

NUMBERED MEMO CC26-058

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: Adoption of 1B SBCCC 800.2 - Definitions

DATE: September 22, 2026

On September 18, 2026, the State Board of Community Colleges (SBCC) voted to adopt the State Board Code, **1B SBCCC 800.2 – Definitions**. The adoption defines “discriminatory practice,” “divisive concept,” and “instruction” used throughout Subchapter 800 – Policies on Diversity, Equity, and Inclusion of the State Board Code.

The adoption will be effective **October 1, 2026**. At that time, the adopted rule will be published on the North Carolina Community College System’s website, [State Board Code - NCCCS \(ncccommunitycolleges.edu\)](https://ncccommunitycolleges.edu). For your convenience, a copy of the rule in its final form is attached to this memorandum.

CC26-058

Email Copy
Attachment

State Board of Community Colleges Code
TITLE 1. COMMUNITY COLLEGES

CHAPTER B. COLLEGE OPERATIONS



SUBCHAPTER 800. POLICIES ON 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.
 - (8) The United States was created by members of a particular race or sex for the purpose of oppressing members of another race or sex.
 - (9) Particular character traits, values, moral or ethical codes, privileges, or beliefs should be ascribed to a race or sex or to an individual because of the individual's race or sex.
 - (10) The rule of law does not exist but instead is a series of power relationships and struggles among racial or other groups.
 - (11) All Americans are not created equal and are not endowed with certain unalienable rights, including life, liberty, and the pursuit of happiness.
 - (12) Governments should deny to any person within the government's jurisdiction the equal protection of the law.
- (c) Instruction – Includes content taught or presented to students by employees, contractors, or individuals otherwise engaged by a College.

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

Eff. [October 1, 2026](#).