



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

James C. Williamson, Ph.D.

President

23 August 2016

IMPORTANT INFORMATION

MEMORANDUM

TO: Members of the State Board of Community Colleges
Community College Presidents
Boards of Trustees Chairs
Community College Basic Skills Directors, Business Officers, Chief Academic Officers, Chief Admissions Officers, Chief Financial Officers, Continuing Education Officers, Customized Training Directors, Distance Learning, Financial Aid Officers, Human Resources Development, Public Information Officers, Registrars, Student Development Administrators, & Other Interested Parties

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

RE: Proposed Amendment of 1E SBCCC 900.1 – “Curriculum Tuition Refunds”

The State Board of Community Colleges has initiated the rulemaking process to amend **1E SBCCC 900.1 – “Curriculum Tuition Refunds.”**

The State Board of Community Colleges proposes to amend 1E SBCCC 900.1 – “Curriculum Tuition Refunds” to allow a refund to a student if the State Education Assistance Authority changes a student’s classification from in-state to out-of-state for tuition purposes.

The proposed amendment is published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the proposed rule, with the changes indicated, is attached to this memorandum. 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 rules must be received by no later than 5:00 p.m. on 22 September 2016.** 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 September 2016.** Written comments and requests for hearing shall be directed to the following address: Q. Shanté Martin, 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.

CC16-034
E-mail Copy

Attachments



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 23 August 2016

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	1E SBCCC 900.1 – “Curriculum Tuition Refunds”
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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:	1E SBCCC 900.1 – “Curriculum Tuition Refunds” is proposed for amendment to allow a refund to a student if the State Education Assistance Authority changes a student’s classification from in-state to out-of-state for tuition purposes.
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Proposed Effective Date of Rule	1 February 2017
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1 **State Board of Community Colleges Code**
2 **TITLE 1 – COMMUNITY COLLEGES**

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

5
6 **SUBCHAPTER 900. REFUNDS**

7
8 **1E SBCCC 900. 1 Curriculum Tuition Refunds**

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

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

12 (2) “Non-regularly scheduled course section” – A course section that meets the
13 definition of “non-regularly scheduled course section” found in 1G SBCCC
14 200.93(c).

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

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

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

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

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

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

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

1 (1) On-Cycle Course Sections:

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

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

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

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

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

13 (2) Off-Cycle Course Sections:

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

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

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

23 (3) Non-Regularly Scheduled Course Sections:

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

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

29 (C) After a non-regularly scheduled course section begins, a college shall provide
30 a 75 percent refund to the student if the student officially withdraws or is

1 officially withdrawn by the college from the non-regularly scheduled course
2 section prior to or on the 10th calendar day after the start of the course section.

3 (c) Notwithstanding section (b), a college shall provide a 100 percent refund using State
4 funds if all of the following conditions apply:

5 (1) At the time of the student's registration, the State Education Assistance Authority
6 determined that the student was a resident for tuition purposes, as defined in G.S.
7 116-143.1(a).

8 (2) After validation of the information provided in the student's residency application,
9 the State Education Assistance Authority subsequently determines that the student
10 was a nonresident for tuition purposes, as defined in G.S. 116-143.1(a).

11 (3) The student officially withdraws from the course section within 10 calendar days of
12 the college notifying the student of the change in residency status.

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

15 *Eff. ~~May 16, 2014.~~ [May 16, 2014](#);*

16 *Amended Eff. February 1, 2017.*