

NUMBERED MEMO CC24-016

TO: Members of the State Board of Community Colleges, Chairs of the Community College 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, 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 2A SBCCC 400.2 Admission Requirements

DATE: April 23, 2024

The State Board of Community Colleges has initiated the rulemaking process to amend **2A SBCCC 400.2 Admission Requirements**. The proposed amendment would clarify the admission requirements for proprietary schools. 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, is 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 May 23, 2024.** 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 May 8, 2024.**

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.

CC24-016

E-mail Copy
Attachments



State Board of Community Colleges

Petition for Rulemaking Form

Date: April 23, 2024

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 2A SBCCC 400.2 Admission Requirements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 amend, adopt, or repeal a rule:

Adopt (new rule)	Amend (change existing rule)	Repeal (delete entire rule)
	X	

Rationale for proposed adoption, amendment, or repeal:	Amends admission requirements for proprietary schools.
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Proposed Effective Date of Rule	August 1, 2024
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1 **State Board of Community Colleges Code**



2
3 **TITLE 2. PROPRIETARY SCHOOLS**

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5 **CHAPTER 2A PROPRIETARY SCHOOLS**

6
7 **SUBCHAPTER 400. GENERAL PROVISIONS**

8
9 **2A SBCCC 400.2 Admission Requirements**

- 10 (a) The admission requirements for schools licensed under Article 8 of
11 Chapter 115D of the General Statutes of North Carolina shall be made
12 available to the public and administered as written.
- 13 (b) As a prerequisite to enrolling in a certificate or diploma course, the school
14 shall require one of the following:
- 15 (1) Graduation from a public, private, or home high school that operates
16 in compliance with state or local law;
 - 17 (2) A certificate of high school equivalency;
 - 18 (3) Graduation from a community college or university that operates in
19 compliance with state or local law;
 - 20 (4) Completion of secondary education that is equivalent to high school
21 education in the United States;
 - 22 (5) The student's signed, notarized attestation of graduation from a public,
23 private, or home high school that operates in compliance with state or
24 local law, receipt of a certificate of high school equivalency, graduation
25 from a community college or university that operates in compliance
26 with state or local law, or completion of secondary education equivalent
27 to high school education in the United States;
 - 28 (6) For ~~persons at least 18 years old~~ individuals beyond the age of
29 compulsory secondary school attendance who did not graduate from a
30 public, private, or state home high school, obtain a certificate of high
31 school equivalency, graduate from a community college or university

32 that all operate in compliance with state or local law, or complete
33 secondary education equivalent to high school education in the United
34 States; demonstration of an ability to benefit as determined by any test
35 instrument approved by the Department of Education; or

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

42 The school shall not permit high school students to attend the school
43 during the time student's high school principal in writing. The proprietary school
44 shall include a copy of the approved form in the student's record.

45 (a) Schools shall maintain a copy of the high school transcript in the student's
46 record for students admitted pursuant to Subsection (b)(1) of this Section.

47 (b) Schools shall maintain a copy of the certificate of high school equivalency
48 in the student's record for students admitted pursuant to Subsection (b)(2).

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

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

54 (e) Schools shall maintain a copy of the student's signed, notarized attestation
55 for students admitted pursuant to Subsection (b)(5).

56 (f) Schools shall maintain the results of the ability to benefit test in the
57 student's record for students admitted pursuant to Subsection (b)(6).

58 (g) The school may admit students to special courses or subjects which are
59 part of the approved curriculum offered by the school when the school
60 deems the student can benefit from the instruction offered.

61 (h) If total tuition is greater than five-thousand dollars (\$5,000), the school may
62 collect up to 50 percent of the total tuition prior to that mid-point of the

63 program. The remainder of the tuition may be collected only when the
64 student has completed one- half of the program. Federal regulations
65 regarding the disbursement of tuition shall supersede state disbursement
66 regulations stated in this Rule.

67 *History Note: Authority G.S. 115D-89; 115D-90;*

68 *Eff: September 1, 1993;*

69 *Amended Eff: [February 1, 2016](#); [August](#)*

70 *[1, 2014](#); December 1, 2004.*