



**NORTH CAROLINA COMMUNITY COLLEGE SYSTEM**

*R. Scott Ralls, Ph.D.*

*President*

29 April 2014

**IMPORTANT INFORMATION**

**MEMORANDUM**

**TO:** Members of the State Board of Community Colleges, Community College Presidents, Boards of Trustees Chairs, Community College Business Officers, Registrars, Admissions Officers, Financial Aid Officers, Public Information Officers & Other Interested Parties

**FROM:** Q. Shanté Martin, *NCCCS General Counsel*

**RE: Substantive Changes - Proposed Adoption of Title 1, Chapter E – “Student Tuition and Fees”**

On 25 February 2014, the State Board of Community Colleges (SBCC) provided public notice that it initiated the rulemaking process to repeal and to adopt the following rule:

**Title I, Chapter E of the State Board of Community Colleges Code, entitled “Student Tuition and Fees.”**

The SBCC received public comments on the above rule through 27 March 2014. After consideration of the public comments, the SBCC made substantive changes to the proposed rule to adopt Title I, Chapter E – “Student Tuition and Fees.” **The proposed adoption including the substantive changes are published on the NC Community College System's website, [www.nccommunitycolleges.edu](http://www.nccommunitycolleges.edu), under "State Board Code."** For your convenience, a copy of the proposed rules, with the substantive changes indicated, is attached to this memorandum. The items highlighted are the changes that the SBCC approved. Strikeouts indicate deletion of prior suggested language and underlines indicate the proposed addition of language. Please post a copy of the proposed rule with the substantive changes 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 substantive changes. **Written comments on the substantive changes must be received by no later than 5:00 p.m. on Tuesday, May 6, 2014.** Written comments shall be directed to the following email address: [publiccomments@nccommunitycolleges.edu](mailto:publiccomments@nccommunitycolleges.edu) or via postal mail at Q. Shanté Martin, 200 W. Jones Street, 5001 Mail Service Center, Raleigh, NC 27699-5001. Thank you for your attention to this matter.

Attachments

**CC14-013  
E-mail Copy**



# State Board of Community Colleges Code

## Notice of Proposed Rulemaking Form SUBSTANTIVE CHANGES

Date: April 29, 2014

<b>Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed</b>	Title I, Chapter E, Student Tuition and Fees
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Specify whether the SBCC proposes to adopt amend, or repeal a rule:

<b>Adopt</b> (new rule)	<b>Amend</b> (change existing rule)	<b>Repeal</b> (delete entire rule)
X		

<b>Rationale for proposed adoption, amendment or repeal:</b>	Title I, Chapter E that was posted for public comment in CC14-005 on 25 February 2014 has had substantive changes. The attached proposed rule shows all of the modifications highlighted.
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<b>Proposed Effective Date of Rule</b>	May 16, 2014
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- 1 (a) Colleges shall charge students tuition and registration fees consistent with this chapter.  
2 Colleges are authorized to charge self-supporting and local fees established by their boards of  
3 trustees consistent with this chapter.
- 4 (b) Colleges shall provide students through publicly-available means information about all  
5 approximate tuition and fees required for a course prior to enrollment. Tuition and fees shall  
6 be kept to a minimum consistent with the State Board philosophy to keep student costs as  
7 low as possible.

8  
9 *History Note:* Authority G.S. 115D-5; G.S. 115D-39  
10 Eff. May 1, 2014May 16, 2014

11  
12 **1E SBCCC 200.2 Time Due, Deferred Payment, Failure to Pay**

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

22 ~~(1) Directly paying the college.~~

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

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

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

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 the  
30 Fall academic term on or after July 1 of that year.

1 (b) Deferred Payment. The college may, with approval of the board of trustees, prescribe written  
2 procedures to permit short-term deferred payment or payment in installments; provided,  
3 however, that payment in full is due by the end of the academic term. For the purposes of this  
4 section, “short term” is defined as a period that does not extend beyond the last day of the  
5 academic term.

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

9 (1) The college anticipates that the outstanding balance will be paid using pending financial  
10 aid; or

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

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

19  
20 *History Note:* Authority *G.S. 115D-5; G.S. 115D-39*

21 *Eff. ~~May 1, 2014~~ May 16, 2014*

22  
23 **SUBCHAPTER 300. CURRICULUM TUITION**

24  
25 **1E SBCCC 300.1 Tuition for Curriculum Programs**

26 (a) Tuition Rates. The State Board shall set a uniform tuition rate per credit hour and a  
27 maximum tuition amount per academic term for resident and non-resident students consistent  
28 with actions taken by the General Assembly.

29 (b) Tuition Required. Colleges are required to charge students tuition to enroll in a curriculum  
30 course that earns Budget FTE as described in 1G SBCCC 100.99. Students are required to

1 pay tuition, or have a third-party pay on their behalf, to enroll in a curriculum course, unless  
2 waived by law. See also 1E SBCCC Subchapter 800.

3 (c) Tuition for Student Enrolled in More than One College. If a student enrolls for the same  
4 academic term at two or more community colleges, the student may pay the total amount of  
5 tuition and registration fees to the student's "home" college, at the discretion of the "home"  
6 college. For the purposes of this section, "home" college means the college in which the  
7 student initially enrolls for the academic term. The "home" college shall work with the other  
8 ~~colleges~~college or colleges within which the student is enrolled to ensure the student is not  
9 charged more tuition than the maximum allowed by the State Board for the academic term.  
10 Student membership hours as defined in Chapter G for instruction received shall be reported  
11 by the college in which the respective instruction occurred.

12 (d) Deposit of Tuition. All tuition receipts are State funds. Colleges must deposit all tuition  
13 receipts to the credit of the State Treasurer, consistent with State law.

14  
15 *History Note:* Authority G.S. 115D-5; G.S. 115D-39

16 Eff. ~~May 1, 2014~~May 16, 2014

17  
18 **1E SBCCC 300.2 Family Relocation Tuition**

19 (a) As provided by G.S. 115D-39(a), community colleges may charge resident tuition rates to  
20 nonresident students who are members of families that were transferred to this state by  
21 businesses, industries, or civilian families transferred by the military, for employment. Prior  
22 to enrollment at the resident tuition rate, the nonresident student shall fulfill the following  
23 conditions:

24 (1) Demonstrate that his or her family moved to this state within the 12 months preceding  
25 enrollment;

26 (2) Present a letter to the college from the employer on corporate letterhead stating that the  
27 employee, through whom the student claims this benefit, relocated to this state for  
28 employment with that business, industry, or military establishment;

29 (3) Present proof of his or her familial relationship with the employee, unless the student is  
30 the employee;

1 (4) Present proof that the student lives in the same house with the employee, unless the  
2 student is the employee;

3 (5) Present proof that the student is financially dependent on the employee through which the  
4 student claims this benefit, unless the student is the employee; and

5 (6) Comply with the requirements of the Selective Service System, if applicable.

6 (b) The number of students at a college eligible for resident tuition under this Rule in a given  
7 academic year shall not exceed one percent of the average number of nonresident students,  
8 rounded up to the next whole number, enrolled at the college during the preceding academic  
9 year. If a college charges resident tuition to students eligible under this section, eligible  
10 students shall be granted this benefit on a first-come, first-served basis.

11 (c) Each local board of trustees shall adopt and publish a written policy specifying whether the  
12 college will charge resident tuition rates to nonresident students who satisfy the provisions of  
13 this section. If a local board of trustees adopts a policy that allows the college to charge  
14 resident tuition rates to nonresident students who satisfy the provisions of this section in  
15 some instances and not in others, the local board of trustees' policy shall specify the factors  
16 the college will use to determine when to grant the resident tuition rate and when to deny the  
17 resident tuition rate.

18  
19 *History Note:* Authority G.S. 115D-5; G.S. 115D-39

20 Eff. May 1, 2014 May 16, 2014

21  
22 **SUBCHAPTER 400. CONTINUING EDUCATION REGISTRATION FEES**

23  
24 **1E SBCCC 400.1 Continuing Education Registration Fees**

25 (a) Registration Fee Rates. The State Board shall set a uniform registration fee schedule for  
26 continuing education courses based on course length, consistent with actions taken by the  
27 General Assembly.

28 (b) Registration fee required. Colleges are required to charge students a registration fee to enroll  
29 in a continuing education course section that earns budget FTE as described in 1G SBCCC  
30 100.99. Students are required to pay a registration fee, or have a third-party pay on their

1       behalf, to enroll in a continuing education course, unless waived by law. See also 1E SBCCC  
2       Subchapter 800.

- 3       (c) Deposit of Registration Fees. All registration fee receipts are State funds. Colleges must  
4       deposit all registration fee receipts to the credit of the State Treasurer, consistent with State  
5       law.

6  
7       *History Note:*        Authority G.S. 115D-5; G.S. 115D-39

8                                Eff.    ~~May 1, 2014~~ May 16, 2014

9  
10       **SUBCHAPTER 500.           ADULT HIGH SCHOOL EQUIVALENCY TEST FEES**

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12       **1E SBCCC 500.1    Adult High School Equivalency Test Fees**

- 13       (a) Adult High School Equivalency Testing Fee. The State Board of Community Colleges shall  
14       establish a uniform fee charged to students taking an adult high school equivalency test  
15       administered at a community college. The adult high school equivalency testing fee is  
16       separate and in addition to the fee, if any, charged by and retained by a third-party entity  
17       under contract with the System Office to provide the adult high school equivalency test.
- 18       (b) Required Payment. Students must pay the adult high school equivalency testing fee prior to  
19       taking any test within the adult high school equivalency test battery.
- 20       (c) Deposit of Fees. All adult high school equivalency testing fee receipts are State funds.  
21       Colleges must deposit all testing fee receipts to the credit of the State Treasurer, consistent  
22       with State law.

23  
24       *History Note:*        Authority G.S. 115D-5; G.S. 115D-39

25                                Eff.    ~~May 1, 2014~~ May 16, 2014

26  
27       **SUBCHAPTER 600.           SELF-SUPPORTING COURSE SECTIONS**

28  
29       **1E SBCCC 600.1    Definitions**

30       The following definitions apply to this Subchapter:

- 1 (a) “Direct costs” - The costs required to provide an instructional course section. Examples of  
2 direct costs include, but are not limited to, instructor salaries and salary-related benefits (i.e.  
3 retirement contributions, health insurance, etc.), travel to and from the instructional site,  
4 course curriculum development costs, instructional supplies, equipment, building rental,  
5 insurance, advertising, printing, postage, mailing costs, and any other costs specifically  
6 related to the course section. Refreshments and meals may be included as a direct cost if  
7 disclosed to potential students prior to the start of the course section.
- 8 (b) “Indirect costs” – The costs associated with activities and services that support instruction,  
9 but which cannot be exclusively assigned to a course section. Examples of indirect costs  
10 include, but are not limited to, student services, administrative costs, utilities, custodial  
11 services, and security services, which cannot be exclusively assigned to a course section.
- 12 (c) “Self-supporting” - Funding the direct and indirect costs of a course or set of courses through  
13 receipts collected from students or from a third-party on behalf of students enrolled in the  
14 course or set of courses.

15  
16 *History Note:* Authority G.S. 115D-5; G.S. 115D-39  
17 Eff. May 1, 2014May 16, 2014

18  
19 **1E SBCCC 600.2 Authority to Charge Self-supporting Fees**

- 20 (a) Authority to Charge. Colleges are authorized to offer curriculum and continuing education  
21 course sections on a self-supporting basis and charge self-supporting fees to students who  
22 enroll in self-supporting course sections.
- 23 (b) Local Policy. The board of trustees shall adopt a policy regulating self-supporting activities  
24 prior to a college offering self-supporting course sections. This policy shall include, at  
25 minimum, the following elements:
- 26 (1) The method the college must use to determine self-supporting fee rates, and  
27 (2) The permissible uses of excess funds generated from self-supporting activities.

28  
29 *History Note:* Authority G.S. 115D-5; G.S. 115D-39  
30 Eff. May 1, 2014May 16, 2014

1 **1E SBCCC 600.3 Self-supporting Fee Rates**

2 (a) A college shall set all self-supporting fees consistent with the policy adopted by its board of  
3 trustees. A college may adopt different self-supporting fees for different courses and  
4 activities, subject to the limitations established by this subsection.

5 (b) Curriculum Self-Supporting Fee Rates: Colleges shall determine self-supporting fees for  
6 curriculum courses using one of the following two methods of calculation:

7 (1) Pro-rata Share Method. The amount charged to each student shall approximate the pro-  
8 rata share of the direct and indirect costs associated with providing self-supporting  
9 instruction. Unless the college can demonstrate a need for a higher rate, a college may  
10 estimate indirect costs by applying its federal indirect cost rate or a rate up to 25%,  
11 whichever is higher, to the direct costs of providing the self-supporting activity. The  
12 amount charged to the student shall be calculated based on either 1) the estimated costs of  
13 an individual self-supporting course section divided by the number of students expected  
14 to enroll in the course section or 2) the estimated costs of a set of self-supporting course  
15 sections divided by the number of students expected to enroll in the set of course  
16 sections. Each student must pay the self-supporting fee even if the sum of the curriculum  
17 tuition and self-supporting fees charged to the student for the academic term exceeds the  
18 maximum tuition rate set by the State Board and academic term.

19 (2) Transparent Rate Method. The college shall charge each student an amount consistent  
20 with the curriculum tuition rate based on residency status. The transparent rate method  
21 shall only be used if the receipts generated through this method can adequately support  
22 the direct and indirect costs of the self-supporting instruction.

23 (c) Continuing Education Self-Supporting Fee Rates: Colleges shall set self-supporting fees for  
24 continuing education course sections at a level at or below the local market rate for the type  
25 of continuing education instruction provided.  
26

27 *History Note:* Authority G.S. 115D-5; G.S. 115D-39

28 Eff. ~~May 1, 2014~~ May 16, 2014

29  
30 **1E SBCCC 600.4 Deposit and Use of Self-supporting Fees**

- 1 (a) Deposit of Self-Supporting Fees. Colleges shall deposit self-supporting fee receipts in an  
2 institutional unrestricted general ledger account. Any course section initially designated as  
3 self-supporting cannot be changed to a State-funded designation after the college collects any  
4 receipts for the course section.
- 5 (b) Use of Self-Supporting Fee Receipts. Self-supporting fee receipts shall be used to support the  
6 direct and indirect costs of the self-supporting course sections. Colleges shall not use state  
7 funds for direct costs of self-supporting course sections. If a full-time faculty member teaches  
8 a self-supporting course section, colleges shall either 1) pro-rate the faculty salary based on  
9 the time allocated between state-funded and self-supporting course sections in the faculty  
10 member's course load, or 2) reimburse State funds an amount equal to the number of  
11 instructional hours associated with self-supporting course section multiplied by the  
12 instructor's hourly rate of pay.
- 13 (c) Excess Receipts. If self-supporting receipts exceed expenditures for the fiscal year, colleges  
14 shall use excess receipts to either support the costs of future self-supporting course sections  
15 or to support costs authorized by ~~comply with~~ 1E SBCCC 700.7.

16  
17 *History Note:* Authority G.S. 115D-5; G.S. 115D-39

18 Eff. ~~May 1, 2014~~ May 16, 2014

19  
20 **SUBCHAPTER 700. LOCAL FEES**

21  
22 **1E SBCCC 700.1 General Provisions**

- 23 (a) Authority to Charge. Colleges are authorized to charge local fees that are established by the  
24 local board of trustees under the provisions of this Subchapter.
- 25 (b) Local Policy. The local board of trustees must establish all local fees and adopt policies  
26 governing the use of local fee receipts, consistent with this Subchapter.
- 27 (c) Deposit and Use of Local Fees. Colleges shall deposit receipts derived from local fees in an  
28 unrestricted institutional account. Colleges shall use local fee receipts only for the purposes  
29 for which the fee was approved by the local board of trustees, consistent with this  
30 Subchapter.

1 (d) Local Fees Charged to Students Attending More than one College: If a student enrolls for the  
2 same semester at two or more colleges of the system, the student shall pay local fees required  
3 by each institution, as prescribed by the colleges' local fee policies.

4 (e) Annual Reporting Requirement. The college ~~president~~ shall report all required local fees  
5 established by the board of trustees to the System Office on an annual basis as directed by the  
6 System Office.

7  
8 *History Note: Authority G.S. 115D-5; G.S. 115D-39*

9 *Eff. ~~May 1, 2014~~ May 16, 2014*

10  
11 **1E SBCCC 700.2 Student Activity Fees**

12 (a) Student Activity Fee Rates. The local board of trustees is authorized to establish a fee  
13 charged to students to support student activities. The student activity fee shall not exceed \$35  
14 per academic term. Student activity fees shall not be charged to individuals who participate  
15 only in meetings or seminars organized by the college. For the purposes of this Subchapter,  
16 "meeting or seminar" means a group of people gathered on a one-time basis primarily for  
17 discussion under the direction of a leader or resource person(s).

18 (b) Use of Student Activity Fee Receipts: Colleges shall use student activity fee receipts to  
19 support the cost of providing student activities, excluding those activities listed in sub-  
20 subsection (3) below.

21 (1) Permissible Activities: For the purposes of this section, "student activity" means an  
22 activity that is provided primarily for the benefit of students and whose participants are  
23 primarily ~~students~~ students, excluding instruction for which students pay tuition and  
24 registration fees. Examples of student activities include the following:

- 25 (A) student centers;  
26 (B) student government associations;  
27 (C) student clubs;  
28 (D) student enrichment and student social activities;  
29 (E) student identification cards;  
30 (F) student athletics;  
31 (G) student health services; and

1 (H) student accident insurance

2 (2) Permissible expenses: In support of student activities, the college may use student  
3 activity fee receipts to support the following types of expenses:

4 (A) College personnel directly providing student activities, such as student government  
5 association staff, student activity coordinators, coaches, club sponsors, or club  
6 advisors;

7 (B) Stipends or scholarships to students who serve as officers of student organizations;

8 (C) Employee and student travel to student activities held at off-campus locations;

9 (D) Other purchased goods or services needed to conduct the student activity;

10 (E) Equipment, including vehicles, used directly for student activities;

11 (F) Capital improvement projects constructed for student activities, such as student

12 centers, student lounges, and athletic facilities. If a capital improvement  
13 project serves multiple purposes, student activity fee receipts may be used to support  
14 capital expenditures in proportion to the square footage of the project dedicated to  
15 student activities.

16 (3) Impermissible expenses: Colleges shall not use student activity fee receipts to support  
17 personnel and other operating costs related to college employees having positions that are  
18 the fiscal responsibility of the State or local governments and that do not directly support  
19 student activities, including, but not limited to, academic advisors, counselors, recruiters,  
20 admissions staff, and security personnel. Colleges shall not use student activity fee  
21 receipts for capital improvements projects constructed for purposes other than student  
22 activities.

23  
24 *History Note:* Authority *G.S. 115D-5; G.S. 115D-39*

25 *Eff. ~~May 1, 2014~~ May 16, 2014*

26  
27 **1E SBCCC 700.3 Instructional Technology Fees**

28 (a) Fee Rates. The local board of trustees is authorized to establish a fee charged to students to  
29 support student access to instructional technology. The instructional technology fee shall not  
30 exceed ~~\$16~~\$48 per academic term for curriculum students and \$5 per course for continuing  
31 education students. However, subject to the prior approval of the SBCC, local boards of

1 trustees have the authority to establish an instructional technology fee that exceeds the \$48  
2 per academic term for curriculum students. Instructional technology fees shall not be  
3 charged to individuals who participate only in meetings or seminars.

- 4 (b) Use of Fee Receipts. Instructional technology fee receipts shall be used to support costs of  
5 procuring, maintaining, and operating instructional technology, including both information  
6 technology (hardware and software) used primarily for instructional purposes and specialized  
7 instructional equipment necessary for hands-on instruction. Colleges are authorized to use  
8 instructional technology fee receipts to hire support positions to operate, maintain, and repair  
9 this technology, as well as buy the necessary supplies and materials for operations.  
10 Instructional technology fee receipts shall not be used to purchase computers and other  
11 technology used primarily by college employees, nor may instructional technology fee  
12 receipts be used to support positions that do not directly support this instructional technology.

13  
14 *History Note:* Authority G.S. 115D-5; G.S. 115D-39

15 Eff. ~~May 1, 2014~~ May 16, 2014

16  
17 **1E SBCCC 700.4 College ~~Access and Parking (CAP) Fees~~ Access, Parking and Security**  
18 **(CAPS) Fees**

- 19 (a) Fee Rates. The local board of trustees is authorized to establish a fee charged to students to  
20 use college parking facilities and college property.  
21 (b) Use of CAPCAPS Fee Receipts. CAPCAPS fee receipts shall only be used to support costs  
22 of acquiring, constructing, and maintaining the college's parking facilities, parking  
23 enforcement, and security of college property. Security costs include, but are not limited to,  
24 salaries, related benefits, and operating costs associated with security personnel; contracted  
25 security services; vehicles, equipment, and capital improvements necessary to secure college  
26 property.

27  
28 *History Note:* Authority G.S. 115D-5; G.S. 115D-39

29 Eff. ~~May 1, 2014~~ May 16, 2014

30  
31 **1E SBCCC 700.5 Required Specific Fees**

1 (a) Fee Rates. The local board of trustees is authorized to establish specific fees to support other  
2 required academic costs for consumable goods or services that are specifically required for a  
3 course. Such academic costs include, but are not limited to, tools, uniforms, insurance,  
4 certification/licensure fees, e-text, lab and other consumable supplies. The local board of  
5 trustees shall set specific fee rates based on the estimated cost of providing the good or  
6 service.

7 (b) Use of Specific Fee Receipts. Specific fee receipts shall be used for the purposes for which  
8 they are charged. If specific fee receipts exceed expenditures for the purposes for which they  
9 are charged, the college must expend the excess receipts consistent with the provisions  
10 outlined in 1E SBCCC 700.7.

11  
12 *History Note:* Authority G.S. 115D-5; G.S. 115D-39  
13 Eff. ~~May 1, 2014~~ May 16, 2014

14  
15 **1E SBCCC 700.6 Other Fees**

16 (a) The local board of trustees is authorized to establish other fees. “Other fees” means fees to  
17 support costs of goods or services provided by the college that are not required for  
18 enrollment. Examples include, but are not limited to, student health and other insurance fees,  
19 graduation fees, transcript fees, optional assessment fees, library/equipment replacement  
20 fees, and fees to participate in a specific event or activity. The local board of trustees shall set  
21 other fee rates based on the estimated cost of providing the good or service.

22 (b) Use of Fee Receipts. Other fee receipts shall be used for the purposes for which they are  
23 charged. If other fee receipts exceed expenditures for the purposes for which they are  
24 charged, the college must expend the excess receipts consistent with the provisions outlined  
25 in 1E SBCCC 700.7.

26  
27 *History Note:* Authority G.S. 115D-5; G.S. 115D-39  
28 Eff. ~~May 1, 2014~~ May 16, 2014

29  
30 **1E SBCCC 700.7 Excess Fee Receipts**

1 If receipts collected through fees authorized by 1E SBCCC 600.3, 700.5 and 700.6 exceed  
2 expenditures on authorized purposes, the following provisions apply:

- 3 (a) Excess receipts shall only be used for one or more of the following purposes: instruction,  
4 student support services, student financial aid (e.g. scholarships, grants, and loans), student  
5 refunds, student activities, curriculum development, program improvement, professional  
6 development, promotional giveaway items, instructional equipment, and capital  
7 improvements and acquisition of real property.
- 8 (b) Excess receipts shall not be used for any of the following purposes: supplemental  
9 compensation or benefits of any personnel, administrative costs, entertainment expenses, and  
10 fundraising expenses.

11  
12 *History Note:* Authority G.S. 115D-5; G.S. 115D-39  
13 Eff. ~~May 1, 2014~~ May 16, 2014

14  
15 **SUBCHAPTER 800. WAIVERS**

16  
17 **1E SBCCC 800.1 Definitions**

18 The following definitions apply to this subchapter:

- 19 (a) “Tuition and Registration Fee Waiver” - A waiver that exempts an individual from paying  
20 curriculum tuition or continuing education registration fees that would otherwise be required  
21 to enroll in a course and deposited with the State Treasurer. The amount waived represents  
22 revenue foregone by the State. A tuition and registration fee waiver shall not be construed to  
23 mean inclusion of any other fees or charges (i.e. local fees, textbooks/supplies, and  
24 insurance) that are required for enrolling in a course or program. The amount charged to  
25 students who qualify as a resident for tuition purposes pursuant to G.S. 115D-39 and G.S.  
26 116-143 is not a tuition waiver for the purposes of this Subchapter.
- 27 (b) “Authorized Group or Organization” - A category of students or organizations that are  
28 authorized by law to be granted a tuition or registration fee waiver.
- 29 (c) “Eligible Training” - Training that the State Board of Community Colleges has approved that  
30 is eligible to be waived for a specific authorized group, consistent with law.

1 *History Note:* Authority G.S. 115D-5; G.S. 115D-39  
2 Eff. ~~May 1, 2014~~ May 16, 2014

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**1E SBCCC 800.2 General Provisions**

- (a) Authority to waive. Colleges shall waive tuition and registration fees for eligible training provided to members of groups and organizations that are expressly authorized by law. The waiver of local fees shall be governed by local boards of trustees.
- (b) Admission Requirements. Persons in an authorized group or organization must meet the same admission requirements as students that are not in an authorized group to enroll in courses for which the student is eligible for a waiver.
- (c) Proof of Eligibility. To obtain a waiver, individuals must establish proof of eligibility as a member of an authorized group or organization. To be eligible for a tuition or registration fee waiver, trainees enrolled in Basic Law Enforcement Training (BLET) courses must obtain a letter of sponsorship from a state, county, or municipal law enforcement agency prior to enrollment and uphold the terms of the sponsorship until completion of the BLET course. The college must maintain documentation of the sponsorship on file.
- (d) Reporting FTE: Unless otherwise prohibited by law, students eligible for an authorized waiver shall be counted in the computation of enrollment for funding purposes (BFTE) in a manner consistent with non-waived students, assuming all applicable reporting requirements are met.
- (e) Self-Supporting Courses: Community colleges shall not grant tuition and registration fee waivers to students enrolled in self-supporting courses. The community college shall charge the student the self-supporting fee or use institutional funds to pay for the self-supporting fee on the student's behalf.
- (f) Annual Reporting Requirement. As directed by the System Office, the college ~~president~~ shall report the amount of tuition and registration fees waived by the college on behalf of individuals who are members of authorized groups or organizations on an annual basis to the System Office.

30 *History Note:* Authority G.S. 115D-5; G.S. 115D-39  
31 Eff. ~~May 1, 2014~~ May 16, 2014

1  
2 **SUBCHAPTER 900. REFUNDS**  
3

4 **1E SBCCC 900.1 Curriculum Tuition Refunds**

5 (a) The following definitions apply to this provision:

6 (1) “Academic period” – An academic term or subdivision of an academic term during which  
7 a college schedules a set of course sections.

8 (2) “Non-regularly scheduled course section” – A course section that meets the definition of  
9 “non-regularly scheduled course section” found in 1G SBCCC 200.93(c).

10 (3) “Off-cycle course section” – A regularly scheduled course section that is not offered  
11 consistent with an academic period.

12 (4) “Officially Withdraw” – The removal of a student from a course section by one of the  
13 following methods:

14 (A) The student notifies the authorized college official, as defined by the college’s  
15 published procedures for withdrawal, of the student’s intent to disenroll in a course  
16 section as outlined in the college’s published procedures for withdrawal; or

17 (B) The college removes the student from the course section because the college cancels  
18 the course section or for any other reason authorized by written college policy.

19 (5) “On-cycle course section” – A regularly scheduled course section that is offered  
20 consistent with an academic period.

21 (6) “Regularly scheduled course section” – A course section that meets the definition of  
22 “regularly scheduled course section” found in 1G SBCCC 200.93(b).

23 (b) Unless otherwise required by law, community colleges shall not issue a tuition refund using  
24 State funds except under the following circumstances:

25 (1) On-Cycle Course Sections:

26 (A) A college shall provide a 100 percent refund to the student if the student officially  
27 withdraws or is officially withdrawn by the college prior to the first day of the  
28 academic period as noted on the college calendar.

29 (B) A college shall provide a 100 percent refund to the student if the college cancels the  
30 course section in which the student is registered.

1 (C) After an on-cycle course section begins, a college shall provide a 75 percent refund to  
2 the student if the student officially withdraws or is officially withdrawn by the college  
3 from the course section prior to or on either of the following, as determined by local  
4 college policy and noted on the college calendar:

5 (i) The 10 percent point of the academic period, or

6 (ii) The 10 percent point of the course section.

7 (2) Off-Cycle Course Sections:

8 (A) A college shall provide a 100 percent refund to the student if the student officially  
9 withdraws or is officially withdrawn by the college prior to the first day of the off-  
10 cycle course section.

11 (B) A college shall provide a 100 percent refund to the student if the college cancels the  
12 course section in which the student is registered.

13 (C) After an off-cycle course section begins, a college shall provide a 75 percent refund to  
14 the student if the student officially withdraws or is officially withdrawn by the college  
15 from the course section prior to or on the 10 percent point of the course section.

16 (3) Non-Regularly Scheduled Course Sections:

17 (A) A college shall provide a 100 percent refund to the student if the student officially  
18 withdraws or is officially withdrawn by the college prior to the first day of the non-  
19 regularly scheduled course section.

20 (B) A college shall provide a 100 percent refund to the student if the college cancels the  
21 course section in which the student is registered.

22 (C) After a non-regularly scheduled course section begins, a college shall provide a 75  
23 percent refund to the student if the student officially withdraws or is officially  
24 withdrawn by the college from the non-regularly scheduled course section prior to or  
25 on the 10th calendar day after the start of the course section.

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27 *History Note:* Authority G.S. 115D-5; G.S. 115D-39

28 Eff. ~~May 1, 2014~~ May 16, 2014

29  
30 **1E SBCCC 900.2 Continuing Education Registration Fee Refunds**

31 (a) The following definitions apply to this provision:

1 (1) “Non-regularly scheduled course section” – A course section that meets the definition of  
2 “non-regularly scheduled course section” found in 1G SBCCC 200.94(b).

3 (2) “Officially withdraw” – See definition in 1E SBCCC 900.1(4).

4 (3) “Regularly scheduled course section” – A course section that meets the definition of  
5 “regularly scheduled course section” found in 1G SBCCC 200.94(a).

6 (b) Unless otherwise required by law, community colleges shall not issue a registration fee  
7 refund using State funds except under the following circumstances:

8 (1) A college shall provide a 100 percent refund to the student if the student officially  
9 withdraws or is officially withdrawn by the college from the course section prior to the  
10 first course section meeting.

11 (2) A college shall provide a 100 percent refund to the student if the college cancels the  
12 course section in which the student is registered.

13 (3) After a regularly scheduled course section begins, the college shall provide a 75 percent  
14 refund upon the request of the student if the student officially withdraws or is officially  
15 withdrawn by the college from the course section prior to or on the 10 percent point of  
16 the scheduled hours of the course section. This sub-section applies to all course sections  
17 except those course sections that begin and end on the same calendar day. Colleges shall  
18 not provide a student a refund using State funds after the start of a course section that  
19 begins and ends on the same calendar day.

20 (4) After a non-regularly scheduled course section begins, the college shall provide a 75  
21 percent refund upon the request of the student if the student withdraws or is withdrawn  
22 by the college from the course section prior to or on the 10th calendar day after the start  
23 of the course section.

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25 *History Note:* Authority *G.S. 115D-5; G.S. 115D-39*

26 *Eff.* ~~*May 1, 2014*~~ *May 16, 2014*

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28 **1E SBCCC 900.3 Refund Due to Death of Student**

29 If a student, having paid the required tuition or registration fees for a course section, dies prior to  
30 completing that course section, all tuition and registration fees for that course section shall be  
31 refunded to the estate of the deceased upon the college becoming aware of the student’s death.

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*History Note:* Authority G.S. 115D-5; G.S. 115D-39  
*Eff.* ~~May 1, 2014~~ May 16, 2014

**1E SBCCC 900.4 Military Refund**

- (a) Upon request of the student, each college shall:
  - (1) Grant a full refund of tuition and registration fees to military reserve and ~~national~~ National Guard personnel called to active duty or active duty personnel who have received temporary or permanent reassignments as a result of military operations then taking place outside the state of North Carolina that make it impossible for them to complete their course requirements; and
  - (2) Buy back textbooks through the colleges' bookstore operations to the extent allowable under the college's buy back procedures.
- (b) Colleges shall use distance learning technologies and other educational methodologies, to the extent possible as determined by the college, to help active duty military students, under the guidance of faculty and administrative staff, complete their course requirements.

*History Note:* Authority G.S. 115D-5; G.S. 115D-39  
*Eff.* ~~May 1, 2014~~ May 16, 2014

**1E SBCCC 900.5 Refund of Self-Supporting and Local Fees**

Local boards of trustees shall adopt local refund policies for self-supporting fees and local fees.

*History Note:* Authority G.S. 115D-5; G.S. 115D-39  
*Eff.* ~~May 1, 2014~~ May 16, 2014