



## **NORTH CAROLINA COMMUNITY COLLEGE SYSTEM**

Peter Hans, President

### Memorandum

To: Community College Presidents, Chief Academic Officers, Chief Admissions Officers, Registrars, Student Development Officers

From: Kimberly Gold  
Senior Vice President and Chief Academic Officer

Date: August 19, 2019

Subject: Session Law 2019-185/ Senate Bill 366

On August 1, 2019 Session Law 2019-185 was enacted which amends G.S. 115D-20(4)a. It expands pathway options and permits enrollment in college courses as part of a college transfer pathway or career technical pathway for certain freshman and sophomore high school students.

Given that this law became effective August 1, 2019, there is not enough time to give colleges complete guidance on the changes through the rule making process. Therefore, the purpose of this memo is to explain the modifications made to G.S. 115D-20(4)a. and to advise how colleges should manage these changes between now and the completion of the permanent rule making process.

The first modification expands enrollment in career technical pathway program areas for qualified freshman and sophomore high school students. This modification was addressed by a temporary rule approved by the State Board at their August 16, 2019 meeting. This temporary rule adds business technologies (25xxx) and construction technologies (35xxx) to the list of eligible programs for freshman and sophomore high school students. The eligibility requirements for freshman and sophomore students in career technical pathways will also apply to these pathways.

The second modification allows qualified freshman and sophomore high school students to enroll in college transfer pathways if the student meets all the following criteria.

- The student is determined to be academically gifted, have a demonstrated readiness for the course material, and have the maturity to justify admission to the community college by (i) the community college president, (ii) the student's high school principal or equivalent administrator, and (iii) the academically gifted coordinator, if one is employed by the high school or local school administrative unit.
- The student participates in academic advising focused on the implications of being admitted to college early with representatives from the high school and the community college.
- The student's parent or guardian has given consent for the student to participate.

The System Office will propose language for SBCC Code adoption to clarify the criteria for documenting eligibility in these expanded pathways at a later date. Pending adoption of updated SBCC Code, colleges



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may implement the pathway options provided in G.S. 115D-20(4)a., effective August 1, 2019. Colleges should work with their local school district(s) to document that students meet eligibility requirements. Until an SBCC Code change is approved to provide additional guidance, colleges will be held harmless for compliance reviews related to documentation of the criteria demonstrating eligibility for freshman and sophomore high school students participating in college transfer pathways.

For questions regarding the programs and criteria addressed in this memo please feel free to contact me at [goldk@nccommunitycollege.edu](mailto:goldk@nccommunitycollege.edu) or at 919-807-7096.

Attachment: SESSION LAW 2019-185 SENATE BILL 366

**CC19-040**

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

**SESSION LAW 2019-185  
SENATE BILL 366**

AN ACT TO EXPAND ACADEMIC TRANSITION PATHWAY OPTIONS AND TO PERMIT ENROLLMENT IN COLLEGE COURSES AS PART OF A COLLEGE TRANSFER PATHWAY FOR CERTAIN FRESHMAN AND SOPHOMORE HIGH SCHOOL STUDENTS, AND TO REQUIRE THE STATE BOARD OF EDUCATION TO INCLUDE CERTAIN INDIVIDUALS AS QUALIFIED TO CONTRACT AS ADJUNCT INSTRUCTORS WITH LOCAL BOARDS OF EDUCATION FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115D-20(4)a. reads as rewritten:

- "a. Subject to the approval of the State Board of Community Colleges, local community colleges may collaborate with local school administrative units to offer courses through the following programs:
1. Cooperative innovative high school programs as provided by Part 9 of Article 16 of Chapter 115C of the General Statutes.
  2. Academic transition pathways for qualified junior and senior high school students that lead to a career technical education certificate, diploma, or State or industry-recognized credential and academic transition pathways for qualified freshman and sophomore high school students that lead to a career technical education certificate or diploma in (i) industrial and engineering technologies, (ii) agriculture and natural resources, ~~or~~ (iii) transportation ~~technology~~ technology, (iv) construction, or (v) business technologies.
  3. College transfer ~~certificates~~ pathways requiring the successful completion of ~~thirty~~ 30 semester credit hours of transfer courses, including English and mathematics, for the following students:
    - I. ~~qualified~~ Qualified junior and senior high school students.
    - II. Qualified freshman and sophomore high school students, if all of the following requirements are met:
      - A. The student is determined to be academically gifted, have a demonstrated readiness for the course material, and have the maturity to justify admission to the community college by (i) the community college president, (ii) the student's high school principal or equivalent administrator, and (iii) the academically gifted coordinator, if one is employed by the high school or local school administrative unit.



- B. The student participates in academic advising focused on the implications of being admitted to college early with representatives from the high school and the community college.
- C. The student's parent or guardian has given consent for the student to participate."

**SECTION 2.(a)** G.S. 115C-157.1 reads as rewritten:

**"§ 115C-157.1. Adjunct CTE instructors.**

(a) Adjunct Hiring Criteria. – The State Board of Education shall develop minimum criteria of relevant education or employment experience to qualify to contract as an adjunct instructor in each career and technical education career ~~eluster~~-cluster. The criteria shall weigh work experience and industry recognized licenses or credentials over educational attainment level. The State Board shall make such the minimum criteria available to local boards of education.

(b) Contracting with Adjunct Instructors. – Notwithstanding Article 20 and Part 3 of Article 22 of this Chapter, a local board of education may contract with an individual to serve as an adjunct instructor who meets the adjunct hiring criteria established by the State Board of Education for a specific career and technical education career cluster. The local board of education may contract with an adjunct instructor on an annual or semester basis, subject to the following requirements:

- (1) ~~An adjunct instructor may be employed for no more than 10 hours per week.~~An adjunct instructor may be employed for no more than 20 hours per week or no more than five full consecutive months of employment. An adjunct instructor shall not be eligible to earn paid leave, participate in the Teachers' and State Employees' Retirement System, or receive or purchase health benefits through the State Health Plan for Teachers and State Employees.
- (2) An adjunct instructor shall be subject to a criminal history check, to ensure that the person has not been convicted of any crime listed in G.S. 115C-332.
- (3) An adjunct instructor shall not be required to hold or apply for licensure as a teacher.
- (4) An adjunct instructor must complete preservice training in all of the following areas prior to beginning instruction:
  - a. The identification and education of children with disabilities.
  - b. Positive management of student behavior.
  - c. Effective communication for defusing and deescalating disruptive or dangerous behavior.
  - d. Safe and appropriate use of seclusion and restraint."

**SECTION 2.(b)** The State Board shall develop and report the minimum criteria developed in accordance with G.S. 115C-157.1(a), as amended by subsection (a) of this section, to the Joint Legislative Education Oversight Committee by April 15, 2020. The State Board of Education shall consider the criteria established in subsection (c) of this section for individuals who do not possess an associate or baccalaureate degree as part of the development of minimum criteria. G.S. 115C-157.1(a), as amended by subsection (a) of this section, shall apply to employment contracts beginning with the 2020-2021 school year.

**SECTION 2.(c)** Notwithstanding G.S. 115C-157.1(a), for the 2019-2020 school year, an individual who does not possess an associate or baccalaureate degree shall be deemed to meet the minimum criteria for employment as an adjunct instructor if the individual (i) can clearly demonstrate a minimum of six years in the last 10 years of professional experience in the relevant skill or trade and (ii) possesses a recognized industry credential or an active professional license that is required for each subject area or course.

**SECTION 2.(d)** This section is effective when it becomes law.

**SECTION 3.** Except as otherwise provided, this act is effective when it becomes law and applies beginning with the 2019-2020 school year.

In the General Assembly read three times and ratified this the 23<sup>rd</sup> day of July, 2019.

s/ Ralph E. Hise  
Presiding Officer of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Roy Cooper  
Governor

Approved 12:26 p.m. this 1<sup>st</sup> day of August, 2019