



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Mr. George Fouts
Interim President

18 April 2016

IMPORTANT INFORMATION

MEMORANDUM

TO: Members of the State Board of Community Colleges
Community College Presidents
Boards of Trustees Chairs
Community College Chief Academic Officers, Chief Admissions Officers, Basic Skills Directors, Business Officers, Continuing Education Officers, Customized Training Directors, Distance Learning, Chief Financial Officers, Continuing Education Officers, Financial Aid Officers, Human Resources Development, Student Development Administrators, Public Information Officers, Registrars, & Other Interested Parties

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

RE: **Proposed Amendment of Title 1, Chapter A – “State Board Governance”**

The State Board of Community Colleges has initiated the rulemaking process to amend **Title 1, Chapter A – “State Board Governance.”**

The State Board of Community Colleges proposes to amend Title 1, Chapter A – “State Board Governance” to define “service area” and to include the community college service areas in the SBCC Code.

The proposed amendment is 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 rule. Please note that any person who submits a public comment on behalf of their community college should comply with their college’s local process for submitting comments on a proposed rule. **Written comments on the rules must be received by no later than 5:00 p.m. on May 18,**

2016. 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 May 3, 2016.** 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.

CC16-017
E-mail Copy

Attachments



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 18 April 2016

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend Title 1, Chapter A – “State Board Governance”
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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)
	X	

Rationale for proposed adoption, amendment or repeal:	Title 1, Chapter A – “State Board Governance” is proposed for amendment to define “service area” and to include the community college service areas in the SBCC Code.
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Proposed Effective Date of Rule	August 1, 2016
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1 **State Board of Community Colleges Code**

2 **TITLE 1 – COMMUNITY COLEGES**

3
4 **CHAPTER A. STATE BOARD GOVERNANCE**

5
6 **SUBCHAPTER 100. DEFINITIONS**

7
8 **1A SBCCC 100.1 RESERVED FOR FUTURE CODIFICATION**

9
10 **SUBCHAPTER 200. STATE BOARD AUTHORITY**

11
12 **1A SBCCC 200.1 Mission of the Community College System**

13 The mission of the North Carolina Community College System is to open the door to high quality,
14 accessible educational opportunities that minimize barriers to post-secondary education, maximize
15 student success, and improve the lives and well being of individuals by providing:

16 ~~(1)~~(a) education, training and retraining for the workforce, including basic skills and literacy
17 education, occupational and pre-baccalaureate programs;

18 ~~(2)~~(b) support for economic development through services to and in partnership with business
19 and industry; and

20 ~~(3)~~(c) services to communities and individuals which improve the quality of life.

21
22 *History Note: Authority G.S. 115D 1; 115D 4.1; 115D 5; 115D 8;*

23 *Eff. September 1, 1993;*

24 *Amended Eff. August 1, 2000; July 1, 1995.*

25
26 **1A SBCCC 200.2 State Planning**

27 The State Board shall review the priorities of the system and adopt a system-level plan on at least
28 a biennial basis, coordinated with the budget cycle. The plan shall take into account the current
29 and future needs of the system and clarify the priorities essential to carrying out the mission of the
30 system.

31 ~~Note: Substance of former 23 SBCCC 2B .0204 was incorporated into this Rule.~~

1
2 *History Note: Authority G.S. 115D-5;*
3 *Eff. September 1, 1993.*
4

5 **SUBCHAPTER 300. COLLEGE SERVICE AREAS**

6
7 **1A SBCCC 300.1 Definitions**

8 The following definitions apply to this Subchapter:

- 9 (a) Service Area: The geographic area to which the State Board of Community Colleges has
10 assigned community colleges the authority and responsibility to provide education and training
11 services for constituents within that geographic area.
12 (b) Home college: The community college located in the service area in which the military
13 installation is based.
14

15 *History Note: Authority G.S. 115D-5;*
16 *Eff. August 1, 2016.*
17

18 ~~1A SBCCC 300.1~~ **1A SBCCC 300.2 Establishing Service Areas for Colleges**

- 19 (a) The State Board shall assign service areas to colleges for providing education and training
20 services. The initial assignment of service areas to colleges shall take into account the past
21 and present patterns of providing services, including existing agreements between colleges.
22 The State Board may reassign a service area upon the recommendation of the System President.
23 The recommendation shall be based upon an analysis of the service areas involved, including
24 consultation with the presidents of the colleges and the county commissioners of the
25 county(ies) that are affected.
26 (b) A college may offer education and training in an area assigned to another college using criteria
27 set forth in ~~1A SBCCC 300.99; 1D SBCCC 300.97;~~ 1D SBCCC 300.6 and 1D SBCCC 400.96.
28 (c) The State Board of Community Colleges shall review, at least every five years, service areas
29 that include counties assigned to more than one community college to determine the feasibility
30 of continuing to assign those counties to more than one community college. The State Board
31 shall revise service areas as needed to ensure that counties are served effectively. The first

1 review and any revisions shall be completed no later than March 1, 2016, and the State Board
2 shall report its findings and any revisions to the Joint Legislative Education Oversight
3 Committee no later than March 1, 2016. All subsequent reviews and revisions shall also be
4 submitted to the Joint Legislative Education Oversight Committee.

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6 *History Note: Authority G.S. 115D-5; S.L. 2015-167, § 2.5, eff. July 23, 2015;*

7 *Eff. March 1, 1985;*

8 *Amended Eff. August 1, 2016; August 1, 2004; September 1, 1993.*

9
10 **1A SBCCC 300.3 Service Area Assignments**

11 (a) The State Board of Community Colleges assigns college service areas as follows:

12 (1) Alamance Community College – Alamance County

13 (2) Asheville-Buncombe Technical Community College – Buncombe and Madison
14 Counties

15 (3) Beaufort County Community College - Beaufort, Hyde, Tyrrell, and Washington
16 Counties

17 (4) Bladen Community College – Bladen County

18 (5) Blue Ridge Community College – Henderson and Transylvania Counties

19 (6) Brunswick Community College – Brunswick County

20 (7) Caldwell Community College & Technical Institute – Caldwell and Watauga Counties

21 (8) Cape Fear Community College – New Hanover and Pender Counties

22 (9) Carteret Community College – Carteret County

23 (10) Catawba Valley Community College – Alexander and Catawba Counties

24 (11) Central Carolina Community College – Chatham, Harnett, and Lee Counties

25 (12) Central Piedmont Community College – Mecklenburg County

26 (13) Cleveland Community College – Cleveland County

27 (14) Coastal Carolina Community College – Onslow County

28 (15) College of The Albemarle - Camden, Chowan, Currituck, Dare, Gates, Pasquotank, and
29 Perquimans Counties

30 (16) Craven Community College – Craven County

31 (17) Davidson County Community College – Davidson and Davie Counties

- 1 (18) Durham Technical Community College – Durham and Orange Counties
- 2 (19) Edgecombe Community College – Edgecombe County
- 3 (20) Fayetteville Technical Community College – Cumberland County
- 4 (21) Forsyth Technical Community College – Forsyth and Stokes Counties
- 5 (22) Gaston College – Gaston and Lincoln Counties
- 6 (23) Guilford Technical Community College – Guilford County
- 7 (24) Halifax Community College – Halifax and Northampton (Townships of Gaston,
8 Occoneechee, Pleasant Hill, and Seaboard) Counties
- 9 (25) Haywood Community College – Haywood County
- 10 (26) Isothermal Community College – Polk and Rutherford Counties
- 11 (27) James Sprunt Community College – Duplin County
- 12 (28) Johnston Community College – Johnston County
- 13 (29) Lenoir Community College – Greene, Jones and Lenoir Counties
- 14 (30) Martin Community College – Bertie (Townships of Indian Woods, Merry Hill), and
15 Martin Counties
- 16 (31) Mayland Community College – Avery, Mitchell, and Yancey Counties
- 17 (32) McDowell Community College – McDowell County
- 18 (33) Mitchell Community College – Iredell County
- 19 (34) Montgomery Community College – Montgomery County
- 20 (35) Nash Community College – Nash County
- 21 (36) Pamlico Community College – Pamlico County
- 22 (37) Piedmont Community College – Caswell and Person Counties
- 23 (38) Pitt Community College – Pitt County
- 24 (39) Randolph Community College – Randolph County
- 25 (40) Richmond Community College – Richmond and Scotland Counties
- 26 (41) Roanoke-Chowan Community College – Bertie (Townships of Colerain, Mitchells,
27 Roxobel, Snakebite, Whites, and Woodville), Hertford, and Northampton (Townships
28 of Jackson, Kirby, Rich Square, Roanoke, and Wiccacanee) Counties
- 29 (42) Robeson Community College – Robeson County
- 30 (43) Rockingham Community College – Rockingham County
- 31 (44) Rowan-Cabarrus – Cabarrus and Rowan Counties

- 1 (45) Sampson Community College – Sampson County
2 (46) Sandhills Community College – Hoke and Moore Counties
3 (47) South Piedmont Community College – Anson and Union Counties
4 (48) Southeastern Community College – Columbus County
5 (49) Southwestern Community College – Jackson, Macon, and Swain Counties
6 (50) Stanly Community College – Stanly County
7 (51) Surry Community College – Surry and Yadkin Counties
8 (52) Tri-County Community College – Cherokee, Clay, and Graham Counties
9 (53) Vance-Granville Community College – Franklin, Granville, Vance, and Warren
10 Counties
11 (54) Wake Technical Community College – Wake County
12 (55) Wayne Community College – Wayne County
13 (56) Western Piedmont Community College – Burke County
14 (57) Wilkes Community College – Alleghany, Ashe, and Wilkes Counties
15 (58) Wilson Community College – Wilson County

17 *History Note: Authority G.S. 115D-5;*

18 *Eff. August 1, 2016.*

20 **1A-SBCCC 300.981A SBCCC 300.4 Establishing Military Service Areas**

21 Educational programs offered by community colleges of the community college system of North
22 Carolina on all military installations will be conducted by the home college. ~~The home college is~~
23 ~~defined as that college located in the administrative area in which the military installation is based.~~

24 The home college by written agreement may contract with another college within the community
25 college system to provide any additional educational services which may be required by the
26 military installation located in the home college's area. When contracting with other colleges to
27 provide additional educational services to military installations, home colleges shall give priority

28 ~~Priority will be given to adjacent colleges adjacent~~ to the military installation to be served.

30 *History Note: Authority G.S. 115D-5;*

31 *Eff. September 30, 1977;*

1 *Amended Eff. [August 1, 2016](#); September 1, 1993.*

2

3 **1A SBCCC 300.99 Instructional Service Agreements**

4 REPEALED by the State Board of Community Colleges, eff. 1 November 2014.

5 *History Note: Authority G.S. 115D-5; S.L. 1993, 2nd session, c. 769, p. 18, s. 18; S.L. 1995, c.*
6 *625;*

7 *Temporary Adoption Eff. October 31, 1994, for a period of 180 days or until the*
8 *permanent rule becomes effective, whichever is sooner;*

9 *Eff. May 1, 1995;*

10 *Temporary Amendment Eff. June 1, 1997;*

11 *Amended Eff. August 1, 2004; July 1, 1998;*

12 *Repealed Eff. [November 1, 2014](#).*