

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

S

D

SENATE BILL 536  
Education/Higher Education Committee Substitute Adopted 4/22/15  
PROPOSED HOUSE COMMITTEE SUBSTITUTE S536-PCS35368-RQ-31

Short Title: Students Know Before You Go & Central Resid.

(Public)

Sponsors:

Referred to:

March 30, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE ACCURATE AND COMPLETE DATA TO STUDENTS ON  
3 POSTSECONDARY STUDENT COMPLETION, GRADUATION, AND EARNINGS  
4 OUTCOMES AT NORTH CAROLINA POSTSECONDARY INSTITUTIONS AND TO  
5 PROVIDE FOR A COORDINATED AND CENTRALIZED RESIDENCY  
6 DETERMINATION PROCESS.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. Article 23 of Chapter 116 of the General Statutes is amended by adding  
9 a new section to read:

10 "**§ 116-209.16A. Information on career and major options.**

11 (a) Know Before You Go. – The Authority shall provide information on a Web site, under  
12 a section entitled "Know Before You Go," to students and parents to assist in selection of major  
13 and career options as provided in this section. The information shall be updated annually.

14 (b) Career Options. – The Authority shall, as data is available, provide information on  
15 projected employment needs in the labor economy and associated salary ranges for those areas of  
16 employment, college majors which may fulfill those needs, and institutions of higher education  
17 that may provide those majors. The Authority may use existing sources of public information,  
18 such as the employment projections produced by the federal Department of Labor, Bureau of  
19 Labor Statistics, to develop this information.

20 (c) Major Options. – The Authority shall, as data is available, provide information based  
21 on aggregate data for outcomes of public and private institutions of higher education in North  
22 Carolina. Outcome information for each public and private institution of higher education shall  
23 include, but is not limited to, the following:

- 24 (1) Completion rates within the expected number of semesters for the degree  
25 sought.  
26 (2) Transfer rates of students to other institutions.  
27 (3) Percentage of students receiving financial aid, by type of aid.  
28 (4) Average and median amount of loan debt upon student graduation, by major.  
29 (5) Average and median salary, by major.  
30 (6) Percentage of graduates employed within six months of graduation, by major.  
31 (7) Percentage of graduates enrolled in graduate school within six months of  
32 graduation, by major."

33 SECTION 2.(a) G.S. 116-143.1 reads as rewritten:

34 "**§ 116-143.1. Provisions for determining resident status for tuition purposes.**

35 (a) As defined under this section:



\* S 5 3 6 - P C S 3 5 3 6 8 - R Q - 3 1 \*

- 1 (1) A "legal resident" or "resident" is a person who qualifies as a domiciliary of  
 2 North Carolina; a "nonresident" is a person who does not qualify as a  
 3 domiciliary of North Carolina.
- 4 (2) A "resident for tuition purposes" is a person who qualifies for the in-State  
 5 tuition rate; a "nonresident for tuition purposes" is a person who does not  
 6 qualify for the in-State tuition rate.
- 7 (3) "Institution of higher education" means any of the constituent institutions of the  
 8 University of North Carolina and the community colleges under the jurisdiction  
 9 of the State Board of Community Colleges.
- 10 (4) "Authority" means the State Education Assistance Authority created by and  
 11 authorized to act under Article 23 of Chapter 116 of the General Statutes.

12 ...

13 (d) An individual shall not be classified as a resident for tuition purposes and, thus, not  
 14 rendered eligible to receive the in-State tuition rate, until he or she has provided such evidence  
 15 related to legal residence and its duration as may be required by the coordinated and centralized  
 16 residency determination process administered by the Authority in accordance with this Article  
 17 acting on behalf of officials of the institution of higher education from which the individual seeks  
 18 the in-State tuition rate.

19 (e) When an individual presents evidence that the individual has living parent(s) or  
 20 court-appointed guardian of the person, the legal residence of such parent(s) or guardian shall be  
 21 prima facie evidence of the individual's legal residence, which may be reinforced or rebutted  
 22 relative to the age and general circumstances of the individual by the other evidence of legal  
 23 residence required of or presented by the individual; provided, that the legal residence of an  
 24 individual whose parents are domiciled outside this State shall not be prima facie evidence of the  
 25 individual's legal residence if the individual has lived in this State the five consecutive years prior  
 26 to enrolling or reregistering at ~~the an~~ institution of higher education ~~at which resident status for~~  
 27 ~~tuition purposes is sought.~~ education.

28 ...

29 (i) A person who, having acquired bona fide legal residence in North Carolina, has been  
 30 classified as a resident for tuition purposes but who, while enrolled in a ~~Statean~~ institution of  
 31 higher education, loses North Carolina legal residence, shall continue to enjoy the in-State tuition  
 32 rate for a statutory grace period. This grace period shall be measured from the date on which the  
 33 culminating circumstances arose that caused loss of legal residence and shall continue for 12  
 34 months; provided, that a resident's marriage to a person domiciled outside of North Carolina shall  
 35 not be deemed a culminating circumstance even when said resident's spouse continues to be  
 36 domiciled outside of North Carolina; and provided, further, that if the 12-month period ends  
 37 during a semester or academic term in which such a former resident is enrolled at a ~~Statean~~  
 38 institution of higher education, such grace period shall extend, in addition, to the end of that  
 39 semester or academic term.

40 ...."

41 **SECTION 2.(b)** G.S. 116-201(b) reads as rewritten:

42 "(b) As used in this Article, the following terms shall have the following meanings unless  
 43 the context indicates a contrary intent:

44 ...

- 45 (11) "Student," with respect to scholarships, grants, and work-study programs,  
 46 means a resident of the ~~State,~~ State for tuition purposes under the criteria set  
 47 forth in G.S. 116-143.1 and in accordance with any definitions of residency that  
 48 may from time to time be prescribed by the Board of Governors of The  
 49 University of North Carolina and published in the residency manual of the  
 50 Board, Carolina, who, under regulations adopted by the Authority, has enrolled  
 51 or will enroll in an eligible institution for the purpose of pursuing his education

beyond the high school level, who is making suitable progress in his education in accordance with standards acceptable to the Authority and, for the purposes of G.S. 116-209.19, who has not received a bachelor's degree, or qualified for it and who is otherwise classified as an undergraduate under those regulations that the Authority may promulgate;

...."

**SECTION 2.(c)** G.S. 116-204 is amended by adding a new subdivision to read:

"(12) To administer the coordinated and centralized process for determining residency for tuition and State-funded financial aid purposes that is jointly developed and implemented by The University of North Carolina, the North Carolina Community College System, and the Authority, in consultation with the North Carolina Independent Colleges and Universities."

**SECTION 2.(d)** G.S. 116-281 reads as rewritten:

**"§ 116-281. Eligibility requirements for scholarships.**

In order to be eligible to receive a scholarship under this Article, a student seeking a degree, diploma, or certificate at an eligible private postsecondary institution must meet all of the following requirements:

...

(3) The student must qualify as a legal resident of North Carolina and as a resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with definitions of residency that may from time to time be adopted by the Board of Governors and published in the residency manual of the Board of Governors of The University of North Carolina.

...."

**SECTION 2.(e)** G.S. 115C-499.2 reads as rewritten:

**"§ 115C-499.2. Eligibility requirements for a scholarship.**

In order to be eligible to receive a scholarship under this Article, a student seeking a degree, diploma, or certificate at an eligible postsecondary institution must meet all of the following requirements:

...

(3) The student must qualify as a legal resident of North Carolina and as a resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with definitions of residency that may from time to time be adopted by the Board of Governors and published in the residency manual of the Board of Governors of The University of North Carolina.

...."

**SECTION 2.(f)** G.S. 105-259(b) is amended by adding a new subdivision to read:

"(b) Disclosure Prohibited. – An officer, an employee, or an agent of the State who has access to tax information in the course of service to or employment by the State may not disclose the information to any other person except as provided in this subsection. Standards used or to be used for the selection of returns for examination and data used or to be used for determining the standards may not be disclosed for any purpose. All other tax information may be disclosed only if the disclosure is made for one of the following purposes:

...

(52) To furnish tax information to the State Education Assistance Authority as necessary for administering the coordinated and centralized residency determination process in accordance with Article 14 of Chapter 116 of the General Statutes."

**SECTION 2.(g)** The State Board of Community Colleges shall adopt a policy that requires the community colleges within the North Carolina Community College System to accept only the residency classification jointly developed by The University of North Carolina, the North

1 Carolina Community College System, and the State Education Assistance Authority in  
2 consultation with the North Carolina Independent Colleges and Universities as required by this act  
3 under the coordinated and centralized process for determining residency for tuition purposes.

4 **SECTION 2.(h)** The State Education Assistance Authority shall establish a council  
5 comprised of representatives of The University of North Carolina, the North Carolina Community  
6 College System, and the North Carolina Independent Colleges and Universities to guide and assist  
7 the Authority in formulating, developing, and implementing any policies necessary for the proper  
8 administration and maintenance of the coordinated and centralized process for determining  
9 residency for tuition and State-funded financial aid as required by this act.

10 **SECTION 3.** Section 1 of this act becomes effective April 1, 2017. Section 2 of this  
11 act becomes effective September 1, 2016, and applies to all undergraduate enrollments for  
12 academic quarters, terms, or semesters that begin on or after January 1, 2017, and to all graduate  
13 enrollments for academic quarters, terms, or semesters that begin on or after January 1, 2018. The  
14 remainder of this act is effective when it becomes law.