



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Thomas A. Stith III
President

MEMORANDUM

TO: Members of the State Board of Community Colleges
Community College Presidents
Chairs of the Boards of Trustees
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: **Extending Temporary Amendment 1E SBCCC 200.2 – Time Due,
Deferred Payment, Failure to Pay**

DATE: February 23, 2021

On April 17, 2020 the State Board of Community Colleges adopted the above temporary amendment in response to the COVID-19 outbreak. The amendment gives colleges the ability to enroll or distribute an academic credential to a student with an outstanding balance if the college determines that the balance is due to a COVID-19 related reason.

The amendment was set to expire on April 12, 2021, but the State Board has readopted it and extended it for another 180 days. The new expiration date is October 9, 2021. The State Board may extend this duration again, if necessary. The temporary amendment will be published on the NC Community College System's website, www.nccommunitycolleges.edu. under "State Board Code." For your convenience, a copy of the temporary amendment is attached to this memorandum.

CC21-008
E-mail Copy

Attachments

STATE BOARD OF COMMUNITY COLLEGES
Proposed Re-adoption of One Temporary Amendment Due to COVID-19

Authority

The State Board can adopt temporary amendments to address serious threats to public health and safety, and to address unforeseen circumstances where notice and hearing would be contrary to the interest of community college stakeholders. (3B SBCCC 400.1).

Summary of the Temporary Amendment

- **Temp. Amendment of 1E SBCCC 200.2 – Time Due, Deferred Payment, Failure to Pay**
 - This re-adoption would continue to give colleges the ability to enroll or distribute an academic credential to a student with an outstanding balance if the college determines that the balance is due to a COVID-19 related reason.

Duration of the Amendment

The State Board adopted this temporary amendment on October 14, 2020, and it is set to expire on April 12, 2021. The amendment, if approved for re-adoption, would become effective on April 12, 2021, and will remain in place for 180 days or until rescinded by the State Board.



1
2 **State Board of Community Colleges Code**

3 **TITLE 1. COMMUNITY COLLEGES**

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

6
7 **SUBCHAPTER 200. GENERAL PROVISIONS**

8
9 **1E SBCCC 200.2 Time Due, Deferred Payment, Failure to Pay**

10 (a) Time Due. If a student registers on or before the first date of a course section, tuition,
11 registration fees, and other fees required for enrollment are due on a specific date
12 prescribed by the college that is on or before the first date of the course section. If a
13 student registers after the first date of the course section, tuition, registration fees, and
14 other fees required for enrollment are due at the time of the student's registration. A
15 student may satisfy the requirement for payment due through one or more of the
16 following methods:

17 (1) Directly paying the college.

18 (2) Demonstrating to the college's satisfaction that the student is eligible for financial
19 aid or other third-party payment.

20 (3) Entering into a deferred payment plan authorized by 1E SBCCC 200.2(b).

21 (4) Providing evidence of eligibility for a tuition or registration fee waiver consistent
22 with 1E SBCCC 800.

23 To ensure tuition receipts are deposited to the credit of the fiscal year in which the Fall
24 academic term occurs, colleges shall begin collecting curriculum tuition payments for
25 the Fall academic term on or after July 1 of that year.

26 (b) Deferred Payment. The college may, with approval of the board of trustees, prescribe
27 written procedures to permit short-term deferred payment or payment in installments;
28 provided, however, that payment in full is due by the end of the academic term. For
29 the purposes of this section, "short term" is defined as a period that does not extend
30 beyond the last day of the academic term.

1 (c) Failure to Pay. Unless otherwise prohibited by law, colleges may not enroll or
2 distribute an academic credential to a student with an outstanding balance for tuition
3 or registration fees except under the following circumstances:

4 (1) The college anticipates that the outstanding balance will be paid using pending
5 financial aid;

6 (2) A person or organization demonstrates to the satisfaction of the college the ability
7 to pay the outstanding obligation and guarantees in writing to pay the balance if
8 the student fails to do so;

9 (3) A student is registered in a course section offered for the benefit of a company or
10 agency. For the purpose of this rule, company or agency specific course sections
11 are courses where the company pays the tuition or registration, and courses where
12 attendance in the course section is limited to employees of the company or agency;

13 (4) A student is classified as a captive or co-opted student pursuant to 1D SBCCC
14 700.98(a); or

15 (5) A student is registered in a course that is on a specialized course list approved by
16 the State Board of Community Colleges and supports the organizational training
17 needs for entities specified in G.S. 115D-5(b)(2).

18 (6) The college, in its discretion, determines that the outstanding balance is due to a
19 COVID-19 related reason.

20 Unless otherwise prohibited by law, colleges may withhold transcripts of grades and
21 any other service pending resolution of outstanding monetary obligations. This
22 statement shall not be construed to prohibit a college's board of trustees from adding
23 more stringent provisions that are allowable under law regarding outstanding
24 monetary balances.

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

27 Eff. [May 16, 2014](#);

28 Amended Eff. [February 1, 2015](#).

29 Temporary Amendment Eff. [March 19, 2020](#).

30 Temporary Amendment Repealed Eff. [April 17, 2020](#).

1 *Temporary Amendment Eff. [April 17, 2020](#). Temporary amendment*
2 *expires October 14, 2020.*

3 *Temporary Amendment Eff. [October 14, 2020](#). Temporary*
4 *Amendment Expires April 12, 2021.*

5 *Temporary Amendment Eff. [October 9, 2021](#).*