



STATE BOARD OF COMMUNITY COLLEGES
Public Comments

Proposed Amendment of 1E SBCCC 900.1 – “Curriculum Tuition Refunds”
Comment Period Ending 22 September 2016

	Page and Line Number	Commenter	Public Comment	System Office Recommendation
1.	Page 3, lines 5-14	Student Development Administrators Association (SDAA)	<p>The SDAA recommended the following options:</p> <p>Preferred Option: No change. This option fully aligns with the current state refund policy. This option maintains the practice that students receive a final initial classification prior to the start of the term and, therefore, can decide prior to the start of the term if they wish to officially withdraw. Any change to residency classification due to verification after the start of the term should be effective the next term. Students should not be penalized because of a state or local process that is not completed in a timely manner. The source of refunds should be from state funds.</p> <p>Option 2: The student withdraws from the course section prior to the 10% point of the academic period or course section. This option partially aligns the proposed amendment with the current state refund policy. This option allows for the comprehensive workflows between functional areas to stay mostly intact by establishing a deadline at the beginning of the semester. However, there are still other processing and</p>	<p>The SBCC will not have the authority to implement SDAA’s preferred option because all students will not have a final residency determination prior to the start of the term under the new Residence Determination System (RDS). For students who apply a few weeks prior to the start of the term, it is expected that RDS will have completed verifications of student application information, and those students will have a final residency determination prior to the start of the term. However, for students who apply within a few days or after the start of the term, the RDS will not be set up to complete verifications and make a final residency determination prior to the first day of the term.</p> <p>However, the System Office believes that it is good public policy to simultaneously buffer the hardship some students could potentially encounter by receiving a final residency determination on or after the 10</p>

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			<p>reporting problems with this option, such as some students receiving a partial refund and some receiving a full refund. Further this option does not remedy the FTE loss for colleges, because students cannot be counted for FTE if they did not pay for the course. The source of refunds should be from state funds.</p> <p>Option 3: The State Education Assistance Authority (SEAA) determines the student is a nonresident for tuition purposes prior to or on the 10th business day of the term and student official withdraws from the course section within 10 business days of the college notifying the student of the change in residence status. This option aligns the proposed amendment with historical residency reclassification practices. This option establishes the same deadline expected for students who challenge the initial classification. However, there are still other processing and reporting problems with this option, such as some students receiving a partial refund and some receiving a full refund. Further, this option does not remedy the FTE loss for colleges, because students cannot be counted for FTE if they did not pay for the course. The source of refunds should be from state funds.</p>	<p>percent point of the course section or academic term through no fault of their own as well as allay some of the administrative burden on our colleges caused by issuing refunds or collecting additional tuition after the census date. To address these concerns, the System Office recommends amending the proposed rule to provide that a student’s final residency determination made on or after the 10 percent point of the course section or academic term that would result in the student being assessed the out-of-state tuition rate be applied to the following term.</p> <p>The System Office also recommends that the proposed subsection (c)(1) be amended to clarify that SEAA’s determination prior to verification is an “initial” determination.</p>

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2.	Page 3, lines 5-14	Randolph CC	<p>The commenter recommended not amending 1E SBCCC 900.1. The commenter stated that the current version of 1E SBCCC 900.1 fully aligns with the current state refund policy. Further, the current version of 1E SBCCC 900.1 “maintains the practice that students receive a final initial classification prior to the start of the term, and therefore, can decide prior to the start of the term if they wish to officially withdraw. Any change to residency classification due to verification after the start of the term should be effective the next term.”</p> <p>The commenter expressed a concern that the proposed amendment to 1E SBCCC 900.1 would penalize the student and the college. The proposed amendment would financially harm both the student and the college. Therefore, the source of the refund should come from state funds.</p>	<p>While the SBCC does not have the authority to implement a portion of this commenter’s suggestion because all students will not have a final residency determination prior to the start of the term under the new Residence Determination System (RDS), the System Office’s recommendation above will address a portion of this commenter’s recommendation. The System Office recommends amending the proposed rule to provide that a student’s final residency determination made on or after the 10 percent point of the course section or academic term that would result in the student being assessed the out-of-state tuition rate be applied to the following term.</p>



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), if the State Education Assistance Authority makes a final
4 validation determination prior to the 10 percent point of the course section or academic
5 term, as determined by local college policy and noted on the college calendar, a
6 college shall provide a 100 percent refund using State funds if all of the following
7 conditions apply:

8 (1) At the time of the student's registration, the State Education Assistance Authority
9 made an initial determination~~[determined]~~ that the student was a resident for tuition
10 purposes, as defined in G.S. 116-143.1(a).

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

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

16 (c1) If the State Education Assistance Authority makes a final validation determination
17 that a student is a nonresident for tuition purposes, as defined in G.S. 116-143.1(a),
18 after the 10 percent point of the course section or academic term, as determined by
19 local college policy and noted on the college calendar, the college shall apply the
20 nonresident tuition determination to the following term.

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

23 *Eff. May 16, 2014. May 16, 2014;*

24 *Amended Eff. February 1, 2017.*