MEMORANDUM

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

FROM: Q. Shanté Martin, NCCCS General Counsel

RE: Proposed Amendment of Title 1, Chapter A – “State Board Governance”

The State Board of Community Colleges has initiated the rulemaking process to amend Title 1, Chapter A – “State Board Governance.”

The State Board of Community Colleges proposes to amend Title 1, Chapter A – “State Board Governance” to define “service area” and to include the community college service areas in the SBCC Code.

The proposed amendment is published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the proposed rule, with the changes indicated, is attached to this memorandum. Please post a copy of the proposed rule in prominent places so that all individuals affected by the proposed changes will be informed.

Any member of the public has the right to submit written comments on the proposed rule. Please note that any person who submits a public comment on behalf of their community college should comply with their college’s local process for submitting comments on a proposed rule. Written comments on the rules must be received by no later than 5:00 p.m. on May 18,
2016. Any member of the public has the right to request a hearing on the proposed rules. Requests for a hearing must be received by no later than 5:00 p.m. on May 3, 2016. Written comments and requests for hearing shall be directed to the following address: Q. Shanté Martin, 200 W. Jones Street, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by email to publiccomments@nccommunitycolleges.edu. Thank you for your attention to this matter.

CC16-017
E-mail Copy

Attachments
## Notice of Proposed Rulemaking Form

**Date:** 18 April 2016

<table>
<thead>
<tr>
<th>Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed</th>
<th>Amend Title 1, Chapter A – “State Board Governance”</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Specify whether the SBCC proposes to adopt amend, or repeal a rule:</th>
<th>Adopt (new rule)</th>
<th>Amend (change existing rule)</th>
<th>Repeal (delete entire rule)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

### Rationale for proposed adoption, amendment or repeal:

Title 1, Chapter A – “State Board Governance” is proposed for amendment to define “service area” and to include the community college service areas in the SBCC Code.

### Proposed Effective Date of Rule

August 1, 2016
Title 1, Chapter A is proposed for amendment as follows:

State Board of Community Colleges Code

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:

(1)(a) education, training and retraining for the workforce, including basic skills and literacy education, occupational and pre-baccalaureate programs;
(2)(b) support for economic development through services to and in partnership with business and industry; and
(3)(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;

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.

Note: Substance of former 23 SBCCC 2B 0204 was incorporated into this Rule.
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.

1A SBCCC 300.11A 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 1A SBCCC 300.99; 1D SBCCC 300.97; 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 County Community College – Davidson and Davie Counties
1. Durham Technical Community College – Durham and Orange Counties
2. Edgecombe Community College – Edgecombe County
3. Fayetteville Technical Community College – Cumberland County
4. Forsyth Technical Community College – Forsyth and Stokes Counties
5. Gaston College – Gaston and Lincoln Counties
6. Guilford Technical Community College – Guilford County
8. Haywood Community College – Haywood County
9. Isothermal Community College – Polk and Rutherford Counties
10. James Sprunt Community College – Duplin County
11. Johnston Community College – Johnston County
12. Lenoir Community College – Greene, Jones and Lenoir Counties
13. Martin Community College – Bertie (Townships of Indian Woods, Merry Hill), and Martin Counties
14. Mayland Community College – Avery, Mitchell, and Yancey Counties
15. McDowell Community College – McDowell County
16. Mitchell Community College – Iredell County
17. Montgomery Community College – Montgomery County
18. Nash Community College – Nash County
19. Pamlico Community College – Pamlico County
20. Piedmont Community College – Caswell and Person Counties
21. Pitt Community College – Pitt County
22. Randolph Community College – Randolph County
23. Richmond Community College – Richmond and Scotland Counties
24. Roanoke-Chowan Community College – Bertie (Townships of Colerain, Mitchells, Roxobel, Snakebite, Whites, and Woodville), Hertford, and Northampton (Townships of Jackson, Kirby, Rich Square, Roanoke, and Wiccacanee) Counties
25. Robeson Community College – Robeson County
26. Rockingham Community College – Rockingham County
27. Rowan-Cabarrus – Cabarrus and Rowan Counties
Establishing Military Service Areas

Educational programs offered by community colleges of the community college system of North Carolina on all military installations will be conducted by the home college. The home college is defined as that college located in the administrative area in which the military installation is based. 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 to adjacent colleges adjacent to the military installation to be served.

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

Establishing Military Service Areas

Educational programs offered by community colleges of the community college system of North Carolina on all military installations will be conducted by the home college. The home college is defined as that college located in the administrative area in which the military installation is based. 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 to adjacent 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 300.99 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;