

STATE BOARD OF COMMUNITY COLLEGES
Clarification of In-State Tuition for Certain High School Graduates

Request: The State Board of Community Colleges is asked to approve a request to seek legislation to further simplify the RDS process for certain students seeking to enroll in a community college. This request has been approved by the NC Association of Community College Presidents (NCACCP)

Background: In 2019, at the request of the NCACCP, SBCC and NCACCT, legislation was introduced that would remove barriers for community college students and reduce the number of students who “drop out” of the RDS process before completion. SL 2019-139 allows evidence of graduation from a NC high school to be used to reinforce or rebut the presumption that the student’s residence is the parent’s residence for establishing residency for in-State tuition.

Recently, RDS attorneys became aware of caselaw which holds that an individual under the age of 18 cannot legally establish a residence different from his or her parents (unless the individual is legally emancipated). Therefore, for a small number of students who have just graduated from high school and are claiming to be independent, the period of time prior to age 18 cannot be used toward the one-year residency requirement for in-State tuition even if the student graduated from a NC high school.

Rationale: This amendment to GS 115D is needed to enable the students who fall into this category to receive in-State tuition at a North Carolina Community College for the academic year after high school graduation if the student meets the following conditions:

- The student was enrolled in a NC public school or NC homeschool for the entire year prior to graduation; and,
- Due to a lack of evidence, the student is unable to establish residency for tuition purposes through the RDS system.

Contact(s)

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