

NUMBERED MEMO CC25-072

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 Repeal of 1H SBCCC 500.2 – Special Purchasing Delegations

DATE: August 19, 2025

On August 15, 2025, the State Board of Community Colleges (SBCC) initiated the rulemaking process to repeal **1H SBCCC 500.2 – Special Purchasing Delegations**. The proposed repeal would eliminate the need for a tier structure, as the delegation limit is already set at the maximum of \$100,000, rendering the structure unnecessary. The proposed repeal 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 September 18, 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 September 3, 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.

CC25-072

Email Copy
Attachment



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: August 19, 2025

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Repeal of 1H SBCCC 500.2 – Special Purchasing Delegations
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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:	The proposed repeal removes the requirement for a tier structure to request delegation increases, as the delegation authority is already set at the maximum of \$100,000. This change streamlines policy and eliminates outdated procedures.
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Proposed Effective Date of Rule	November 1, 2025
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State Board of Community Colleges Code
TITLE 1. COMMUNITY COLLEGES



CHAPTER H. FISCAL MANAGEMENT

SUBCHAPTER 500. PROCUREMENT

~~1H SBCCC 500.2 Special Purchasing Delegations~~

- (a) ~~For the purposes of this Section, "purchasing delegation" means the maximum authorized dollar limits for purchases of commodities, printing, and services by community colleges.~~
- (b) ~~The State Board of Community Colleges shall not increase a community college's purchasing delegation in any calendar year without the concurrence of the Department of Administration, Division of Purchase and Contract. If the Department of Administration, Division of Purchase and Contract does not respond within 60 days of the State Board of Community Colleges notifying the Department of Administration, Division of Purchase and Contract of a college's request to increase its purchasing delegation, the State Board of Community Colleges may increase a community college's purchasing delegation consistent with Paragraph (d) of this Rule without the concurrence of the Department of Administration, Division of Purchase and Contract.~~
- (c) ~~The maximum purchasing delegation for a community college shall be no greater than one hundred thousand dollars (\$100,000).~~

~~1) Tier Structure:~~

- ~~a. Each community college's purchasing delegation shall correspond to the following four tiered structure:~~

Tier 1	Tier 2	Tier 3	Tier 4
\$10,00	\$25,000	\$50,000	\$100,000

- ~~b. A college's tier designation placement is based upon its current delegation limit. A college may request an increase in delegation~~

1 ~~only to the next tier; and~~

2 ~~c. If the State Board approves a college's request for an increase in~~
3 ~~delegation, the new delegation shall be effective for two years from~~
4 ~~the effective date of approval. If during this 2 year period the college~~
5 ~~receives a negative compliance review from the Department of~~
6 ~~Administration, Division of Purchase and Contract or upon additional~~
7 ~~investigation, demonstrates the inability to manage the increased~~
8 ~~delegation, the State Board of Community Colleges at its discretion~~
9 ~~and in consultation with the Department of Administration, may~~
10 ~~rescind the new delegation prior to the end of the two years. A~~
11 ~~college may only request a delegation increase to the next tier after~~
12 ~~being at the current tier for two years.~~

13 2) ~~Required Documents. When requesting an increase in purchasing~~
14 ~~delegation, a college shall submit the following hard copy items to the~~
15 ~~System Office:~~

- 16 ~~a. Original letter signed by the college President on college letterhead~~
17 ~~requesting the next tier delegation and the rationale for the request;~~
18 ~~b. Request for Increase in Purchasing Delegation (Form 490) as~~
19 ~~provided by the System Office;~~
20 ~~c. College Internal Purchasing Manual with policy and procedures for~~
21 ~~all transaction types;~~
22 ~~d. Proof that the college has posted any "Request for Bid" and a copy~~
23 ~~of the bid on the North Carolina Interactive Purchasing System~~
24 ~~within the 12 months prior to the date the System Office receives the~~
25 ~~college's request to increase its purchasing delegation;~~
26 ~~e. A copy of any posted E Quote within the 12 months prior to the date~~
27 ~~the System Office receives the college's request to increase its~~
28 ~~purchasing delegation;~~
29 ~~f. Copy of a compliance review report from the Department of~~
30 ~~Administration, Division of Purchase and Contract. The compliance~~
31 ~~review report shall have been conducted within 12 months prior to~~

1 ~~the date the college requests an increase in purchasing delegation.~~
2 ~~The compliance review shall cover a time period during which the~~
3 ~~college's current lead purchasing agent was in his or her position for~~
4 ~~at least six months. If any findings are noted in the compliance~~
5 ~~review report, the college shall provide documentation that the~~
6 ~~college has corrected all findings by the date the college requests an~~
7 ~~increase in purchasing delegation. An increase in delegation will not~~
8 ~~be approved if the compliance report contains findings that are~~
9 ~~considered significant by the System Office or by the Department of~~
10 ~~Administration, Division of Purchase and Contract.~~

11 ~~(d) Evaluation Process. The State Board, acting by and through the System~~
12 ~~Office, will evaluate the following factors before submitting a recommendation~~
13 ~~to increase the purchasing delegation to the Department of Administration,~~
14 ~~Division of Purchase and Contract:~~

- 15 ~~1) The college's overall capabilities including:~~
16 ~~a. Staff capacity to absorb additional volume and complexity;~~
17 ~~b. Experience and training of the procurement staff of the requesting~~
18 ~~college; and~~
19 ~~c. Frequency of procurement staff turnover;~~
20 ~~2) Purchasing compliance reviews;~~
21 ~~3) College internal purchasing procedures; and~~
22 ~~4) Audit reports from the North Carolina Office of the State Auditor or from~~
23 ~~a certified public accountant pursuant to G.S. 115D-58.16.~~

24 ~~(e) If the State Board approves a college's request to increase its purchasing~~
25 ~~delegation, the approval will be effective on the first day of the month following~~
26 ~~the State Board's approval.~~

27 ~~(f) If a college receives compliance findings on a compliance review from the~~
28 ~~Department of Administration, Division of Purchase and Contract or received~~
29 ~~audit findings related to purchasing on its most recent financial statement~~
30 ~~audit, the State Board at its discretion based upon the type of findings and the~~
31 ~~college's official response may decrease the delegation amount.~~

1 *History Note: Authority G.S. 115D-5; 115D-58.14(b); S.L. 2009-132, s. 1;*
2 *Eff. [November 1, 2015](#).*
3 *Repeal Eff. _____*