

NUMBERED MEMO CC25-067

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 200.99 – Drivers’ Eligibility Certificate

DATE: July 22, 2025

On July 18, 2025, the State Board of Community Colleges (SBCC) initiated the rulemaking process to amend **1D SBCCC 200.99 – Drivers’ Eligibility Certificate**. The proposed amendment would reflect current testing options available to students enrolled in high school equivalency preparation courses such as GED and HiSet. 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 August 21, 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 August 6, 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. Thank you for your attention to this matter.

CC25-067

Email Copy
Attachment



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: July 22, 2025

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 1D SBCCC 200.99 – Drivers' Eligibility Certificate
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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	
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Rationale for proposed adoption, amendment, or repeal:	Request to revise the SBCC code to recognize new and updated terminology. The current code refers to GED tests and test takers now have the option of taking GED tests or HiSet tests.
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Proposed Effective Date of Rule	October 1, 2025
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State Board of Community Colleges Code
TITLE 1. COMMUNITY COLLEGES

CHAPTER D. EDUCATION PROGRAMS

SUBCHAPTER 200. BASIC SKILLS

1D SBCCC 200.99 Drivers' Eligibility Certificate

(a) Local Boards of Trustees shall be responsible for the issuance of driving eligibility certificates, the timely reporting of dropouts and students unable to make progress toward graduation, and the provision of grievance procedures associated with the issuance of driving eligibility certificates. Local Boards of Trustees shall provide a program which meets the following requirements:

(1) The president or the president's designee shall issue a driving eligibility certificate if it is determined that:

(A) The student seeking the certificate is currently enrolled in a basic skills program and is making progress toward obtaining a high school diploma or its equivalent. Making progress toward obtaining a high school diploma for a person enrolled in a community college basic skills program is defined as:

(i) Attending a basic skills class a minimum of sixty hours per month for a period of six consecutive months; and

(I) Demonstrating progress in GED basic skills at the end of each ~~six month~~ six-month period by passing a minimum of two GED high school equivalency subtests. ~~tests with a score of 40 or higher.~~

(II) Demonstrating progress in Adult High School at the end of each ~~six month~~ six-month period by passing a minimum of two Adult High School units ~~courses~~.

(III) Demonstrating progress in ~~Adult Basic Education~~ basic skills courses or English as a Second Language courses at the end of each ~~six month~~ six-month period by one of the following: increase

1 scores on each subsequent standardized test or make progress as
2 documented by teacher assessment.

3 (ii) If a student does not meet the criteria for making progress and
4 attendance during any month, the president or the president's
5 designee shall notify the Division of Motor Vehicles the following
6 month that the student no longer meets the requirements for the
7 driving eligibility certificate.

8 (B) A substantial hardship would be placed on the person seeking the
9 certificate or the person's family if the person does not receive the
10 certificate. Examples of a substantial hardship include:

11 (i) A parent's inability to drive due to sickness or other impairment and
12 the student is the only person of driving age in the household.

13 (ii) The student requires transportation to and from a job that is
14 necessary to the welfare of his family and is unable by any other
15 means to do so.

16 (C) The person seeking the certificate cannot make progress toward
17 obtaining a high school diploma or its equivalent. The president or the
18 president's designee shall determine, along with input from other basic
19 skills staff, if a student is unable to make progress toward obtaining a
20 high school diploma or its equivalent.

21 (2) The ~~P~~resident or his the president's designee shall not issue a driving
22 eligibility certificate if it is determined that either after the first day of July
23 before the school year which the student enrolled in the eighth grade or after
24 the student's fourteenth birthday, whichever event occurred first, the student
25 was subjected to disciplinary action as defined in this Subparagraph for any
26 of the enumerated conduct as defined in this Subparagraph. Disciplinary
27 action is defined as:

28 (A) An expulsion;

29 (B) Suspension for more than ten consecutive days; or

30 (C) An assignment to an alternative educational setting for more than ten
31 consecutive days, which resulted from any of the enumerated conduct.

1 Enumerated conduct is defined as:

2 (i) The possession or sale of an alcoholic beverage or an illegal

3 Controlled substance on school property.

4 (ii) The possession or use on school property of a weapon or firearm

5 that resulted in disciplinary action under G.S. 115C-391(d1), or that

6 could have resulted in that disciplinary action if the conduct had

7 occurred in a public school.

8 (iii) The physical assault on a teacher or other school personnel on

9 school property.

10 (3) A student who was ineligible for a certificate under Subparagraph (a)(2) of this
11 Rule, is eligible for a certificate when the president or president's designee
12 determines that the student has exhausted all administrative appeals
13 connected to the disciplinary action and that one of the following conditions is
14 met:

15 (A) The conduct which resulted in the disciplinary action occurred before the
16 student reached the age of 15, and the student is now at least 16 years
17 old.

18 (B) The conduct which resulted in the disciplinary action occurred before the
19 student reached the age of 15, and at least one year has passed since
20 the student exhausted all administrative appeals connected to the
21 disciplinary action.

22 (C) The student needs the certificate ~~in order to~~ to drive to and from school,
23 a drug or alcohol treatment counseling program, or a mental health
24 treatment program, and no other transportation is available.

25 (4) A student who was ineligible for a certificate under Subparagraph (a)(2) of this
26 Rule may otherwise be eligible for a certificate if, after six months from the date
27 of the ineligibility, the president or the president's designee determines that:

28 (A) The student has displayed exemplary behavior; or

29 (B) The ineligibility was based on a disciplinary action for the possession or
30 sale of an alcoholic beverage or a controlled substance on school property
31 and the president or the president's designee determines that the student

1 has attended and successfully completed a drug or alcohol treatment
2 program.

3 (i) Exemplary behavior is defined as the student having no further
4 incidents of misconduct where expulsion, suspension, or an assignment
5 to an alternative educational setting is required.

6 (ii) Attending and successfully completing a drug or alcohol treatment
7 program is defined as a minimum of 12 hours of drug or alcohol
8 treatment counseling or a mental health treatment program. In
9 addition, the treatment counseling program shall have a strong
10 parental involvement focus.

11 (b) Any person denied a driving eligibility certificate may appeal that decision through
12 the college's student grievance procedure.

13 (c) The president or the president's designee shall notify the Division of Motor Vehicles
14 when a student is no longer exhibiting exemplary behavior or attending and
15 successfully completing a drug or alcohol treatment program as determined above,
16 or when a student officially drops out of school. The president's designee shall be
17 the Basic Skills Director.

18 (1) The State Board shall ~~provide to~~ provide the Basic Skills ~~Director~~ Director with
19 a form for students to provide their written irrevocable consent for a community
20 college to disclose to the Division of Motor Vehicles that the student no longer
21 meets the conditions for a driving eligibility certificate under subparagraphs
22 (a)(1) through (a)(4) of this Rule.

23 (2) This form shall only identify the student, and under which Subsection of this
24 Rule the student is no longer eligible. No other details or information
25 concerning the ~~student's~~ students' school record shall be released pursuant to
26 this request.

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28 *History Note: Authority G.S. 115D-5(a3);*

29 *Eff. August 1, 2001.*

30 *Amended Eff. _____*
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