

**NUMBERED MEMO CC26-026**

**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:** May 19, 2026

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On May 15, 2026, the State Board of Community Colleges (SBCC) initiated the rulemaking process to amend **1D SBCCC 400.7 – Instructional Service Agreements**. The proposed amendment would align with previous changes to the code, which transitioned Instructional Service Agreements to Cooperative Curriculum Agreements. It would remove all signature requirements, as the new ERP system only requires approval from the President. The proposed amendment is published on the NC Community College System's website, [Numbered Memos - NCCCS \(ncccommunitycolleges.edu\)](https://www.ncccommunitycolleges.edu). For your convenience, a copy of the proposed rule, with the adopted language 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 June 18, 2026.** 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 June 3, 2026.**

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.

CC26-026

Email Copy  
Attachment



# State Board of Community Colleges Code

## Notice of Proposed Rulemaking Form

Date: May 19, 2025

<b>Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed</b>	Amendment of 1D SBCCC 400.7 – Instructional Service Agreements
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Specify whether the SBCC proposes to amend, adopt, or repeal a rule:

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

<b>Rationale for proposed adoption, amendment, or repeal:</b>	This amendment aligns with previous changes to the code, which transitioned Instructional Service Agreements to Cooperative Curriculum Agreements. It would remove all signature requirements, as the new ERP system only requires approval from the President.
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<b>Proposed Effective Date of Rule</b>	August 1, 2026
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1D SBCCC 400.7 is proposed for amendment as follows:



1 **State Board of Community Colleges Code**  
2 **TITLE 1. COMMUNITY COLLEGES**

3  
4 **CHAPTER D. EDUCATION PROGRAMS**

5  
6 **SUBCHAPTER 400. CURRICULUM**

7  
8 **1D SBCCC 400.7 Instructional Service Cooperative Curriculum**  
9 **Agreements**

10 (a) Level One Cooperative Curriculum Agreement.

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

- 14 (A) Resources are solely provided by the college requesting permission  
15 to enter into another college's service area; and  
16 (B) The requesting college does not share the FTE with the other  
17 college(s).

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

21 (2) The level one Cooperative Curriculum Agreement shall:

- 22 (A) Be approved by each local board of trustees unless the board has  
23 delegated authority to the president to enter into level one cooperative  
24 curriculum agreements;  
25 (B) Be approved ~~signed~~ by the presidents of each participating college;  
26 (C) Specify the course(s) or program(s) to be delivered into the other  
27 college's service area;  
28 (D) Specify the plan for delivery of the instruction;  
29 (E) Specify the conditions and time frame for termination of the agreement;  
30 and  
31 (F) Be maintained on file at all colleges involved for audit purposes.

1 (b) Level Two Cooperative Curriculum Agreements.

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

- 5 (A) Resources are shared between the participating colleges;
- 6 (B) Colleges contributing resources towards instruction may share FTE;
- 7 (C) One or more of the participating colleges is approved to offer the  
8 curriculum course(s) in an approved program of study; and
- 9 (D) A curriculum certificate, diploma or degree is not awarded.

10 (2) The level two Cooperative Curriculum Agreement shall:

- 11 (A) Be approved by each local board of trustees unless the board has  
12 delegated authority to the president to enter into level two Cooperative  
13 Curriculum Agreements;
- 14 (B) Be approved ~~signed~~ by the president of each participating college;
- 15 (C) Specify the course(s) to be delivered to the other college's service  
16 area;
- 17 (D) Specify the plan for delivery of the instruction;
- 18 (E) Specify the proration of resources and FTE allocated for each  
19 college;
- 20 (F) Specify the conditions and time frame for termination of the  
21 agreement;
- 22 (G) Be filed with the President of the North Carolina Community College  
23 System or the System President's designee prior to implementation  
24 of the course(s); and
- 25 (H) Be maintained on file at all colleges involved for audit purposes.

26 (c) Level Three Cooperative Curriculum Agreement.

27 (1) Two or more colleges may jointly offer a curriculum program by providing a  
28 written, level three Cooperative Curriculum Agreement under the following  
29 conditions:

- 30 (A) Resources are shared between the participating colleges;
- 31 (B) Colleges contributing resources towards instruction may share FTE;

- 1 (C) One or more of the colleges participating is approved by the State  
2 Board of Community Colleges to offer the curriculum program; and  
3 (D) A curriculum certificate, diploma or associate degree is awarded and;  
4 (2) The level three Cooperative Curriculum Agreement shall:  
5 (A) Be approved by each participating board of trustees;  
6 (B) Be ~~signed~~ approved by the board of trustees' chair of each  
7 participating college;  
8 (C) Be ~~signed~~ approved by the president of each participating college;  
9 (D) Specify the program to be shared;  
10 (E) Specify the plan for delivery of the program;  
11 (F) Specify the proration of resources or FTE allocated for each college;  
12 (G) Specify the conditions and time frame for termination of the  
13 agreement;  
14 (H) Certify that appropriate and adequate resources are available  
15 between participating colleges. Where feasible, joint utilization of  
16 physical facilities, equipment, materials, and instructional faculty shall  
17 be considered;  
18 (I) Certify that the curriculum program meets the standards of the  
19 appropriate accrediting agency or licensing authority;  
20 (J) Specify which college will grant the award;  
21 (K) Specify that only the college providing the instruction will record the  
22 letter grade on the student transcript;  
23 (L) Specify that any participating college(s) that does not have approval  
24 of the State Board of Community Colleges for the program will not  
25 award a certificate, diploma or associate degree under the authority of  
26 the approved level three instructional service agreement.  
27 (M) Be approved ~~signed~~ by the President of the North Carolina  
28 Community College System prior to implementation of the program;  
29 and  
30 (N) Be maintained on file at each participating college for audit purposes.

1 (3) Notification of termination of a level three agreement shall be ~~signed~~ approved  
2 by the president of each participating college and shall be sent to the System  
3 Office President by the college that grants the award, prior to the effective  
4 termination date.

5 (d) The delivery of curriculum courses or programs delivered into another college's  
6 service area via non-traditional delivery as defined in 1G SBCCC 200.93(e)(1) does  
7 not require an instructional service agreement.

8 (e) A college may not delegate curriculum program approval to another college. The  
9 State Board of Community Colleges grants program approval using criteria set forth  
10 in 1D SBCCC 400.6.

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12 *History Note:* Authority G.S. 115D-5; S.L. 1993, 2nd session, c. 769, p. 18, s. 18; S.L.  
13 1995, c. 625;  
14 *Temporary Adoption Eff.* October 31, 1994, for a period of 180 days or  
15 until the permanent rule becomes effective, whichever is sooner;  
16 *Eff.* May 1, 1995;  
17 *Temporary Amendment Eff.* June 1, 1997;  
18 *Amended Eff.* \_\_\_\_\_; [August 1, 2025](#); [November 1, 2017](#);  
19 [November 1, 2014](#); August 1, 2004; July 1, 1998.  
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