



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Mr. George Fouts
Interim President

2 November 2015

IMPORTANT INFORMATION

MEMORANDUM

TO: Members of the State Board of Proprietary Schools, North Carolina Proprietary School Directors, the Executive Director of Proprietary Schools, Members of the State Board of Community Colleges, Community College Presidents, & Other Interested Parties

FROM: Q. Shanté Martin, *NCCCS General Counsel*

RE: **Proposed Amendment of 2A SBCCC 400.2 – “Admission Requirements”**

The State Board of Community Colleges (“SBCC”) has initiated the rulemaking process to amend the following rule:

2A SBCCC 400.2 – “Admission Requirements”

The State Board of Community Colleges at the recommendation of the State Board of Proprietary Schools proposes to amend this rule to permit enrollment of students who can more easily provide proof of community college or university graduation than high school transcripts. It will also assist in enrollment of students who completed training that is equivalent to high school education in the United States. **The proposed amendments are published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code."** For your convenience, a copy of the proposed rule, with the changes indicated, is attached to this memorandum. 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 rules. **Written comments on the rules must be received by no later than 5:00 p.m. on December 2, 2015.** 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 November 17, 2015.** Written comments and requests for hearing shall be directed to the following address: Q. Shanté Martin, 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.

CC15-033
E-mail Copy

Attachments



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 2 November 2015

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 2A SBCCC 400.2 – “Admission Requirements”
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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)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Rationale for proposed adoption, amendment or repeal:	The State Board of Community Colleges at the recommendation of the State Board of Proprietary Schools proposes to amend this rule to permit enrollment of students who can more easily provide proof of community college or university graduation than high school transcripts. It will also assist in enrollment of students who completed training that is equivalent to high school education in the United States.
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Proposed Effective Date of Rule	March 1, 2016
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1 State Board of Community Colleges Code
2 TITLE 2 – PROPRIETARY SCHOOLS

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4 CHAPTER A. PROPRIETARY SCHOOLS

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6 SUBCHAPTER 400 GENERAL PROVISIONS

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8 **2A SBCCC 400.2 Admission Requirements**

9 (a) The admission requirements for schools licensed under Article 8 of Chapter 115D of the
10 General Statutes of North Carolina shall be made available to the public and administered as
11 written.

12 (b) As a prerequisite to enrolling in a certificate or diploma course ~~offered by the school~~, the school
13 shall require one of the following:

14 (1) Graduation from a ~~public~~public, or private, or home high school that operates in
15 compliance with ~~State~~state or local law;

16 (2) ~~Graduation from a state registered home high school~~A certificate of high school
17 equivalency;

18 (3) ~~A certificate of high school equivalency~~Graduation from a community college or university
19 that operates in compliance with state or local law;

20 (4) Completion of secondary education that is equivalent to high school education in the
21 United States;

22 (4)(5) The student's signed, notarized attestation of ~~either~~ graduation from a ~~public~~public,
23 ~~or private~~private, or home high school that operates in compliance with ~~State~~state or local
24 law, ~~graduation from a state registered home school, or~~ receipt of a certificate of high
25 school equivalency, graduation from a community college or university that operates in
26 compliance with state or local law, or completion of secondary education equivalent to
27 high school education in the United States;

28 (5)(6) For persons at least 18 years old who did not graduate from a public, private, or
29 state ~~registered~~home high school~~school, or~~ obtain a certificate of high school equivalency,
30 graduate from a community college or university that all operate in compliance with state
31 or local law, or complete secondary education equivalent to high school education in the

32 United States; demonstration of an ability to benefit as determined by any test instrument
33 approved by the Department of Education.

34 ~~(6)~~(7) The school shall only admit a student pursuant to Subsection (b)~~(4)~~(5) if the student
35 provides the school with written evidence of the student's inability to obtain a copy of the
36 student's high school ~~transcript~~transcript, or certificate of high school equivalency, community
37 college or university transcript, or completion of secondary education equivalent to high school
38 education in the United States.

39 The school shall not permit high school students to attend the school during the time that high
40 schools are in regular session, except in individual cases approved by the student's high school
41 principal in writing. The proprietary school shall include a copy of the approved form in the
42 student's record.

43 (c) Schools shall maintain a copy of the high school transcript in the student's record for students
44 ~~the school admits~~admitted pursuant to ~~Subsections~~Subsection (b)(1) and (b)(2) of this Section.

45 (d) Schools shall maintain a copy of the certificate of high school equivalency in the student's
46 record for students ~~the school admits~~admitted pursuant to ~~Subsection (b)(3)~~Subsection (b)(2).

47 (e) Schools shall maintain a copy of the community college or university transcript in the student's
48 record for students admitted pursuant to Subsection (b)(3).

49 (f) Schools shall maintain a copy of the educational diploma or transcript, translated in English,
50 for students admitted pursuant to Subsection (b)(4).

51 ~~(e)~~(g) Schools shall maintain a copy of the student's signed, notarized attestation for students ~~the~~
52 ~~school admits~~admitted pursuant to ~~Subsection (b)(4)~~Subsection (b)(5).

53 ~~(f)~~(h) Schools shall maintain the results of the ability to benefit test in the student's record for
54 students admitted pursuant to ~~Subsection (b)(5)~~Subsection (b)(6).

55 ~~(g)~~(i) The school may admit students to special courses or subjects which are part of the approved
56 curriculum offered by the school when the school deems the student can benefit from the
57 instruction offered.

58 ~~(h)~~(j) If total tuition is greater than five-thousand dollars (\$5,000), the school may collect up to
59 50 percent of the total tuition prior to that mid-point of the program. The remainder of the
60 tuition may be collected only when the student has completed one-half of the program. Federal
61 regulations regarding the disbursement of tuition shall supersede state disbursement
62 regulations stated in this Rule.

63 *History Note: Authority G.S. 115D-89; 115D-90;*
64 *Eff. September 1, 1993;*
65 *Amended Eff. March 1, 2016; August 1, 2014; December 1, 2004.*
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