



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Peter Hans, President

23 July 2019

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, Personnel Directors, Student Development Administrators, Public Information Officers, Registrars, & Other Interested Parties

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

RE: **Proposed Amendment of 1E SBCCC 700.4 – College Access Parking & Security (CAPS) Fees**

The State Board of Community Colleges (“SBCC”) has initiated the rulemaking process to amend **1E SBCCC 700.4 – College Access Parking and Security (CAPS) Fees**. The proposed change adds student transportation to the list of permitted uses of CAPS fees.

The proposed amendment is published on the NC Community College System's website, www.nccommunitycolleges.edu/sbcccode. For your convenience, a copy of the proposed rule, with the changes indicated, is attached to this memorandum. Strikethroughs indicate deletions of existing language and underlines indicate additions of language. 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 rule must be received by no later than 5:00 p.m. on 22 August 2019.** 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 7 August 2019.** Written comments and requests for hearing shall be directed to the following address: Jonathan Harris, 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.

**CC19-036
E-mail Copy**

Attachments



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 23 July 2019

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 1E SBCCC 700.4 – “College Access Parking and Security (CAPS) Fees”
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Specify whether the SBCC proposes to adopt amend, or repeal a rule:

Adopt (new rule)	Amend (change existing rule)	Repeal (delete entire rule)
	X	

Rationale for proposed adoption, amendment or repeal:	Will allow colleges to contract with local transportation systems to provide campus access.
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Proposed Effective Date of Rule	October 1, 2019
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1E SBCCC 700.4 is proposed for amendment as follows:



1 **State Board of Community Colleges Code**

2 **TITLE 1. COMMUNITY COLLEGES**

3
4 **CHAPTER E. STUDENT TUITION AND FEES**

5
6 **SUBCHAPTER 700. LOCAL FEES**

7
8 **1E SBCCC 700.4 College Access, Parking and Security (CAPS) Fees**

9 (a) Fee Rates. The local board of trustees is authorized to establish a fee charged to
10 students to use college parking facilities and college property and to promote
11 student access to the campus.

12 (b) Use of CAPS Fee Receipts. CAPS fee receipts shall only be used to support costs
13 ~~of acquiring, constructing, and maintaining the college's parking facilities, parking~~
14 ~~enforcement, and security of college property. Security costs include, but are not~~
15 ~~limited to, salaries, related benefits, and operating costs associated with security~~
16 ~~personnel; contracted security services; vehicles, equipment, and capital~~
17 ~~improvements necessary to secure college property.~~

18 (1) for acquiring, constructing, and maintaining the college's parking facilities;

19 (2) for parking enforcement;

20 (3) for providing student transportation; and

21 (4) for the security of college property.

22 (A) Security costs include, but are not limited to, salaries, related benefits, and
23 operating costs associated with security personnel; contracted security
24 services; vehicles, equipment, and capital improvements necessary to secure
25 college property.

26
27 *History Note:* Authority G.S. 115D-5; G.S. 115D-39;

28 Eff. [May 16, 2014](#).

29 Amended Eff.