



1 **State Board of Community Colleges Code**

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3 **1D SBCCC 400.2 ADMISSION TO COLLEGES**

4 (a) Each college shall maintain an open-door admission policy to all applicants who are legal
5 residents of the United States and who are either high school graduates or are at least 18
6 years of age. Student admission processing and placement determination shall be performed
7 by the officials of each college. Admission requirements for an emancipated minor shall be
8 the same as for an applicant 18 years old or older. Provisions with respect to admission of
9 minors are set forth in Rule .0305 of this Section.

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

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

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

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

20 (4) An undocumented immigrant admitted under Subparagraph (b)(1) of this Rule shall not
21 be considered a North Carolina resident for tuition purposes. All undocumented
22 immigrants admitted under Subparagraph (b)(1) of this Rule must be charged out of state
23 tuition whether or not they reside in North Carolina;

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

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

29 (c) Boards of trustees may adopt policies regulating admission and graduation of students
30 enrolled in courses mandated under G.S. 17C, North Carolina Criminal Justice Education and
31 Training Standards Commission, or G.S. 17E, North Carolina Sheriffs' Education and

1 Training Standards Commission. These policies may limit enrollment to law enforcement
2 officers or persons sponsored by law enforcement agencies and may require a student to
3 maintain sponsorship by a law enforcement agency until completion of the program. Policies
4 adopted pursuant to this Paragraph shall be published and made available to students and
5 prospective students.

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

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

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

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

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

22 (f) Boards of trustees shall implement an appeals process for applicants denied admission
23 pursuant to Subsection (e) of this Section.

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

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

30 *Eff. January 21, 2011;*

31 *Amended Eff. November 1, 2014; June 1, 2012.*