



**NORTH CAROLINA COMMUNITY COLLEGE SYSTEM**

**Thomas A. Stith III**

**President**

**NUMBERED MEMO CC22-011**

**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 1G SBCCC 200.93 Reporting of Student Hours in Membership for Curriculum Classes

**DATE:** January 25, 2022

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The State Board of Community Colleges has initiated the rulemaking process to amend **1G SBCCC 200.93 Reporting of Student Hours in Membership for Curriculum Classes**. This amendment modifies the rule on reporting of student membership hours in curriculum classes to allow for Hybrid Flexible (HyFlex) instruction in those classes.

The proposed amendment is published on the NC Community College System's website, [www.nccommunitycolleges.edu/sbcccode](http://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 March 6, 2022. 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 February 19, 2022. 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.

CC22-011  
E-mail Copy  
Attachments



## Notice of Proposed Rulemaking Form

Date: January 25, 2022

<b>Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed</b>	1G SBCCC 200.93 Reporting of Student Hours in Membership for Curriculum Classes
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Specify whether the SBCC proposes to adopt amend, or repeal a rule:

<b>Adopt (new rule)</b>	<b>Amend (change existing rule)</b>	<b>Repeal (delete entire rule)</b>
	X	

<b>Rationale for proposed adoption, amendment or repeal:</b>	The HyFlex delivery method allows students a choice in how they attend college courses (online or in-person). Equity undergirds this model in that all learners have full access to the instructor, each other, and the learning resources.
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<b>Proposed Effective Date of Rule</b>	April 1, 2022
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**State Board of Community Colleges Code  
Title 1 – COMMUNITY COLLEGES**

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**CHAPTER G. FULL-TIME EQUIVALENT (FTE)**

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**SUBCHAPTER 200. FTE REPORTING CATEGORIES/CRITERIA**

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**1G SBCCC 200.93 Reporting of Student Hours in Membership for Curriculum Classes**

(a) Academic Term. College boards of trustees shall locally determine the beginning and end date for each academic term within the timeframes of the academic term reporting periods defined in 1G SBCCC 100.1, unless an exception is granted by the System President. The System President may grant an exception if it would not result in an overlap with another academic term, the 10% point of all course sections would fall within the corresponding academic term reporting period, and the exception would not negatively impact the college's ability to meet data reporting requirements. The academic semester for credit courses shall be designed so that classes may be scheduled to include the number of instructional hours shown in the college catalog and the approved curriculum program of study compliance document and reported for FTE purposes (see 1D SBCCC 400.95(a)). Instructional hours include scheduled class and laboratory sessions as well as examination sessions. Length of semesters or courses may vary as long as credit hours are assigned consistent with 1GSBCCC 100.1 and as long as membership hours are reported consistent with the other provisions of this Rule. If necessary to meet the needs of particular constituents (for example, courses provided at high schools, military bases, prisons, or at the specific request of business), without an exception by the System President, colleges may schedule curriculum course sections that fall outside the academic term beginning and end dates, as defined by the college's board of trustees. If such course sections cross academic term reporting periods, FTE enrollment shall be reported consistent with the provisions of 1G SBCCC 200.1(a).

(b) Regularly Scheduled Classes.

1 (1) A class is regularly scheduled if it meets all of the following criteria:

2 (A) Assigned definite beginning and ending time;

3 (B) Specific days the class meets is predetermined;

4 (C) Specific schedule is included on the Institution Master Schedule or other  
5 official college documents;

6 (D) Class hours are assigned consistent with college catalog and curriculum  
7 standard requirements; and

8 (E) Identified class time and dates are the same for all students registered for  
9 the class excluding clinical or cooperative work experience. This may  
10 include in-person or synchronously online, as long as the instructor and  
11 student are engaged in live interactions.

12 (i) Classes which have a regularly scheduled lecture section and a non  
13 regularly scheduled laboratory section or online asynchronous option shall  
14 satisfy this criteria. The census date (10% point) shall be determined  
15 from the regularly scheduled portion of the class. Verification of student  
16 participation in the laboratory section or online asynchronous option of  
17 the class shall be available for review.

18 (ii) A student shall be considered absent if that student did not attend during  
19 the specified times or days the class was scheduled to meet. Classes  
20 that have a regularly scheduled section which include in-person  
21 instruction or digitally delivered synchronous instruction and an option to  
22 attend asynchronously shall satisfy this criteria.

23 (iii) A student shall be considered absent if that student did not attend during  
24 the specified times or days the class was scheduled to meet whether the  
25 class met in-person, synchronously, or asynchronously. Verification of  
26 student attendance in the asynchronous portion of the course shall be  
27 documented by electronic submission of content-related material.

28 (2) A student shall be considered to be in class membership when the student  
29 meets all of the following criteria:

30 (A) enrolled as evidenced by payment of the applicable tuition and fees, or

1           obtained a waiver as defined in G.S. 115D-5(b);

2           (B) attended one or more classes prior to or on the 10 percent point in the class;

3           (C) has not withdrawn or dropped the class prior to or on the 10 percent point.

4       (3) Definition of a Student Membership Hour. A student membership hour is one

5       hour of scheduled class or laboratory for which the student is enrolled. A

6       college shall provide a minimum of 50 minutes of instruction for each

7       scheduled class hour. A college shall provide sufficient time between classes

8       to accommodate students changing classes. A college shall not report more

9       hours per student than the number of class hours scheduled in the approved

10       curriculum program of study compliance document.

11       (4) Calculation of Student Membership Hours for Regularly Scheduled Classes.

12       Student membership hours are obtained by multiplying the number of students

13       in membership at the 10 percent point in the class by the total number of hours

14       the class is scheduled to meet for the semester as stated in the college catalog

15       and the approved curriculum program of study compliance document (see 1D

16       SBCCC 400.97(4)).

17       (5) Maintenance of Records of Student Membership Hours. Accurate attendance

18       records shall be maintained for each class through the 10 percent point of the

19       class. Attendance records shall be signed by the instructor or lead

20       instructor,

21       verifying their accuracy, and shall be maintained by the college until released

22       from all compliance reviews (see the Public Records Retention & Disposition

23       Schedule for Institutions in the Community College System). Student

24       membership hours shall be summarized in the Institution's Class Report and

25       certified by the president or designee. For classes identified as non traditional

26       delivery (see Subparagraph (e)(1) of this Rule), documentation of student

27       contact prior to the 10 percent point shall be maintained in the same manner as

28       the attendance records mentioned in this Rule.

29       (c) Non Regularly Scheduled Classes.

30       (1) A non regularly scheduled class may include any or all of the following:

- 1 (A) a class where a definitive beginning and ending time is not determined;
- 2 (B) a class offered in a learning laboratory type setting (see 1G SBCCC
- 3 200.94(b)(6) for definition of learning laboratory);
- 4 (C) a class self paced in that the student progresses through the instructional
- 5 materials at the student's own pace, and can complete the class as soon as
- 6 the student has successfully met the educational objectives. Classes
- 7 offered as independent study are generally offered in this manner;
- 8 (D) a class in which a student may enroll during the initial college registration
- 9 period or in which the student may be permitted to enroll at any time during
- 10 the semester; or
- 11 (E) any class not meeting all criteria for a regularly scheduled class, as shown
- 12 in Subparagraph (b)(1) of this Rule, is considered to be a non regularly
- 13 scheduled class for reporting purposes. Classes defined as non traditional
- 14 (see Paragraph
- 15 (e) of this Rule) or clinical practice (see Paragraph (g) of this Rule) which
- 16 are identified as a separate student hour reporting category are not subject
- 17 to the above provisions in Paragraph (c).

18 (2) Definition of Student Membership. A student is considered to be in class

19 membership when the student meets the following criteria:

- 20 (A) enrolled as evidenced by payment of the applicable tuition and fees, or
- 21 obtained a waiver consistent with 1E SBCCC Subchapter 800; and
- 22 (B) attended one or more classes.

23 (3) Definition of a Student Contact Hour. For non-regularly scheduled classes,

24 student contact hour is defined as actual time of student attendance in a class

25 or lab. 60 minutes shall constitute an hour. A college shall not report more

26 hours per student than the number of class hours scheduled in the approved

27 curriculum program of study compliance document.

28 (4) Calculation of Student Contact Hours for Non Regularly Scheduled Classes.

29 For these classes, actual time of class attendance for each student determined

30 to be in membership shall be reported. Student contact hours for these classes

1 are the sum of all the hours of actual student attendance in a class in a given  
2 semester, and shall not exceed the hours in the approved curriculum program  
3 of study compliance document. (see 1D SBCCC 400.97(4)).

4 (5) Maintenance of Records of Student Contact Hours. Accurate attendance  
5 records shall be maintained for each class of the nature described in this Rule  
6 through the entire semester. Attendance records shall be signed by the  
7 instructor or lead instructor, verifying their accuracy, and shall be maintained by  
8 the college until released from all compliance reviews (see the Public Records  
9 Retention & Disposition Schedule for Institutions in the Community College  
10 System). Student contact hours shall be summarized in the Institution's Class  
11 Report and certified by the president or designee.

12 (d) Skills Laboratory or Computer Tutorial Laboratory. Individualized instructional  
13 laboratories are similar to learning laboratories (see 1G SBCCC 200.94(b)(6))  
14 except the participants are curriculum students. Skills labs or computer tutorial  
15 labs are remedial or developmental in nature and intended for students who are  
16 experiencing academic difficulty in a particular curriculum course. A skills  
17 laboratory instructor shall be qualified in the single subject area of the skills  
18 laboratory. A computer tutorial laboratory coordinator need not be qualified in any  
19 of the subject area(s) provided in a computer tutorial laboratory. Student contact  
20 hours may be reported for budget/FTE when students are required by their  
21 instructor to attend either of the laboratories for remedial or developmental work  
22 and when the skills laboratory instructors or computer tutorial coordinators are paid  
23 with curriculum instructional funds.

24 (1) Documentation of instructor referral shall be maintained for compliance review  
25 purposes. The College shall maintain documentation until released from all  
26 compliance reviews.

27 (2) Homework assignments shall not be reported for budget/FTE. (See 1G  
28 SBCCC 200.95(a)).

29 (3) Calculation of Student Contact Hours for Skills Laboratory or Computer Tutorial  
30 Laboratory. For these classes, actual time of class attendance shall be



1 reported; 60 minutes shall constitute an hour. Student hours generated for  
2 these types of classes are the sum of all the hours of actual student  
3 attendance in a class in a given semester.

4 (e) Classes Identified as Curriculum Non Traditional Delivery.

5 (1) Definition. Due to the methodology by which instruction is delivered, non  
6 traditional delivery classes are not consistent with the definitions of regularly  
7 scheduled or non regularly scheduled classes described in this Rule. Non  
8 traditional delivery classes are defined as those classes which are offered  
9 through media such as internet, telecourses, videocassette and other  
10 electronic media excluding classes offered via the North Carolina Information  
11 Highway.

12 (2) For those classes identified as non traditional delivery, student attendance in  
13 class or in an orientation session, submission of a written assignment or  
14 submission of an examination, is the basis for the determination of class  
15 membership at the 10 percent point of the class. Student membership hours  
16 earned in non traditional delivery classes shall be calculated by multiplying the  
17 number of students in membership, as defined in the prior sentence, times the  
18 number of hours assigned to the class in official college documents. For these  
19 classes, the number of hours assigned shall be consistent with the credit hours  
20 assigned according to 1G SBCCC 100.1, as well as the curriculum standard.

21 (3) Non-traditional instruction delivered is pre-structured into identifiable units. Non  
22 traditional delivery classes do not include classes identified as independent  
23 study which are not media based.

24 (f) Curriculum Student Work Experience. The following criteria apply to the reporting  
25 guidelines for students enrolled in curriculum work experience, exclusive of work  
26 station based training. Examples of student work experience include cooperative  
27 education, practicums, and internships.

28 (1) Student membership hours for student work experience shall not generate  
29 budget/FTE without prior approval by the System Office for such activities  
30 through the appropriate curriculum standard.

1 (2) Work Experience. Work experience for curriculum courses shall earn  
2 budget/FTE at the 100 percent rate of assigned work experience hours and  
3 shall not exceed a maximum of 320 membership hours per student per  
4 semester.

5 (A) These classes shall be coordinated by college personnel paid with college  
6 instructional funds and may be located in one or more sites.

7 (B) These classes shall be specified in the approved curriculum of the college  
8 consistent with the applicable curriculum standard (see 1D SBCCC  
9 400.97(3)(a)(ii)(D)).

10 (C) The college shall maintain documentation of all student work experience  
11 hours.

12 (g) Clinical Practice. Colleges shall report instructional hours of curriculum courses  
13 which include clinical practice, as defined in 1D SBCCC 400.1(c)(2), consistent with  
14 the rules for regularly scheduled classes in Paragraph (b) of this rule if the course  
15 meets the following criteria:

16 (1) Assigned definite beginning and ending time;

17 (2) Specific days the class meets are predetermined, although class times, dates,  
18 and locations may vary for enrolled students;

19 (3) Clinical hours scheduled are included on the Institution Master Schedule or  
20 other official college documents;

21 (4) Class hours are assigned consistent with the college catalog and curriculum  
22 standards set forth in 1D SBCCC 400.8;

23 (5) Class hours shall be scheduled to provide a minimum of 50 minutes of  
24 instruction; and

25 (6) College instructors who are qualified to teach in the particular program  
26 supervise and are paid with college instructional funds for all scheduled class  
27 hours (classroom and clinical).

28 College personnel shall make documentation verifying student participation in  
29 clinical practice available for compliance purposes.

30 *History Note: Authority G.S. 115D-5; S.L. 1995, c. 625;*

1 *Eff. September 30, 1977;*  
2 *Amended Eff. July 24, 1978;*  
3 *Emergency Amendment Eff. August 10, 1978 for a period of 120 days to*  
4 *expire on December 8, 1978;*  
5 *Emergency Amendment Made Permanent With Change Eff. December 8,*  
6 *1978;*  
7 *Amended Eff. September 1, 1993; September 1, 1988; September 1,*  
8 *1985;*  
9 *November 1, 1983;*  
10 *Temporary Amendment Eff. June 1, 1997;*  
11 *Amended Eff. [September 1, 2018](#); [May 1, 2017](#); December 1, 2012;*  
12 *August*  
13 *1, 2004; August 1, 2000; July 1, 1998.*

DRAFT