



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Peter Hans, President

23 March 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, Chief Financial Officers, Financial Aid Officers, Public Information Officers, Registrars, Student Development Administrators, & Other Interested Parties

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

RE: Amendment of 1G SBCCC 200.94 – Reporting of Student Hours in Membership for Continuing Education Classes

Amendment of 1E SBCCC 900.2 – Continuing Education Registration Fee Refunds

On 19 March 2020, the State Board of Community Colleges voted to amend both **1G SBCCC 200.94 – Reporting of Student Hours in Membership for continuing Education Classes** and **1E SBCCC 900.2 – Continuing Education Registration Fee Refunds**. The amendment of 1G SBCCC 200.94 clarifies the census date calculation for continuing education courses and how FTEs are counted in these courses. The amendment also defines and lists criteria for “independently scheduled” courses. The amendment to 1E SBCCC 900.2 describes when a college can issue a registration fee refund for an “independently scheduled” course section.

The rules will be effective 1 April 2020. The new rules will be published on the NC Community College System's website, www.nccommunitycolleges.edu/sbcccode. For your convenience, a copy of the rules in their final form is attached to this memorandum. To see the changes made to each rule, click on the April 1, 2020 hyperlink found at the end of each attached rule.

**CC20-023
E-mail Copy**

Attachment



1 **State Board of Community Colleges Code**

2 **TITLE 1. COMMUNITY COLLEGES**

3
4 **CHAPTER G. FULL-TIME EQUIVALENT (FTE)**

5
6 **SUBCHAPTER 200. FTE REPORTING CATEGORIES/CRITERIA**

7
8 **1G SBCCC 200.94 Reporting of Student Hours in Membership for Continuing**
9 **Education Course Sections**

10 (a) Definitions.

11 (1) Synchronous. Teaching method in which instructor(s) and students are engaging
12 in learning at the same time.

13 (2) Asynchronous. Teaching method that uses learning resources to facilitate
14 information sharing outside the constraints of time.

15 (3) Census Date. Date marking the end of the add/drop period for a course section.

16 (b) Regularly Scheduled Course Sections.

17 (1) Definition of Regularly Scheduled Course Section. A course section is considered
18 to be regularly scheduled if it meets all of the following criteria:

19 (A) Has an assigned definite beginning and ending time;

20 (B) Has specific predetermined days and time the course section meets;

21 (C) Students may enroll during the initial college registration period or at any time
22 prior to the census date of the course section.

23 (i) Census date shall be determined from the calculation of the total scheduled
24 course section hours divided by 10 (ten) and applying the rounded whole
25 number to the beginning hours of the course section; and

26 (D) The course section is consistent with course standards as defined in 1D
27 SBCCC 300.5(c).; and

28 (E) Times and dates are the same for all students registered for the course section
29 excluding clinical or work experience.

30 (i) Course sections which have a regularly scheduled lecture section and a
31 non-regularly scheduled laboratory or clinical section will satisfy the criteria.

1 The census date shall be determined from the regularly scheduled portion
2 of the course section. Verification of student participation in the laboratory
3 or clinical section of the course section shall be available for review.

4 (ii) A student is considered absent if that student did not attend during the
5 specified times or days the course section was scheduled to meet.

6 (2) Definition of Student Membership. A student is considered to be in course section
7 membership when the student meets all of the following criteria:

8 (A) Enrolled as evidenced by payment of the applicable registration fees or
9 obtained a waiver consistent with 1E SBCCC Subchapter 800.

10 (B) Attended one or more scheduled dates within the course sections held prior to
11 or on the census date of the course section as defined in 1G SBCCC
12 200.94(b)(1)(C)(i); and

13 (C) Has not withdrawn or dropped the course section prior to or on the census date
14 of the course section.

15 (3) Student Membership Hour. A student membership hour is one hour of scheduled
16 course section or laboratory for which the student is enrolled. A college shall
17 provide a minimum of 50 minutes of instruction for each scheduled course section
18 hour. A college shall not report more hours per student than the number of course
19 section hours scheduled in official college documents. Colleges shall not report
20 more hours per student than the number of hours specified in the instructor's
21 contract.

22 (4) Calculation of Student Membership Hours for Regularly Scheduled Course
23 Sections. Student membership hours are obtained by multiplying the number of
24 students in membership at the census date of the course section by the total
25 number of hours the course section is scheduled to meet as stated in official
26 college documents.

27 (5) Maintenance of Records of Student Membership Hours. Accurate attendance
28 records shall be maintained for each course section. Attendance records shall be
29 signed by the instructor or lead instructor, verifying their accuracy, and shall be
30 maintained by the college until released from all compliance reviews as provided
31 in the Public Records Retention & Disposition Schedule for Institutions in the

1G SBCCC 200.94 is amended as follows:

1 Community College System. Student membership hours shall be summarized in
2 the Institution's Class Report and certified by the president or designee.

3 (c) Non-Regularly Scheduled Course Sections.

4 (1) Definition of Non-Regularly Scheduled Course Section. A non-regularly scheduled
5 course section shall be consistent with course standards as defined in 1D SBCCC
6 300.5(c). Any course section that does not meet the definition of regularly
7 scheduled pursuant to 1G SBCCC 200.94(b)(1) or the definition of independently
8 scheduled pursuant to 1G SBCCC 200.94(d)(1) is considered a non-regularly
9 scheduled course section. A non-regularly scheduled course section may have
10 any or all of the following features:

11 (A) A course section where a definitive beginning and ending time is not
12 determined;

13 (B) A course section offered in a learning laboratory setting (see Subparagraph
14 (c)(6) of this Rule for definition of learning laboratory);

15 (C) A self-paced learning where the student progresses through the instructional
16 materials at the student's own pace and can complete the courses as soon as
17 the student has successfully met the educational objectives. Course sections
18 offered as independent study are generally offered in this manner;

19 (D) Students may enroll during the initial college registration period or at any time
20 during the semester; or

21 (2) Definition of Student Membership. A student is considered to be in course section
22 membership when the student meets the following criteria:

23 (A) Enrolled as evidenced by payment of the applicable registration fees, or
24 obtained a waiver consistent with 1E SBCCC Subchapter 800; and

25 (B) Attended one or more scheduled dates within a course section.

26 (3) Definition of Student Contact Hour. A student contact hour is one hour of student
27 attendance in a course section for which the student is in membership as defined
28 in Subparagraph (c)(2) of this Rule. Sixty minutes shall constitute an hour.

29 (4) Calculation of Student Contact Hours for Non-Regularly Scheduled Course
30 Sections. For these course sections, actual time of course section attendance for
31 each student determined to be in membership shall be reported. Sixty minutes

1 shall constitute an hour. Student contact hours for these course sections are the
2 sum of all the hours of actual student attendance in a course section in a given
3 semester.

4 (5) Maintenance of Records of Student Contact Hours. Accurate attendance records
5 shall be maintained for each course section. Attendance records shall be signed
6 by the instructor or lead instructor, verifying their accuracy, and shall be maintained
7 by the college until released from all compliance reviews as provided in the Public
8 Records Retention and Disposition Schedule for Institutions in the Community
9 College System. Student membership hours shall be summarized in the Institution
10 Class Report and certified by the president or designee.

11 (6) Learning Laboratory. Learning laboratory programs consist of self-instruction
12 using programmed text, audio-visual equipment, and other self-instructional
13 materials. A learning laboratory coordinator has the function of bringing the
14 instructional media and the student together on the basis of objective and
15 subjective evaluation and of counseling, supervising, and encouraging persons
16 working in the laboratory. Contact hours shall be calculated as noted in
17 Subparagraph (c)(4) of this Rule.

18 (d) Course Section Identified as Independently Scheduled.

19 (1) A course section is considered independently scheduled if it meets all the following
20 criteria:

21 (A) A course section where definitive begin and end times are not defined.

22 (B) Instructional content is delivered asynchronously.

23 (C) A course section in which a student may enroll during the initial college
24 registration period or in which a student may be permitted to enroll at any time prior
25 to the census date of the course section.

26 (i) The census date shall be determined from the calculation of the total
27 scheduled course section hours divided by four (4) and applying the
28 rounded whole number from the end date of the course section. If the
29 calculated number equals one (1) or less than one (1) then the penultimate
30 date is the census date. No census date shall be applied on the end date of
31 the course section.

1G SBCCC 200.94 is amended as follows:

1 (2) Definition of Student Membership: A student is considered to be in course section
2 membership when the student meets the following criteria:

3 (A) Enrolled as evidenced by payment of the applicable registration fees or
4 obtained a waiver consistent with 1E SBCCC Subchapter 800.

5 (B) Accessed instructional content prior to or on the census date of the course
6 section as defined in 1G SBCCC 200.94(d)(1)(C)(i); and

7 (C) Has not withdrawn or dropped the course section prior to or on the census date
8 of the course section.

9 (3) Student Membership Hour. A student membership hour is one hour of scheduled
10 instructional content. A college shall not report more hours per student than the
11 number of course section hours scheduled in official college documents. Colleges
12 shall not report more hours per student than the number of hours specified in the
13 instructional contract.

14 (4) Calculation of Student Membership Hours. Student membership hours are
15 obtained by multiplying the number of students in membership at the census date
16 in the course section by the total number of instructional hours scheduled as stated
17 in official college documents.

18 (5) Maintenance of Records of Student Membership Hours. Accurate course content
19 participation records shall be maintained for each course section. Records shall
20 be signed by the instructor or lead instructor, verifying their accuracy, and shall be
21 maintained by the college until released from all compliance reviews as provided
22 in the Public Records Retention and Disposition Schedule for Institutions in the
23 Community College System. Student membership hours shall be summarized in
24 the Institution Class Report and certified by the president or designee.

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26 *History Note: Authority G.S. 115D-5; S.L. 1995, c. 625;*

27 *Eff. September 1, 1988;*

28 *Amended Eff. September 1, 1993;*

29 *Temporary Amendment Eff. June 1, 1997;*

30 *Amended Eff. [April 1, 2020](#); [September 1, 2018](#); May 1, 2017;*

31 *December 1, 2012; August 1, 2004; August 1, 2000; July 1, 1998.*

1E SBCCC 900.2 is amended as follows:



1
2 **State Board of Community College Code**
3 **TITLE 1 – COMMUNITY COLLEGES**

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

6
7 **SUBCHAPTER 900. REFUNDS**

8
9 **1E SBCCC 900.2 Continuing Education Registration Fee Refunds**

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

11 (1) “Non-regularly scheduled course section” – A course section that meets the
12 definition of “non-regularly scheduled course section” found in 1G SBCCC
13 200.94(b).

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

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

17 (4) “Independently scheduled course section” – A course section that meets the
18 definition of “independently scheduled course section” found in 1G SBCCC
19 200.94(d).

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

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

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

27 (3) After a regularly scheduled or independently scheduled course section begins, the
28 college shall provide a 75 percent refund upon the request of the student if the
29 student officially withdraws or is officially withdrawn by the college from the course
30 section prior to or on the census date, as defined in 1G SBCCC 200.94(b)(C)(i) or

1E SBCCC 900.2 is amended as follows:

1 1G SBCCC 200.94(d)(C)(i), of the course section. This sub-section applies to all
2 course sections except those course sections that begin and end on the same
3 calendar day. Colleges shall not provide a student a refund using State funds after
4 the start of a course section that begins and ends on the same calendar day.

5 (4) After a non-regularly scheduled course section begins, the college shall provide a
6 75 percent refund upon the request of the student if the student withdraws or is
7 withdrawn by the college from the course section prior to or on the 10th calendar
8 day after the start of the course section.

9

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

11 *Eff. [May 16, 2014](#).*

12 *Amended Eff. [April 1, 2020](#).*