NORTH CAROLINA COMMUNITY COLLEGE SYSTEM
Thomas A. Stith III
President

NUMBERED MEMO CC21-059

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

FROM: Tawanda Foster Artis
NCCCS General Counsel

SUBJECT: Proposed Amendment of 1D SBCCC 700.98 Instruction to Captive or Co-Opted Groups

DATE: November 29, 2021

The State Board of Community Colleges has initiated the rulemaking process to amend **1D SBCCC 700.98 Instruction to Captive or Co-Opted Groups**. The proposed amendment modifies the general provision on work-based learning (WBL) for captive and co-opted students.

The proposed amendment is published on the NC Community College System's website, www.nccommunitycolleges.edu/sbcccode. For your convenience, a copy of the proposed rule, with the changes indicated, are attached to this memorandum. Strikethroughs indicate deletions of existing language and underlines indicate additions of language.

Any member of the public has the right to submit written comments on the proposed rule. Please note that any person who submits public comments 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 rule must be received by no later than 5:00 p.m. on December 23, 2021. Any member of the public has the right to request a hearing on the proposed rule. Requests for a hearing must be received by no later than 5:00 p.m. on December 8, 2021. Written comments and requests for hearing shall be directed to the following address: Tawanda Foster Artis, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by email to

publiccomments@nccommunitycolleges.edu. Thank you for your attention to this matter.

CC21-059
E-mail Copy
Attachments

Notice of Proposed Rulemaking Form

Date: November 29, 2021

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 1D SBCCC 700.98 Instruction to Captive or Co-Opted Groups

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:	The proposed amendment updates language related to work based learning (WBL) for captive and co-opted students.

Proposed Effective Date of Rule	February 1, 2022

Title 1 is proposed for amendment as follows:

State Board of Community Colleges Code
Title 1 – COMMUNITY COLLEGES

CHAPTER D. EDUCATIONAL PROGRAMS

SUBCHAPTER 700. GENERAL PROVISIONS

1D SBCCC 700.98 INSTRUCTION TO CAPTIVE OR CO-OPTED GROUPS

(a) A college shall obtain State Board approval ~~prior to~~ before providing instruction to classified Captive or Co-opted students.~~students who are classified captive or co-opted.~~ Captive or ~~co-opted~~ Co-opted groups of students are defined as ~~inmates~~ individuals residing in a correctional facility; clients of sheltered workshops, domiciliary care facilities, nursing ~~facilities, mental retardation centers; substance abuse rehabilitation centers; and in-patients of psychiatric hospitals.~~ facilities including neuro-medical treatment centers, intellectual and developmental disabilities (IDD) centers, alcohol and drug abuse treatment Centers (ADATC); and residents of psychiatric residential treatment facilities. Approval by the State Board of Community Colleges shall constitute approval of the curriculum program or ~~occupational extension~~ workforce continuing education course(s) and the group to be served by the college.

(b) Instruction to ~~captive~~ Captive or ~~co-opted~~ Co-opted groups may be approved when the State Board determines that the proposed instruction for the group is not a function of the requesting agency, and the instruction is within the purpose of the community ~~college.~~college as defined in G.S. 115D-1.

(c) Instruction to ~~captive~~ Captive or ~~co-opted~~Co-opted groups may be approved in the form of curriculum programs as defined in 1D SBCCC 400.3(a) ~~or courses~~ and workforce continuing education ~~occupational extension courses.~~ courses as defined in 1D SBCCC 300.3. State Board of Community Colleges (SBCC) approved curricula for Captive or ~~co-opted~~ Co-opted groups shall include changes in programs of study and SBCC approved ~~occupational extension~~ workforce continuing education course modifications. Physical education ~~or work experience~~ may not be a part of a curriculum program in a correctional setting.

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(d) Policies governing student enrollment in curriculum programs or courses and ~~occupational extension~~ workforce continuing education courses shall be consistent with general college policies.

History Note: Authority G.S. 115D-1; 115D-5;
Emergency Adoption Eff. July 1, 1979 For a Period of 120 days to Expire on October 29, 1979;
Made Permanent By Amendment Eff. October 5, 1979;
Amended Eff. April 1, 2003; January 1, 1996; September 1, 1993; December 1, 1984
Amended Eff. _____

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