

**NUMBERED MEMO CC25-028**

**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, Distance Learning, Financial Aid Officers, Personnel Officers, Student Development Administrators, Public Information Officers, Registrars, & Other Interested Parties

**FROM:** Jonnell Carpenter, *NCCCS General Counsel*

**SUBJECT:** Proposed Amendment of 1D SBCCC 400.7 – Instructional Service Agreements

**DATE:** April 8, 2025

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On April 4, 2025, the State Board of Community Colleges initiated the rulemaking process to amend **1D SBCCC 400.7 – Instructional Service Agreements**. The proposed amendment would remove all reference of “instructional service agreement” with “cooperative curriculum agreement” to improve efficiency, reduce duplication, and establish a consistent, data-driven process for the System Office to communicate essential data to the community colleges. The proposed amendment is published on the NC Community College System's website, [Numbered Memos - NCCCS \(ncccommunitycolleges.edu\)](https://ncccommunitycolleges.edu). 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 8, 2025.** 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 April 23, 2025.**

Written comments and requests for hearing shall be directed to the following address: Jonnell Carpenter, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by email to **[publiccomments@nccommunitycolleges.edu](mailto:publiccomments@nccommunitycolleges.edu)**. Thank you for your attention to this matter.

CC25-028

Email Copy  
Attachment



# State Board of Community Colleges Code

## Notice of Proposed Rulemaking Form

Date: April 8, 2025

<b>Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed</b>	Amend 1D SBCCC 400.7 – Instructional Service Agreements
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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	

<b>Rationale for proposed adoption, amendment or repeal:</b>	The NC Association of Community College Presidents recommended the proposed changes with the aim to improve efficiency, reduce duplication, and create a consistent, data-driven process for the System Office to communicate data to the community colleges, ensuring the programs align with the workforce demand.
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<b>Proposed Effective Date of Rule</b>	August 1, 2025
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1D SBCCC 400.7 is proposed for amendment as follows:



**State Board of Community Colleges Code**

**TITLE 1. COMMUNITY COLLEGES**

**CHAPTER D. EDUCATION PROGRAMS**

**SUBCHAPTER 400. CURRICULUM**

**1D SBCCC 400.7 ~~Instructional Service Agreements~~ Cooperative Curriculum  
Agreements**

**(a) ~~Level One Instructional Service Agreement~~ Cooperative Curriculum Agreement.**

(1) A college may offer curriculum courses in an area assigned to another college by providing a written, level one ~~instructional service agreement~~ cooperative curriculum agreement under the following conditions:

(A) Resources are solely provided by the college requesting permission to enter into another college's service area; and

(B) The requesting college does not share the FTE with the other college(s).

For the purposes of this rule, "an area assigned to another college" shall include an online class that is set up to specifically target students in another college's service area.

(2) The level one ~~instructional service agreement~~ Cooperative Curriculum Agreement shall:

(A) Be approved by each local board of trustees unless the board has delegated authority to the president to enter into level one ~~instructional service agreements~~ cooperative curriculum agreements;

(B) Be signed by the presidents of each participating college;

(C) Specify the course(s) or program(s) to be delivered into the other college's service area;

(D) Specify the plan for delivery of the instruction;

(E) Specify the conditions and time frame for termination of the agreement; and

(F) Be maintained on file at all colleges involved for audit purposes.

**(b) ~~Level Two Instructional Service Agreement~~ Cooperative Curriculum Agreements.**

1 (1) Two or more colleges may jointly offer curriculum courses by providing a written,  
2 level two ~~instructional-service~~ Cooperative Curriculum Agreement under the  
3 following conditions:

4 (A) Resources are shared between the participating colleges;

5 (B) Colleges contributing resources towards instruction may share FTE;

6 (C) One or more of the participating colleges is approved to offer the curriculum  
7 course(s) in an approved program of study; and

8 (D) A curriculum certificate, diploma or degree is not awarded.

9 (2) The level two ~~instructional-service~~ Cooperative Curriculum Agreement shall:

10 (A) Be approved by each local board of trustees unless the board has delegated  
11 authority to the president to enter into level two ~~instructional-service~~  
12 Cooperative Curriculum Agreements;

13 (B) Be signed by the president of each participating college;

14 (C) Specify the course(s) to be delivered to the other college's service area;

15 (D) Specify the plan for delivery of the instruction;

16 (E) Specify the proration of resources and FTE allocated for each college;

17 (F) Specify the conditions and time frame for termination of the agreement;

18 (G) Be filed with the President of the North Carolina Community College System or  
19 the System President's designee prior to implementation of the course(s); and

20 (H) Be maintained on file at all colleges involved for audit purposes.

21 (c) Level Three ~~Instructional Service~~ Cooperative Curriculum Agreement.

22 (1) Two or more colleges may jointly offer a curriculum program by providing a written,  
23 level three ~~instructional-service~~ Cooperative Curriculum Agreement under the  
24 following conditions:

25 (A) Resources are shared between the participating colleges;

26 (B) Colleges contributing resources towards instruction may share FTE;

27 (C) One or more of the colleges participating is approved by the State Board of  
28 Community Colleges to offer the curriculum program; and

29 (D) A curriculum certificate, diploma or associate degree is awarded and;

30 (2) The level three ~~instructional-service~~ Cooperative Curriculum Agreement shall:

31 (A) Be approved by each participating board of trustees;

- (B) Be signed by the board of trustees' chair of each participating college;
- (C) Be signed by the president of each participating college;
- (D) Specify the program to be shared;
- (E) Specify the plan for delivery of the program;
- (F) Specify the proration of resources or FTE allocated for each college;
- (G) Specify the conditions and time frame for termination of the agreement;
- (H) Certify that appropriate and adequate resources are available between participating colleges. Where feasible, joint utilization of physical facilities, equipment, materials, and instructional faculty shall be considered;
- (I) Certify that the curriculum program meets the standards of the appropriate accrediting agency or licensing authority;
- (J) Specify which college will grant the award;
- (K) Specify that only the college providing the instruction will record the letter grade on the student transcript;
- (L) Specify that any participating college(s) that does not have approval of the State Board of Community Colleges for the program will not award a certificate, diploma or associate degree under the authority of the approved level three instructional service agreement.
- (M) Be signed by the President of the North Carolina Community College System prior to implementation of the program; and
- (N) Be maintained on file at each participating college for audit purposes.
- (3) Notification of termination of a level three agreement shall be signed by the president of each participating college and shall be sent to the System Office President by the college that grants the award, prior to the effective termination date.
- (d) The delivery of curriculum courses or programs delivered into another college's service area via non-traditional delivery as defined in 1G SBCCC 200.93(e)(1) does not require an instructional service agreement.
- (e) A college may not delegate curriculum program approval to another college. The State Board of Community Colleges grants program approval using criteria set forth in 1D SBCCC 400.6.

1 *History Note: Authority G.S. 115D-5; S.L. 1993, 2nd session, c. 769, p. 18, s. 18; S.L.*  
2 *1995, c. 625;*  
3 *Temporary Adoption Eff. October 31, 1994, for a period of 180 days or*  
4 *until the permanent rule becomes effective, whichever is sooner;*  
5 *Eff. May 1, 1995;*  
6 *Temporary Amendment Eff. June 1, 1997;*  
7 *Amended Eff. \_\_\_\_\_; [November 1, 2017](#); [November 1, 2014](#);*  
8 *August 1, 2004; July 1, 1998.*  
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