must meet in order to qualify?
- Do undocumented students pay in-state or out-of-state tuition rates?
- What type of verification processes and systems are used – student self-identification, national e-verification system (such as the Systematic Alien Verification for Entitlements (SAVE) system), customized verification system, etc.? What are the estimated direct and indirect costs of verification?
- What types of documentation must students provide to establish immigration status?
- What specific standards does that institution use to determine whether a student is “lawfully present”?
- If verification processes fail, what sanctions are incurred? Who imposes the sanction? Which person or entity is held responsible if sanctions are imposed?
- Are campuses subject to any reporting requirements? If so, what information is required and to whom are the reports submitted?

Data for each state shall be summarized in a matrix-style table. Additionally, an appendix shall include a detailed summary for each state as well as the text of any pending or ratified legislation or adopted policies. Sample verification forms and other documents used in the verification process shall also be included. The consultant’s analysis should identify trends among states and discuss the positive and negative aspects of particular policies.

v) Calculate the estimated amount of State and local resources required to support an undocumented student enrolled full-time in a North Carolina Community College curriculum program, taking into account the amount of tuition paid by the student. Since the level of local resources varies by college, the consultant shall estimate the local cost for each college individually.

vi) Based on the information and analysis conducted under (i) – (iv), identify the key policy issues that the State Board should consider when developing a long-term policy on the admission of undocumented students. Further, to recommend specific standards that the State Board should use in determining who is lawfully present. Finally, the consultant should suggest a definition of undocumented or illegal student. For each issue, the consultant shall outline policy options and discuss their implications of all options. The implications of the policy options shall include an estimate of the fiscal impact, both upon the state and students, as it relates to implementation including verification.

vii) Submit the following deliverables:

- Oral presentation of preliminary findings to the State Board on March 19, 2009.
- Final written report to the State Board by April 16, 2009.

**Method of Procurement:** In accordance with the procurement practice of the State of North Carolina, a Request for Proposal (RFP) was posted and the bids were thoroughly evaluated. The committee evaluated each vendor's proposals based on completeness, content, and experience with similar projects, ability of the offeror and its staff, and cost. The evaluation criteria and scoring were based on three categories: Scope of Work, Expertise and Experience, and Quality of Proposed Plan of Work. Proposals were scored based on a Rating Scale of 1 to 5 (1 = Low and 5 = High). The committee created a criteria sheet for each category and calculated a total score for each category. The committee combined each category's score to establish an overall cumulative score. The proposed vendor had the highest cumulative score. Approval of the contract by the State Board is contingent upon approval by the Governor's Office and the Division of Purchase and Contract.

**Contract Amount and Time Period:** The contract amount is an amount not to exceed \$74,997 for the period of November 21, 2008 through April 16, 2009.

**Fund Availability:** On August 15, 2008, the State Board approved the use of up to \$75,000 from the State Board Reserve for this purpose.

**Contact Person:**

Kennon Briggs, Executive Vice President and Chief of Staff  
Jennifer Haygood, Vice President of Business and Finance and Chief Financial Officer