

NUMBERED MEMO CC26-036

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 Adoption of 1B SBCCC 800.2 - Definitions

DATE: July 21, 2026

On July 17, 2026, the State Board of Community Colleges (SBCC) initiated the rulemaking process to adopt **1B SBCCC 800.2 – Definitions**. The proposed adoption would comply with Session Law 2026-21 which required the SBCC to adopt a policy on diversity, equity, and inclusion at community colleges. The proposed adoption is published on the NC Community College System's website, [Numbered Memos - NCCCS \(ncccommunitycolleges.edu\)](https://ncccommunitycolleges.edu/numbered-memos). 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 August 20, 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 August 5, 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. Thank you for your attention to this matter.

CC26-036

Email Copy
Attachment



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: July 21, 2026

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Adoption of 1B SBCCC 800.2 – Definitions
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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:	This adoption is in response to Session Law 2026-21 which requires the State Board of Community Colleges to adopt a policy on diversity, equity, and inclusion at community colleges.
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Proposed Effective Date of Rule	October 1, 2026
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1B SBCCC 800.2 is proposed for adoption as follows:

State Board of Community Colleges Code
TITLE 1. COMMUNITY COLLEGES

CHAPTER B. COLLEGE OPERATIONS



SUBCHAPTER 800. DIVERSITY, EQUITY, AND INCLUSION

1B SBCCC 800.2 Definitions

The following terms shall have the following meanings throughout this Subchapter.

(a) Discriminatory practice – Any of the following based on an individual's protected classification under federal law:

(1) Treating an individual differently solely to advantage or disadvantage that individual as compared to other individuals or groups.

(2) Excluding an individual from employment, except as allowed under federal law.

(3) Excluding an individual from participation in an educational program or activity, except as allowed under federal law.

(b) Divisive concept – Any of the following concepts:

(1) One race or sex is inherently superior to another race or sex.

(2) An individual, solely by virtue of his or her race or sex, is inherently racist, sexist, or oppressive.

(3) An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(4) An individual's moral character is necessarily determined by his or her race or sex.

(5) An individual, solely by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.

(6) Any individual, solely by virtue of his or her race or sex, should feel discomfort, guilt, anguish, or any other form of psychological distress.

(7) A meritocracy is inherently racist or sexist.

1 (8) The United States was created by members of a particular race or sex for
2 the purpose of oppressing members of another race or sex.

3 (9) Particular character traits, values, moral or ethical codes, privileges, or
4 beliefs should be ascribed to a race or sex or to an individual because of
5 the individual's race or sex.

6 (10) The rule of law does not exist but instead is a series of power relationships
7 and struggles among racial or other groups.

8 (11) All Americans are not created equal and are not endowed with certain
9 unalienable rights, including life, liberty, and the pursuit of happiness.

10 (12) Governments should deny to any person within the government's
11 jurisdiction the equal protection of the law.

12 (c) Instruction – Includes content taught or presented to students by employees,
13 contractors, or individuals otherwise engaged by a College.

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15 History Note: Authority G.S. 115D-6.1

16 Eff. _____.