

1 SECTION .0300 - STUDENTS

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3 23 NCAC 02C .0301 ADMISSION TO COLLEGES

4 (a) Each college shall maintain an open-door admission policy to all applicants who are legal residents of the United
5 States and who are either high school graduates or ~~who~~ are at least 18 years of age. Student admission processing
6 and placement determination shall be performed by the officials of each college. Admission requirements for an
7 emancipated minor shall be the same as for an applicant 18 years old or older. Provisions with respect to admission
8 of minors are set forth in Rule .0305 of this Section.

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

- 11 (1) Community colleges shall admit an undocumented immigrant only if he or she attended and graduated
12 from a United States public high school, private high school, or home school that operates in
13 compliance with State or local law;
- 14 (2) When determining who is an undocumented immigrant, community colleges shall use federal
15 immigration classifications;
- 16 (3) Undocumented immigrants admitted under section (b)(1) must comply with all federal and state laws
17 concerning financial aid;
- 18 (4) An undocumented immigrant admitted under section (b)(1) may not be considered a North Carolina
19 resident for tuition purposes. All undocumented immigrants admitted under section (b)(1) must be
20 charged out of state tuition whether or not they reside in North Carolina;
- 21 (5) When considering whether to admit an undocumented immigrant into a specific program of study,
22 community colleges shall take into account that federal law prohibits states from granting
23 professional licenses to undocumented immigrants; and
- 24 (6) Students lawfully present in the United States shall have priority over any undocumented immigrant in
25 any class or program of study when capacity limitations exist.

26 (c) Boards of trustees may adopt policies regulating admission and graduation of students enrolled in courses
27 mandated under G.S. 17C, North Carolina Criminal Justice Education and Training Standards Commission, or G.S.
28 17E, North Carolina Sheriffs' Education and Training Standards Commission. These policies may limit enrollment
29 to law enforcement officers or persons sponsored by law enforcement agencies and may require a student to
30 maintain sponsorship by a law enforcement agency until completion of the program. Policies adopted pursuant to
31 this Paragraph shall be published and made available to students and prospective students.

32 (d) Any college suspending or expelling a student for non-academic disciplinary purposes shall record the
33 suspension or expulsion in the student's educational record. Upon receipt of a written request signed by the student
34 and subject to all applicable privacy laws, each college shall, in accordance with the student's request, inform other
35 colleges and universities of the term and circumstances of the student's non-academic disciplinary suspension or

1 expulsion, if any. Boards of trustees may adopt polices refusing admission to any applicant during any period of
2 time that the student is suspended or expelled from any other educational entity.

3 (e) Boards of trustees may adopt policies refusing admission to any applicant if it is necessary to protect the health
4 or safety of the applicant or other individuals. When making a health and safety determination, colleges shall have
5 the authority to refuse admission when there is an articulable, imminent, and significant threat to the applicant or
6 other individuals. Colleges refusing admission on the basis of a health or safety threat shall document the following:

7 _____ (1) Detailed facts supporting the rationale for denying admission;

8 _____ (2) The time period within which the refusal to admit shall be applicable and the supporting rationale for
9 the designated time period; and

10 _____ (3) The conditions upon which the applicant that is refused would be eligible to be admitted.

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12 *History Note: Authority G.S. 115D-1; 115D-5; 115D-20;*

13 *Eff. February 1, 1976;*

14 *Amended Eff. May 1, 2010; January 1, 2006; January 1, 1996; September 1, ~~1993~~1993.*

15 *~~January 1, 1987; May 1, 1982.~~*

DISCUSSION DRAFT