



**NORTH CAROLINA COMMUNITY COLLEGE SYSTEM**  
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**REPLY TO:**  
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**IMPORTANT ADMINISTRATIVE CODE INFORMATION**

**MEMORANDUM**

**TO:** Members of the State Board of Community Colleges  
Community College Presidents and Boards of Trustees Chairs  
NC Community College System Office Staff  
CC Continuing Education Officers  
CC Continuing Education Registrars  
Other Interested Parties

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

**SUBJECT:** **ADOPTION OF 23 N.C.A.C. 02D .0203 “FEES FOR EXTENSION PROGRAMS” OF THE NC ADMINISTRATIVE CODE, EFFECTIVE SEPTEMBER 1, 2011**

The State Board of Community Colleges has completed the permanent adoption process for 23 N.C.A.C. 02D .0203 entitled “Fees for Extension Programs.” The State Board of Community Colleges amended this rule to be consistent with the legislative amendment of Senate Bill 202/Session Law 2009-451, s. 8.12, which requires that fees for college continuing education courses be based on the number of class time hours. Additionally, the State Board of Community Colleges amended this rule to include the definition of self-supporting classes in this section. For your convenience, a copy of the permanent rule is attached to this memorandum. Please be sure to share this change in the Administrative Code with all those affected. If there are questions, please do not hesitate to ask.

**CC11 – 023**  
**E-mail Copy**

QSM/caa  
Attachment

### 23 NCAC 02D .0203 FEES FOR EXTENSION PROGRAMS

(a) Registration fees for Non-Curriculum Extension Instruction. For purposes of administration of this Rule, non-curriculum extension instruction means all instruction organized, supervised, or delivered outside the regular curriculum programs offered by the college.

- (1) A registration fee, as established by the State Board, as set by the Legislature shall be charged for each occupational extension class.
- (2) Each local board shall establish registration fees for Community Service Programs.
- (3) All recreational courses shall be self-supporting. Colleges shall collect and deposit to a local account fees and other contributions to support entirely the costs of all recreational extension courses taught. Also note Paragraph (e) of Rule .0325 of this Subchapter regarding the reporting of student membership hours for this area.
- ~~(4) A registration fee shall be charged for each extension class of 21 weeks or less. A registration fee shall be charged each 16 weeks for extension classes lasting longer than 21 weeks.~~

~~(5)~~(4) Registration Fee Waivers:

- (A) Special Extension Training Programs. No registration fees shall be charged students enrolling for special extension training programs that directly relate to job performance set forth in G.S. 115D-5(b).
- (B) College Staff Members. Full-time college staff members employed for a 9, 10, 11, or 12 month term may enroll in one extension or curriculum course per semester in the system without registration fee or tuition charges.
- (C) Individuals meeting the criteria set forth in G.S. 115B-2 shall not be charged registration fees.
- (D) Prison inmates shall not be charged registration fees.
- (E) Elementary and secondary school teachers who take CPR or first aid classes shall not be charged registration fees.
- (F) Members of the North Carolina Civil Air Patrol and individuals engaged in civil preparedness who take special extension training courses that directly relate to their job performance shall not be charged registration fees.

(b) Self-Supported Classes. A self-supporting class is not reported to the state for budget FTE since the cost of conducting the course is paid by students enrolled. A college may sponsor self-supporting classes, ~~see 23 NCAC 02E .0101~~, deposit income (if any) to a local account, and pay all expenses from the local account. Each student shall pay a pro-rata share of the cost of a self-supporting class. Since the cost for a self-supporting class is not considered a registration fee, the pro-rata cost for any individual or group is not waived under G.S. 115D-5(b) or G.S. 115B-2.

- (1) To promote uniformity in determining cost of the self-supporting classes, direct and indirect costs for these classes are defined as follows:
  - (A) Direct Costs
    - (i) Instructor(s) salary including FICA, travel, and course development costs;
    - (ii) Instructional supplies and materials;
    - (iii) Rental of buildings;
    - (iv) Advertising, printing, postage, and mailing;
    - (v) Equipment;
    - (vi) Refreshments; and
    - (vii) Administrative or clerical costs.
  - (B) Indirect Costs.

Indirect costs are the charges for activities and services that support self-supporting classes which cannot be directly and exclusively assigned to a self-supporting class. Examples of indirect costs shall include utilities, custodial and security services, coordination, administration, or clerical, salary and fringe benefits.
- (2) If self-supporting receipts (all categories: e.g., curriculum, community service) exceed expenditures for the fiscal year the following provisions apply:
  - (A) Surplus funds shall be expended for student financial aid, scholarships, or program improvement. All expenditures shall directly benefit students.
  - (B) Funds derived from self-supporting classes shall not be used for:
    - (i) Supplemental salaries of any personnel;

- (ii) Administrative support of the college, other than noted above, and only for activities that directly benefit students; and
    - (iii) College entertainment expense. (Educational activities for non-college personnel or college personnel to enhance student success would not be entertainment. Functions in which the primary purpose is fundraising would be entertainment.)
  - (3) Each local board of trustees shall adopt a policy regulating the amount of mark-up the college may charge for a self-supporting class and how surplus funds derived from these classes may be used. Each local board of trustees shall review its policy on self-supporting classes at least once every three years. All expenditures must be consistent with the mission and purpose of the community college system.
  - (c) Driver Education. Colleges shall collect a student fee as established by the local board of trustees for the adult driver education training course offered through the community service program.
  - (d) Registration Fee Refunds. A refund shall not be made except under the following circumstances:
    - (1) A student who officially withdraws from an extension class(es) prior to the first class meeting shall be eligible for a 100 percent refund. Also, a student is eligible for a 100 percent refund if an applicable class fails to "make" due to insufficient enrollment.
    - (2) After the respective class begins, a 75 percent refund shall be made upon the request of the student if the student officially withdraws from the class prior to or on the 10 percent point of the scheduled hours of the class. Note: This Rule is applicable regardless of the number of times the class meets or the number of hours the class is scheduled to meet.
    - (3) A 100 percent refund shall be made if the student officially withdraws from a contact hour class prior to the first day of class of the academic semester or term or if the college cancels the class. A 75 percent refund shall be made if the student officially withdraws from a contact hour class on or before the tenth calendar day of the class.
    - (4) For a class(es) which the college collects receipts which are not required to be deposited into the State Treasury account, the college shall adopt local refund policies.
    - (5) If a student, having paid the required registration fee for a semester or term, dies during that semester (prior to or on the last day of examinations of the college the student was attending), all registration fees for that semester or term may be refunded to the estate of the deceased.
  - (e) Military Registration Fee Refund - Upon request of the student, each college shall:
    - (1) Grant a full refund of registration fees to military reserve and 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 possible.
- Colleges shall use distance learning technologies and other educational methodologies to help these students, under the guidance of faculty and administrative staff, complete their course requirements.

*History Note: Authority G.S. 115D-5; 115D-39; S.L. 1995, c. 625;  
 Eff. February 1, 1976;  
 Amended Eff. June 1, 1994;  
 Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;  
 Amended Eff. September 1, 1993; August 1, 1983; August 17, 1981;  
 Temporary Amendment Eff. June 1, 1997;  
 Amended Eff. September 1, 2011; August 1, 2002; July 1, 1998.*