



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM
Dr. William S. Carver, Interim President

21 September 2020

MEMORANDUM

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

FROM: Jonathan R. Harris, *NCCCS General Counsel*

RE: **Extending a Temporary Amendment in Response to COVID-19
1E SBCCC 200.2 – Time Due, Deferred Payment, Failure to Pay**

On 17 April 2020, the State Board of Community Colleges adopted the above temporary amendment in response to the COVID-19 outbreak. The amendment gave colleges the ability to enroll or distribute an academic credential to a student with an outstanding balance if the college determines that the balance is due to a COVID-19 related reason.

The amendment was set to expire on 14 October 2020, but the State Board has readopted it and extended it for another 180 days. The new expiration date is April 12, 2021. The State Board may extend this duration again, if necessary. The temporary amendment will be published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the temporary amendment is attached to this memorandum.

CC20-058
E-mail Copy

Attachments

STATE BOARD OF COMMUNITY COLLEGES
Proposed Re-adoption of One Temporary Amendment Due to COVID-19

Authority

The State Board can adopt temporary amendments to address serious threats to public health and safety, and to address unforeseen circumstances where notice and hearing would be contrary to the interest of community college stakeholders. (3B SBCCC 400.1).

Summary of the Temporary Amendment

- **Temp. Amendment of 1E SBCCC 200.2 – Time Due, Deferred Payment, Failure to Pay**
 - This change would give colleges the ability to enroll or distribute an academic credential to a student with an outstanding balance if the college determines that the balance is due to a COVID-19 related reason.

Duration of the Amendment

The State Board adopted this temporary amendment on April 17, 2020, and it is set to expire on October 14, 2020. The amendment, if approved for re-adoption, would become effective on October 14, 2020, and will remain in place for 180 days or until rescinded by the State Board.



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2 **State Board of Community Colleges Code**
3 **TITLE 1. COMMUNITY COLLEGES**

4
5 **CHAPTER E. STUDENT TUITION AND FEES**

6
7 **SUBCHAPTER 200. GENERAL PROVISIONS**

8
9 **1E SBCCC 200.2 Time Due, Deferred Payment, Failure to Pay**

10 (a) Time Due. If a student registers on or before the first date of a course section, tuition,
11 registration fees, and other fees required for enrollment are due on a specific date
12 prescribed by the college that is on or before the first date of the course section. If a
13 student registers after the first date of the course section, tuition, registration fees, and
14 other fees required for enrollment are due at the time of the student's registration. A
15 student may satisfy the requirement for payment due through one or more of the
16 following methods:

17 (1) Directly paying the college.

18 (2) Demonstrating to the college's satisfaction that the student is eligible for financial
19 aid or other third-party payment.

20 (3) Entering into a deferred payment plan authorized by 1E SBCCC 200.2(b).

21 (4) Providing evidence of eligibility for a tuition or registration fee waiver consistent
22 with 1E SBCCC 800.

23 ~~(5) For students unable to complete one or more Spring 2020 course sections due to~~
24 ~~circumstances arising from the COVID-19 outbreak, a college may apply the~~
25 ~~tuition, registration fees, and other fees paid by the student for those course~~
26 ~~sections to offset the tuition, registration fees, and other fees for course sections~~
27 ~~the student enrolls in during the Summer 2020, Fall 2020, or Spring 2021 terms.~~

28 To ensure tuition receipts are deposited to the credit of the fiscal year in which the Fall
29 academic term occurs, colleges shall begin collecting curriculum tuition payments for
30 the Fall academic term on or after July 1 of that year.

31 (b) Deferred Payment. The college may, with approval of the board of trustees, prescribe
32 written procedures to permit short-term deferred payment or payment in installments;

1 provided, however, that payment in full is due by the end of the academic term. For
2 the purposes of this section, "short term" is defined as a period that does not extend
3 beyond the last day of the academic term.

4 (c) Failure to Pay. Unless otherwise prohibited by law, colleges may not enroll or
5 distribute an academic credential to a student with an outstanding balance for tuition
6 or registration fees except under the following circumstances:

7 (1) The college anticipates that the outstanding balance will be paid using pending
8 financial aid;

9 (2) A person or organization demonstrates to the satisfaction of the college the ability
10 to pay the outstanding obligation and guarantees in writing to pay the balance if
11 the student fails to do so;

12 (3) A student is registered in a course section offered for the benefit of a company or
13 agency. For the purpose of this rule, company or agency specific course sections
14 are courses where the company pays the tuition or registration, and courses where
15 attendance in the course section is limited to employees of the company or agency;

16 (4) A student is classified as a captive or co-opted student pursuant to 1D SBCCC
17 700.98(a); or

18 (5) A student is registered in a course that is on a specialized course list approved by
19 the State Board of Community Colleges and supports the organizational training
20 needs for entities specified in G.S. 115D-5(b)(2).

21 (6) The college, in its discretion, determines that the outstanding balance is due to a
22 COVID-19 related reason.

23 Unless otherwise prohibited by law, colleges may withhold transcripts of grades and
24 any other service pending resolution of outstanding monetary obligations. This
25 statement shall not be construed to prohibit a college's board of trustees from adding
26 more stringent provisions that are allowable under law regarding outstanding
27 monetary balances.

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29 *History Note:* Authority G.S. 115D-5; G.S. 115D-39;
30 Eff. [May 16, 2014](#);
31 Amended Eff. [February 1, 2015](#).

- 1 *Temporary Amendment Eff. [March 19, 2020.](#)*
- 2 *Temporary Amendment Repealed Eff. [April 17, 2020.](#)*
- 3 *Temporary Amendment Eff. [April 20, 2020.](#) Temporary amendment*
- 4 *expires October 14, 2020.*
- 5 *Temporary Amendment Eff. _____*