



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Peter Hans, President

23 July 2019

MEMORANDUM

TO: Members of the State Board of Community Colleges
Community College Presidents
Boards of Trustees Chairs
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 1G SBCCC 200.1 – General Provisions

The State Board of Community Colleges (“SBCC”) has initiated the rulemaking process to amend **1G SBCCC 200.1 – General Provisions**. The proposed change addresses options for colleges to make up instructional hours due to adverse weather.

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 22 August 2019.** 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 August 2019.** 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.

**CC19-034
E-mail Copy**

Attachments



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 23 July 2019

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 1G SBCCC 200.1 – “General Provisions”
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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:	We have previously provided guidance to colleges about making up instructional time for adverse weather but have never established a policy in rule. This rule will codify historic practice and provide clarity on the issue of making up time in curriculum education programs.
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Proposed Effective Date of Rule	October 1, 2019
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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 200.1 General Provisions**

9 (a) FTE Reporting. As directed by the System Office, colleges shall report FTE enrollment
10 in all course sections scheduled during each academic term reporting period. If a
11 course section is scheduled for a time period that crosses academic term reporting
12 periods, the FTE enrollment shall be reported as follows:

13 (1) For curriculum course sections that are regularly scheduled, as defined in 1G
14 SBCCC 200.93(b), FTE enrollment shall be reported in the academic term
15 reporting period in which the 10% point of the class falls.

16 (2) For curriculum course sections that are non-regularly scheduled, as defined in 1G
17 SBCCC 200.93(c), and all continuing education course sections, FTE enrollment
18 shall be reported in the academic term reporting period in which the last day of the
19 course falls.

20 The System Office shall provide colleges no less than 21 calendar days after the
21 end of the academic term reporting period to submit FTE enrollment data.

22 (b) Instruction Provided Outside the College's Service Area. Excluding clinical instruction,
23 a college may provide instruction outside its service area, as established per 1A
24 SBCCC 300, only if the appropriate instructional service agreement is executed
25 consistent with 1D SBCCC 300.6 and 1D SBCCC 400.96. If the instructional service
26 agreement provides for the sharing of FTE, the colleges that are party to the
27 agreement shall prorate the number of FTE reported consistent with the provisions of
28 the agreement and the rules of this Chapter.

29 (c) Making Up Instructional Hours Due to Adverse Weather. A college is responsible for
30 delivering instruction to meet the learning outcomes of each course it provides. If it is
31 not possible to reschedule all class hours missed due to adverse weather, the

1 instruction may be made up by other alternatives included in the college's adverse
2 weather policy, such as online instruction and alternative assignments. The college
3 must maintain documentation of how instruction was rescheduled or otherwise made
4 up until released from all compliance reviews.

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

7 *Eff. [May 1, 2017](#)*

8 *Temporary Amendment Eff. [October 19, 2018](#); Temporary Amendment*

9 *Expired. April 17, 2019;*

10 *Amended: _____*