



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Peter Hans, President

22 January 2020

MEMORANDUM

- TO:** Members of the State Board of Community Colleges
Community College Presidents
Chairs of the Boards of Trustees
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 1D SBCCC 300.4 – Program Management**

The State Board of Community Colleges (“SBCC”) has initiated the rulemaking process to amend **1D SBCCC 300.4 – Program Management**. The proposed amendment modifies the GPA eligibility criteria for high school juniors and seniors registering for a Workforce Continuing Education Pathway. The amendment will result in all three pathways (Workforce Continuing Education, College Transfer and Career Technical Education) having the same GPA eligibility criteria for juniors and seniors.

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 20 February 2020.** 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 5 February 2020.**

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.

CC20-004
E-mail Copy

Attachments



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 22 January 2020

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 1D SBCCC 300.4 - "Program Management"
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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:	Reflects changes to the Career and College Promise requirements due to implementation of RISE and in agreement with curriculum requirements.
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Proposed Effective Date of Rule	April 1, 2020
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1 **State Board of Community Colleges Code**
2 **TITLE 1 – COMMUNITY COLLEGES**

3
4 **CHAPTER D. EDUCATION**

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6 **SUBCHAPTER 300. CONTINUING EDUCATION**

7
8 **1D SBCCC 300.4 Program Management**

9 (a) Program Accountability.

10 (1) Each college's local board of trustees shall adopt a Continuing Education
11 Accountability and Integrity Plan. At a minimum, the Continuing Education
12 Accountability and Integrity Plan shall define a system of checks and balances to
13 prevent and detect errors or irregularities when reporting hours for FTE purposes
14 and establish a framework for defining program quality and improvement
15 procedures.

16 (2) Each college shall adopt a class visitation plan as part of the Continuing Education
17 Accountability and Integrity Plan as referenced in 1G SBCCC 400.3(c)(2). At a
18 minimum, class visitation plans shall include the following:

- 19 (A) Course sections offered with waiver eligibility;
20 (B) Course sections delivered through distance learning technologies;
21 (C) Course sections held at non-college facilities;
22 (D) Course sections with irregular or non-traditional schedules; and
23 (E) Visitation plans must define frequency visits by reporting term

24 (3) The local board of trustees shall review the Continuing Education Accountability
25 and Integrity Plan at least once every three years from the date the local board of
26 trustees adopts the Continuing Education Accountability and Integrity Plan.

27 (4) Colleges shall submit a copy of the Continuing Education Accountability and
28 Integrity Plan, including amendments, to the Continuing Education Department at
29 the System Office upon adoption.

30 (b) Faculty. Colleges shall employ faculty so as to meet Southern Association of
31 Colleges and Schools Commission on Colleges' (SACSCOC) criteria and local

1 college policies. All faculty providing instruction in programs with external agency
2 oversight must be a qualified instructor as established by the respective agency or
3 certifying entity.

4 (c) Services to Minors. For the purposes of this subsection, the word “minor” shall not
5 include minors who have graduated from high school. The major purpose of
6 community colleges is to serve students who have graduated from high school, have
7 obtained a high school equivalency diploma, or are beyond the compulsory age limit
8 of the public school and have left public school. However, a minor may enroll in
9 Continuing Education course sections subject to the following:

10 (1) Minors Age 16 and 17. A minor, age 16 or 17, may enroll in Continuing Education
11 course sections subject to the following conditions:

12 (A) Minors shall not displace adults.

13 (B) Minors shall pay the registration fees associated with the course section except
14 for cases where they meet eligibility requirements for a fee waiver.

15 (C) If the minor is enrolled in high school, the following restrictions apply:

16 (i) Colleges shall not designate Continuing Education course sections taken
17 by the high school student to provide partial or full credit towards meeting
18 high school graduation requirements.

19 (ii) Colleges shall not offer Continuing Education course sections that are
20 specifically scheduled for high school students except:

21 (I) Course sections that are part of an approved Workforce Continuing
22 Education Career and College Promise Pathway (1D SBCCC 300.4
23 (c)(1)(D)).

24 (II) Self-supporting course sections.

25 (D) Workforce Continuing Education Career and College Promise – The purpose
26 of Workforce Continuing Education Career and College Promise Pathways are
27 to offer structured opportunities for qualified high school students, as
28 determined by the high school principal or the high school principal’s designee
29 and the college’s senior continuing education administrator, the chief student
30 development administrator or the college’s chief academic officer, to dually
31 enroll in community college courses that provide pathways that lead to a State

- 1 or industry-recognized credential. Career and College Promise rules
2 applicable to curriculum programs are provided in 1D SBCCC 400.11.
- 3 (i) Career and College Promise is a dual enrollment program for eligible North
4 Carolina high school students. Community colleges may collaborate with
5 local administrative units to offer courses through a Workforce Continuing
6 Education pathway approved by the Continuing Education staff of the
7 System Office.
- 8 (ii) All non-self-support continuing education courses taken by high school
9 students at community colleges in accordance with this Section are
10 registration fee waived.
- 11 (iii) High school students may not audit courses offered under the Career and
12 College Promise Program.
- 13 (iv) A college shall submit a Workforce Continuing Education Pathway
14 application for each Career and College Promise program the college plans
15 to offer to the North Carolina Community College System Office using
16 course codes provided by the North Carolina Community College System
17 Office.
- 18 (I) The North Carolina Community College System Office assigned
19 Workforce Continuing Education staff shall approve Workforce
20 Continuing Education Pathways before students may enroll.
- 21 (II) Within the Workforce Continuing Education Pathway, a college shall
22 verify its capacity to teach all course sections in the pathway.
- 23 (III) Students enrolled in Adult Basic Education or Adult Secondary
24 Education are not eligible for Career and College Promise.
- 25 (v) High school students shall complete college registration documents and
26 provide a high school transcript which demonstrates eligibility to enroll in
27 Career and College Promise as outlined in 1D SBCCC 300.4(c)(1)(D)(ix) to
28 be admitted into a Workforce Continuing Education Career and College
29 Promise pathway.
- 30 (I) The high school shall provide signed and dated documentation from the
31 high school principal or high school principal's designee providing that

1D SBCCC 300.4 is proposed for amendment as follows:

- 1 the eligibility requirements for enrollment in Career and College Promise
2 have been met.
- 3 (II) Colleges shall verify eligibility prior to enrollment of the student in the
4 Career and College Promise pathway.
- 5 (III) Colleges shall maintain verification of student eligibility for Career and
6 College Promise pathways.
- 7 (vi) Colleges shall assign student codes provided by the North Carolina
8 Community College System Office and shall update the student code to
9 reflect when the student transitions out of the Career and College Promise
10 program and is no longer provided registration fee-waiver status.
- 11 (vii) Colleges shall comply with 1D SBCCC 300.6(a) regarding Level I
12 Instructional Service Agreements when providing courses to Career and
13 College Promise students outside of the college's service area.
- 14 (viii) High school students who delay graduation to continue eligibility for the
15 Career and College Promise program shall not be eligible to participate in the
16 Career and College Promise program.
- 17 (ix) Workforce Continuing Education Pathway
- 18 (I) To be eligible for registration in a Workforce Continuing Education
19 Pathway, a high school student shall:
- 20 a. Be a high school junior or senior as designated by the local education
21 agency;
- 22 b. Have an unweighted GPA of 3.0 2.8 on high school courses or have
23 the recommendation of the high school principal or the high school
24 principal's designee; and
- 25 c. Have received career pathway information outlining program
26 requirements for completion of the pathway.
- 27 (II) To maintain eligibility for continued registration, a student shall:
- 28 a. Continue to make progress toward high school graduation as
29 outlined in G.S. 115C-105.35, and

- 1 b. Continue to make progress toward successful completion of the
2 Workforce Continuing Education pathway as defined in the pathway
3 syllabus
- 4 c. A student who does not meet these criteria will be subject to the
5 college's policy for satisfactory progression.
- 6 (III) With approval of the high school principal or the high school principal's
7 designee and the college's senior continuing education administrator,
8 chief student development administrator or chief academic officer, a
9 Workforce Continuing Education Junior or Senior may concurrently
10 enroll in the following:
- 11 a. Two Career and Technical Education Workforce Continuing
12 Education Pathways;
- 13 b. One Career and Technical Education Workforce Continuing
14 Education Pathway and one College Transfer Pathway; or
- 15 c. One Career and Technical Education Workforce Continuing
16 Education Pathway and one Career and Technical Education
17 Curriculum Pathway.
- 18 (IV) The student may change the student's pathway with approval of the
19 high school principal or the high school principal's designee and the
20 college's senior continuing education administrator, chief student
21 development administrator or the college's chief academic officer. The
22 college's chief student development administrator or the college's chief
23 academic officer shall approve a change in pathway based on
24 verification that the program change allows the student to meet their
25 newly chosen career path.
- 26 (V) The college may award the Workforce Continuing Education Pathway
27 completion, to the Career and College Promise student prior to high
28 school graduation.
- 29 (2) Minors Less than Age 16. A minor less than 16 years old may enroll in Continuing
30 Education course sections subject to the following conditions:

1D SBCCC 300.4 is proposed for amendment as follows:

1 (A) Minors less than 16 years old may enroll in self-supporting safe driving course
2 sections during any reporting term.

3 (B) A college may provide classes for minors less than 16 years old only during the
4 summer reporting term. These classes must be self-supporting and may not be
5 designated by the college to provide partial or full credit towards meeting high
6 school graduation requirements.

7 (d) Juvenile Justice. Colleges may provide Continuing Education course sections to
8 juveniles of any age who are committed to the Division of Juvenile Justice of the
9 Department of Public Safety, if the juvenile is otherwise qualified for registration in the
10 Continuing Education class and has the approval of the Director of the Youth
11 Development Center to which the juvenile is assigned.

12 (e) Once enrolled, minors shall be treated the same as all other students.

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14 *History Note: Authority G.S. 115D-5; G.S. 115D-20(4)(b);*

15 *Eff. [June 1, 2016](#);*

16 *Amended Eff. [November 1, 2017](#).*

17 *~~Amended Eff. _____~~*

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