

1 23 NCAC 02C .0301 is proposed for amendment as follows:

2
3 **SECTION .0300 - STUDENTS**

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5 **23 NCAC 02C .0301 ADMISSION TO COLLEGES**

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

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

13 (1) Community colleges shall admit an undocumented immigrant only if he or she attended and graduated from
14 a United States public school, private school, or home school that operates in compliance with State or
15 local law.

16 (2) When determining who is an undocumented immigrant, community colleges shall use federal immigration
17 classifications.

18 (3) Undocumented immigrants admitted under section (b)(1) above may not receive state or federal financial
19 aid in the form of a grant or loan.

20 (4) An undocumented immigrant admitted under section (b)(1) above may not be considered a North Carolina
21 resident for tuition purposes. All undocumented immigrants admitted under section (b)(1) above must be
22 charged out of state tuition whether or not they reside in North Carolina.

23 (5) When considering whether to admit an undocumented immigrant into a specific program of study,
24 community colleges should take into account that federal law prohibits states from granting professional
25 licenses to undocumented immigrants.

26 (6) Students lawfully present in the United States shall have priority over any undocumented immigrant in any
27 class or program of study when capacity limitations exist.

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

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

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

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

5 *Eff. February 1, 1976;*

6 *Amended Eff. April 1, 2010; January 1, 2006; January 1, 1996; September 1, 1993-1993;*

7 *January 1, 1987; May 1, 1982.*