



1 **State Board of Community Colleges Code**

2 **TITLE 1 – COMMUNITY COLLEGES**

3
4 **CHAPTER D. EDUCATION PROGRAMS**

5
6 **SUBCHAPTER 400. CURRICULUM**

7
8 **1D SBCCC 400.2 Admission to Colleges**

9 (a) Each college shall maintain an open-door admission policy to all applicants who are legal
10 residents of the United States and who are either high school graduates or are at least 18 years
11 of age. Community colleges shall not solicit or use information regarding the accreditation of
12 a secondary school located in North Carolina that a person attended as a factor affecting
13 admission to the college or to any program of study, loans, scholarships, or other educational
14 activity at the community college, unless the accreditation was conducted by a State agency.
15 For purposes of this Section, the term “accreditation” shall include certification or any other
16 similar approval process. Student admission processing and placement determination shall be
17 performed by the officials of each college. Admission requirements for an emancipated minor
18 shall be the same as for an applicant 18 years old or older. Provisions with respect to admission
19 of minors are set forth in 1D SBCCC 200.95 and 1D SBCCC 300.99.

20 (b) For the purposes of this Section, "undocumented immigrant" means any immigrant who is not
21 lawfully present in the United States. Community colleges shall admit undocumented
22 immigrants under the following conditions:

23 (1) Community colleges shall admit an undocumented immigrant only if he or she attended
24 and graduated from a United States public high school, private high school, or home school
25 that operates in compliance with State or local law;

26 (2) When determining who is an undocumented immigrant, community colleges shall use
27 federal immigration classifications;

28 (3) Undocumented immigrants admitted under Subparagraph (b)(1) of this Rule must comply
29 with all federal and state laws concerning financial aid;

30 (4) An undocumented immigrant admitted under Subparagraph (b)(1) of this Rule shall not be
31 considered a North Carolina resident for tuition purposes. All undocumented immigrants

1 admitted under Subparagraph (b)(1) of this Rule must be charged out of state tuition
2 whether or not they reside in North Carolina;

3 (5) When considering whether to admit an undocumented immigrant into a specific program
4 of study, community colleges shall take into account that federal law prohibits states from
5 granting professional licenses to undocumented immigrants; and

6 (6) Students lawfully present in the United States shall have priority over any undocumented
7 immigrant in any class or program of study when capacity limitations exist.

8 (c) Boards of trustees may adopt policies regulating admission and graduation of students enrolled
9 in courses mandated under G.S. 17C, North Carolina Criminal Justice Education and Training
10 Standards Commission, or G.S. 17E, North Carolina Sheriffs' Education and Training
11 Standards Commission. These policies may limit enrollment to law enforcement officers or
12 persons sponsored by law enforcement agencies and may require a student to maintain
13 sponsorship by a law enforcement agency until completion of the program. Policies adopted
14 pursuant to this Paragraph shall be published and made available to students and prospective
15 students.

16 (d) Any college suspending or expelling a student for non-academic disciplinary purposes shall
17 record the suspension or expulsion in the student's educational record. Upon receipt of a
18 written request signed by the student and subject to all applicable privacy laws, each college
19 shall, in accordance with the student's request, inform other colleges and universities of the
20 term and circumstances of the student's non-academic disciplinary suspension or expulsion, if
21 any. Boards of trustees may adopt policies refusing admission to any applicant during any
22 period of time that the student is suspended or expelled from any other educational entity.

23 (e) Boards of trustees may adopt policies refusing admission to any applicant if it is necessary to
24 protect the safety of the applicant or other individuals. When making a safety determination,
25 colleges may refuse admission to an applicant when there is an articulable, imminent, and
26 significant threat to the applicant or other individuals. Colleges refusing admission on the
27 basis of a safety threat shall document the following:

28 (1) Detailed facts supporting the rationale for denying admission;

29 (2) The time period within which the refusal to admit shall be applicable and the supporting
30 rationale for the designated time period; and

31 (3) The conditions upon which the applicant that is refused would be eligible to be admitted.

1 (f) Boards of trustees shall implement an appeals process for applicants denied admission pursuant
2 to either Subsection (e) or denied enrollment pursuant to Subsection (h) of this Section.

3 (g) Boards of trustees may adopt policies refusing admission to any applicant who is not a resident
4 of North Carolina who seeks enrollment in any distance education course only if that applicant
5 resides in a State where the college is not authorized to provide distance education in that State.

6 (h) If a community college has a program or develops a program that requires students to possess
7 a firearm, that board of trustees shall adopt local policies requiring proof of eligibility to
8 possess firearms to be enrolled in such program. For the purposes of this Section, “firearms”
9 shall have the same definition as G.S. 14-409.39(2). For the purposes of this Section, proof of
10 eligibility shall include:

11 (1) Any current, valid State-issued permit to purchase a firearm;

12 (2) A current, valid State-issued concealed carry permit from North Carolina;

13 (3) A current, valid State-issued concealed carry permit from a state with a reciprocal
14 concealed carry agreement with North Carolina;

15 (4) Proof of an exemption from permit requirements pursuant to G.S. 14-415.25; or

16 (5) A background check that is authorized by the college. The sole purpose of the background
17 check shall be to determine whether an applicant can lawfully possess a firearm in North
18 Carolina pursuant to G.S. 14-269.8, G.S. 14-404(c), G.S. 14-415.1, G.S. 14-415.3, and G.S.
19 14-415.25.

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21 *History Note: Authority G.S. 115D-1; 115D-5; 115D-20;*

22 *Eff. February 1, 1976;*

23 *Amended Eff. March 1, 2016; November 1, 2014; July 10, 2010; January 1, 2006;*

24 *January 1, 1996; September 1, 1993; January 1, 1987; May 1, 1982.*