



~~"§ 115D-1.3. Accreditation of secondary school located in North Carolina shall not be a factor in admissions, loans, scholarships, or other educational policies.~~

~~(a) For purposes of this section, the term "accreditation" shall include certification or any other similar approval process.~~

~~(b) The State Board of Community Colleges shall adopt a policy that prohibits any community college from soliciting or using information regarding the accreditation of a secondary school located in North Carolina that a person attended as a factor affecting admissions, loans, scholarships, or other educational activity at the community college, unless the accreditation was conducted by a State agency.~~

~~...~~

~~"§ 115D-4.1. College transfer program approval; standards for programs; annual reporting requirements.~~

~~(a) Repealed by Session Laws 1995, c. 288, s. 1, effective September 1, 1995.~~

~~(b) The State Board of Community Colleges may approve the addition of the college transfer program to a community college. If addition of the college transfer program to an institution would require a substantial increase in funds, State Board approval shall be subject to appropriation of funds by the General Assembly for this purpose.~~

~~(c) Addition of the college transfer program shall not decrease an institution's ability to provide programs within its basic mission of vocational and technical training and basic academic education.~~

~~(d) The State Board of Community Colleges shall develop appropriate criteria and standards to regulate the addition of the college transfer program to institutions.~~

~~(e) The State Board of Community Colleges shall develop appropriate criteria and standards to regulate the operation of college transfer programs.~~

~~(f) The Board of Governors of The University of North Carolina shall report to each community college and to the State Board of Community Colleges in accordance with G.S. 116-11(10b) on the academic performance of that community college's transfer students. If the State Board of Community Colleges finds that college transfer students from a community college are not consistently performing adequately at a four-year college, the Board shall review the community college's program and determine what steps are necessary to remedy the problem. The Board shall report annually to the General Assembly on the reports it receives and on what steps it is taking to remedy problems that it finds.~~

~~(g) The Community Colleges System Office shall report by April 15, 2011, and annually thereafter, to the Joint Legislative Education Oversight Committee, the State Board of Education, the Office of State Budget and Management, and the Fiscal Research Division of the General Assembly on the implementation of the UNC NCCCS 2+2 E-Learning Initiative. This report shall include:~~

- ~~(1) The courses and programs within the 2+2 E-Learning Initiative;~~
- ~~(2) The total number of prospective teachers that have taken or are taking part in this initiative to date broken down by the current academic period and each of the previous academic periods since the program's inception;~~
- ~~(3) The total number of teachers currently in the State's classrooms, by local school administrative unit, who have taken part in this initiative;~~
- ~~(4) The change in the number of teachers available to schools since the program's inception;~~
- ~~(5) The qualitative data from students, teachers, local school administrative unit personnel, university personnel, and community college personnel as to the impact of this initiative on our State's teaching pool; and~~
- ~~(6) An explanation of the expenditures and collaborative programs between the North Carolina Community College System and The University of North Carolina, including recommendations for improvement.~~

~~"§ 115D-5. Administration of institutions by State Board of Community Colleges; personnel exempt from North Carolina Human Resources Act; extension courses; tuition waiver; in-plant training; contracting, etc., for establishment and operation of extension units of the community college system; use of existing public school facilities.~~

~~(a) The State Board of Community Colleges may adopt and execute such policies, regulations and standards concerning the establishment, administration, and operation of institutions as the State Board may deem necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.~~

~~The State Board of Community Colleges shall establish standards and scales for salaries and allotments paid from funds administered by the State Board, and all employees of the institutions shall be exempt from the provisions of the North Carolina Human Resources Act. Any and all salary caps set by the State Board for community college presidents shall apply only to the State paid portion of the salary. Except as otherwise provided by law, the employer contribution rate on the local paid portion of the salary, to be paid from local funds, shall be set by the State Treasurer based on actuarial recommendations. The State Board shall have authority with respect to individual institutions: to approve sites, capital improvement projects, budgets; to approve the selection of the chief administrative officer; to establish and administer standards for professional personnel, curricula, admissions, and graduation; to regulate the awarding of degrees, diplomas, and certificates; to establish and regulate student tuition and fees within policies for tuition and fees established by the General Assembly; and to establish and regulate financial accounting procedures.~~

~~The State Board of Community Colleges shall require each community college to meet the faculty credential requirements of its accrediting agency for all community college programs.~~

~~(a1) Notwithstanding G.S. 66-58(e)(3) or any other provisions of law, the State Board of Community Colleges may adopt rules governing the expenditure of funds derived from bookstore sales by community colleges. These expenditures shall be consistent with the mission and purpose of the Community College System. Profits may be used in the support and enhancement of the bookstores, for student aid or scholarships, for expenditures of direct benefit to students, and for other similar expenditures authorized by the board of trustees, subject to rules adopted by the State Board. These funds shall not be used to supplement salaries of any personnel.~~

~~(a2) The State Board of Community Colleges shall comply with the provisions of G.S. 116-11(10a) to plan and implement an exchange of information between the public schools and the institutions of higher education in the State.~~

~~(a3) The State Board of Community Colleges shall adopt the following rules to assist community colleges in their administration of procedures necessary to implement G.S. 20-11 and G.S. 20-13.2:~~

- ~~(1) To establish the procedures a person who is or was enrolled in a community college must follow and the requirements that person must meet to obtain a driving eligibility certificate.~~
- ~~(2) To require the person who is required under G.S. 20-11(n) to sign the driving eligibility certificate to provide the certificate if he or she determines that one of the following requirements is met:
  - ~~a. The person seeking the certificate is eligible for the certificate under G.S. 20-11(n)(1) and is not subject to G.S. 20-11(n1).~~
  - ~~b. The person seeking the certificate is eligible for the certificate under G.S. 20-11(n)(1) and G.S. 20-11(n1).~~~~
- ~~(3) To provide for an appeal through the grievance procedures established by the board of trustees of each community college by a person who is denied a driving eligibility certificate.~~

1           (4)    ~~To define exemplary student behavior and to define what constitutes the~~  
2           ~~successful completion of a drug or alcohol treatment counseling program.~~

3           ~~The State Board also shall develop policies as to when it is appropriate to~~  
4           ~~notify the Division of Motor Vehicles that a person who is or was enrolled in~~  
5           ~~a community college no longer meets the requirements for a driving eligibility~~  
6           ~~certificate. The State Board also shall adopt guidelines to assist the presidents~~  
7           ~~of community colleges in their designation of representatives to sign driving~~  
8           ~~eligibility certificates.~~

9           ~~The State Board shall develop a form for the appropriate individuals to~~  
10          ~~provide their written, irrevocable consent for a community college to disclose~~  
11          ~~to the Division of Motor Vehicles that the student no longer meets the~~  
12          ~~conditions for a driving eligibility certificate under G.S. 20-11(n)(1) or~~  
13          ~~G.S. 20-11(n1), if applicable, in the event that this disclosure is necessary to~~  
14          ~~comply with G.S. 20-11 or G.S. 20-13.2. Other than identifying under which~~  
15          ~~statutory subsection the student is no longer eligible, no other details or~~  
16          ~~information concerning the student's school record shall be released pursuant~~  
17          ~~to this consent.~~

18          (b)    ~~In order to make instruction as accessible as possible to all citizens, the teaching of~~  
19          ~~curricular courses and of noncurricular extension courses at convenient locations away from~~  
20          ~~institution campuses as well as on campuses is authorized and shall be encouraged. A pro rata~~  
21          ~~portion of the established regular tuition rate charged a full-time student shall be charged a~~  
22          ~~part-time student taking any curriculum course. In lieu of any tuition charge, the State Board of~~  
23          ~~Community Colleges shall establish a uniform registration fee, or a schedule of uniform~~  
24          ~~registration fees, to be charged students enrolling in extension courses for which instruction is~~  
25          ~~financed primarily from State funds. The State Board of Community Colleges may provide by~~  
26          ~~general and uniform regulations for waiver of tuition and registration fees for the following:~~

27           (1)    ~~Persons not enrolled in elementary or secondary schools taking courses~~  
28           ~~leading to a high school diploma or equivalent certificate.~~

29           (2)    ~~Courses requested by the following entities that support the organizations'~~  
30           ~~training needs and are on a specialized course list approved by the State Board~~  
31           ~~of Community Colleges:~~

32           a.    ~~Volunteer fire departments.~~

33           b.    ~~Municipal, county, or State fire departments.~~

34           e.    ~~Volunteer EMS or rescue and lifesaving departments.~~

35           d.    ~~Municipal, county, or State EMS or rescue and lifesaving departments.~~

36           d1.   ~~Law enforcement, fire, EMS or rescue and lifesaving entities serving~~  
37           ~~a lake authority that was created by a county board of commissioners~~  
38           ~~prior to July 1, 2012.~~

39           e.    ~~Radio Emergency Associated Communications Teams (REACT)~~  
40           ~~under contract to a county as an emergency response agency.~~

41           f.    ~~Municipal, county, or State law enforcement agencies.~~

42           f1.   ~~Campus police agencies of private institutions of higher education~~  
43           ~~certified by the Attorney General pursuant to Chapter 74G of the~~  
44           ~~General Statutes.~~

45           g.    ~~The Division of Prisons of the Department of Adult Correction and the~~  
46           ~~Division of Juvenile Justice of the Department of Public Safety for the~~  
47           ~~training of full-time custodial employees and employees of the~~  
48           ~~Divisions required to be certified under Article 1 of Chapter 17C of~~  
49           ~~the General Statutes and the rules of the Criminal Justice and Training~~  
50           ~~Standards Commission.~~

- 1 h. Repealed by Session Laws 2017-186, s. 2(hhhhh), effective December  
2 1, 2017.
- 3 i. The Eastern Band of Cherokee Indians law enforcement, fire, EMS or  
4 rescue and lifesaving tribal government departments or programs.
- 5 j. The Criminal Justice Standards Division of the Department of Justice  
6 for the training of criminal justice professionals, as defined in  
7 G.S. 17C-20(6), who are required to be certified under (i) Article 1 of  
8 Chapter 17C of the General Statutes and the rules of the North  
9 Carolina Criminal Justice Education and Training Standards  
10 Commission or (ii) Chapter 17E of the General Statutes and the rules  
11 of the North Carolina Sheriffs' Education and Training Standards  
12 Commission. The waivers provided for in this sub-subdivision apply  
13 to participants and recent graduates of the North Carolina Criminal  
14 Justice Fellows Program to obtain certifications for eligible criminal  
15 justice professions as defined in G.S. 17C-20(6).
- 16 (2a) Firefighters, EMS personnel, and rescue and lifesaving personnel whose duty  
17 station is located on a military installation within North Carolina for courses  
18 that support their organizations' training needs and are approved for this  
19 purpose by the State Board of Community Colleges.
- 20 (3) Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1, 2011.
- 21 (4) Trainees enrolled in courses conducted under the Customized Training  
22 Program.
- 23 (5) through (9) Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1,  
24 2011.
- 25 (10) Elementary and secondary school employees enrolled in courses in first aid or  
26 cardiopulmonary resuscitation (CPR).
- 27 (11) Repealed by Session Laws 2013-360, s. 10.6, effective July 1, 2013.
- 28 (12) All courses taken by high school students at community colleges, in  
29 accordance with G.S. 115D-20(4) and this section.
- 30 (13) Human resources development courses for any individual who (i) is  
31 unemployed; (ii) has received notification of a pending layoff; (iii) is working  
32 and is eligible for the Federal Earned Income Tax Credit (FEITC); or (iv) is  
33 working and earning wages at or below two hundred percent (200%) of the  
34 federal poverty guidelines.
- 35 (14) Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1, 2011.
- 36 (15) Courses providing employability skills, job-specific occupational or technical  
37 skills, or developmental education instruction to certain students who are  
38 concurrently enrolled in an eligible community college literacy course, in  
39 accordance with rules adopted by the State Board of Community Colleges.
- 40 (16) Courses provided to students who are participating in a pre-apprenticeship or  
41 apprenticeship program that meets all of the following criteria:
- 42 a. Meets one of the following:
- 43 1. Is a registered apprenticeship program recognized by the  
44 United States Department of Labor.
- 45 2. Is a pre-apprenticeship program recognized and approved by  
46 the State agency administering the statewide apprenticeship  
47 program.
- 48 b. Has a documented plan of study with courses relating to a job-specific  
49 occupational or technical skill.
- 50 c. Requires the participants in the program to be North Carolina high  
51 school students when entering the program.

1 The State Board of Community Colleges shall not waive tuition and registration fees for other  
2 individuals.

3 (b1) The State Board of Community Colleges shall not waive tuition and registration fees  
4 for community college faculty or staff members. Community colleges may, however, use State  
5 or local funds to pay tuition and registration fees for one course per semester for full time  
6 community college faculty or staff members employed for a nine-, ten-, eleven-, or twelve-month  
7 term. Community colleges may also use State and local funds to pay tuition and registration fees  
8 for professional development courses and for other courses consistent with the academic  
9 assistance program authorized by the State Human Resources Commission.

10 (b2) Beginning February 1, 2018, and annually thereafter, the Community Colleges  
11 System Office shall report to the Joint Legislative Education Oversight Committee on the number  
12 and type of waivers granted pursuant to subsection (b) of this section.

13 (c) No course of instruction shall be offered by any community college at State expense  
14 or partial State expense to any captive or co-opted group of students, as defined by the State  
15 Board of Community Colleges, without prior approval of the State Board of Community  
16 Colleges. All course offerings approved for State prison inmates or prisoners in local jails must  
17 be tied to clearly identified job skills, transition needs, or both. Approval by the State Board of  
18 Community Colleges shall be presumed to constitute approval of both the course and the group  
19 served by that institution. The State Board of Community Colleges may delegate to the President  
20 the power to make an initial approval, with final approval to be made by the State Board of  
21 Community Colleges. A course taught without such approval will not yield any full time  
22 equivalent students, as defined by the State Board of Community Colleges.

23 (c1) Community colleges shall report full-time equivalent (FTE) student hours for  
24 correction education programs on the basis of student membership hours. No community college  
25 shall operate a multi-entry/multi-exit class or program in a prison facility, except for a literacy  
26 class or program.

27 The State Board shall work with the Division of Adult Correction and Juvenile Justice of the  
28 Department of Public Safety on offering classes and programs that match the average length of  
29 stay of an inmate in a prison facility.

30 (c2) Courses in federal prisons shall not earn regular budget full-time equivalents, but may  
31 be offered on a self-supporting basis.

32 (c3) Funds appropriated for community college courses for prison inmates shall be used  
33 only for inmates in State prisons. The first priority for the use of these funds shall be to restore  
34 the FTE for basic skills courses to the FY 2008-2009 level. Funds not needed for this purpose  
35 may be used for continuing education and curriculum courses related to job skills training.

36 (d) Recodified as G.S. 115D-5.1(a) by Session Laws 2005-276, s. 8.4(a), effective July  
37 1, 2005.

38 (e) Repealed by Session Laws 1999-84, s. 3, effective May 21, 1999.

39 (f) A community college may not offer a new program without the approval of the State  
40 Board of Community Colleges except that approval shall not be required if the tuition for the  
41 program will fully cover the cost of the program. If at any time tuition fails to fully cover the cost  
42 of a program that falls under the exception, the program shall be discontinued unless approved  
43 by the State Board of Community Colleges. If a proposed new program would serve more than  
44 one community college, the State Board of Community Colleges shall perform a feasibility study  
45 prior to acting on the proposal. The State Board of Community Colleges shall consider whether  
46 a regional approach can be used when developing new programs and, to the extent possible, shall  
47 initiate new programs on a regional basis.

48 The State Board of Community Colleges shall collect data on an annual basis on all new  
49 programs and program terminations it approved and any regionalization of programs during the  
50 year, including the specific reasons for which each program was terminated or approved.

1       (f1)    The State Board shall adopt a policy requiring community colleges to be accredited  
2 in accordance with G.S. 115D-6.2.

3       (g)    Funds appropriated to the Community Colleges System Office as operating expenses  
4 for allocation to the institutions comprising the North Carolina Community College System shall  
5 not be used to support recreation extension courses. The financing of these courses by any  
6 institution shall be on a self-supporting basis, and membership hours produced from these  
7 activities shall not be counted when computing full-time equivalent students (FTE) for use in  
8 budget funding formulas at the State level.

9       (h)    Whenever a community college offers real estate continuing education courses  
10 pursuant to G.S. 93A 4.1, the courses shall be offered on a self-supporting basis.

11       (i)    Recodified as G.S. 115D-5.1(e) by Session Laws 2005-276, s. 8.4(a), effective July  
12 1, 2005.

13       (j)    The State Board of Community Colleges shall use its Board Reserve Fund for  
14 feasibility studies, pilot projects, start up of new programs, and innovative ideas.

15       (k)    Recodified as G.S. 115D-5.1(b) by Session Laws 2005-276, s. 8.4(a), effective July  
16 1, 2005.

17       (l)    The State Board shall review and approve lease purchase and installment purchase  
18 contracts as provided under G.S. 115D-58.15(b). The State Board shall adopt policies and  
19 procedures governing the review and approval process.

20       (m)    The State Board of Community Colleges shall maintain an accountability function  
21 that conducts periodic reviews of each community college operating under the provisions of this  
22 Chapter. The purpose of the compliance review shall be to ensure that (i) data used to allocate  
23 State funds among community colleges is reported accurately to the System Office and (ii)  
24 community colleges are charging and waiving tuition and registration fees consistent with law.  
25 The State Board of Community Colleges shall require the use of a statistically valid sample size  
26 in performing compliance reviews of community colleges. All compliance review findings that  
27 are determined to be material shall be forwarded to the college president, local college board of  
28 trustees, the State Board of Community Colleges, and the State Auditor. The State Board of  
29 Community Colleges shall adopt rules governing the frequency, scope, and standard of  
30 materiality for compliance reviews.

31       (n)    The North Carolina Community Colleges System Office shall provide the Department  
32 of Revenue with a list of all community colleges, including name, address, and other identifying  
33 information requested by the Department of Revenue. The North Carolina Community Colleges  
34 System Office shall update this list whenever there is a change.

35       (o)    All multicampus centers approved by the State Board of Community Colleges shall  
36 receive funding under the same formula. The State Board of Community Colleges shall not  
37 approve any additional multicampus centers without identified recurring sources of funding. A  
38 community college facility shall be considered a multicampus center if it meets all of the  
39 following criteria:

40           (1)    Is at least 4 miles away from the main campus of the community college and  
41 other multicampus center locations.

42           (2)    Any other criteria established by the State Board.

43       (p)    The North Carolina Community College System may offer courses, in accordance  
44 with Article 17D of Subchapter V of Chapter 115C of the General Statutes, to individuals who  
45 choose to enter the teaching profession through residency licensure.

46       (q)    Repealed by Session Laws 2009-451, s. 8.9, effective July 1, 2009.

47       (r)    The State Board of Community Colleges shall develop curriculum and continuing  
48 education standards for courses of instruction in American Sign Language and shall encourage  
49 community colleges to offer courses in American Sign Language as a modern foreign language.

50       (s)    The State Board of Community Colleges may establish, retain and budget fees  
51 charged to students taking an adult high school equivalency diploma test, including fees for

1 retesting. Fees collected for this purpose shall be used only to (i) offset the costs of the test,  
2 including the cost of scoring the test, (ii) offset the costs of printing adult high school equivalency  
3 diplomas, and (iii) meet federal and State reporting requirements related to the test.

4 (t) ~~The purpose of the first semester of the Gateway to College Program is to address~~  
5 ~~additional support to successfully complete the program. Students may need to take~~  
6 ~~developmental courses necessary for the transition to more challenging courses; therefore, the~~  
7 ~~State Board of Community Colleges shall (i) permit high school students who are enrolled in~~  
8 ~~Gateway to College Programs to enroll in developmental courses based on an assessment of their~~  
9 ~~individual student needs by a high school and community college staff team and (ii) include this~~  
10 ~~coursework in computing the budget FTE for the colleges.~~

11 (u) ~~The State Board of Community Colleges shall direct each community college to adopt~~  
12 ~~a policy that authorizes a minimum of two excused absences each academic year for religious~~  
13 ~~observances required by the faith of a student. The policy may require that the student provide~~  
14 ~~written notice of the request for an excused absence a reasonable time prior to the religious~~  
15 ~~observance. The policy shall also provide that the student shall be given the opportunity to make~~  
16 ~~up any tests or other work missed due to an excused absence for a religious observance.~~

17 (v) ~~Community colleges may teach curriculum courses at any time during the year,~~  
18 ~~including the summer term. Student membership hours from these courses shall be counted when~~  
19 ~~computing full-time equivalent students (FTE) for use in budget funding formulas at the State~~  
20 ~~level.~~

21 (w) ~~The State Board of Community Colleges shall review, at least every five years,~~  
22 ~~service areas that include counties assigned to more than one community college to determine~~  
23 ~~the feasibility of continuing to assign those counties to more than one community college. The~~  
24 ~~State Board shall revise service areas as needed to ensure that counties are served effectively.~~  
25 ~~The first review and any revisions shall be completed no later than March 1, 2016, and the State~~  
26 ~~Board shall report its findings and any revisions to the Joint Legislative Education Oversight~~  
27 ~~Committee no later than March 1, 2016. All subsequent reviews and revisions shall also be~~  
28 ~~submitted to the Committee.~~

29 (x) ~~In addition to the evaluation of cooperative innovative high schools by the State Board~~  
30 ~~of Education pursuant to G.S. 115C 238.55, the State Board of Community Colleges, in~~  
31 ~~conjunction with the State Board of Education and the Board of Governors of The University of~~  
32 ~~North Carolina, shall evaluate the success of students participating in the Career and College~~  
33 ~~Promise Program, including the College Transfer pathway and the Career and Technical~~  
34 ~~Education pathway. Success shall be measured by high school retention rates, high school~~  
35 ~~completion rates, high school dropout rates, certification and associate degree completion,~~  
36 ~~admission to four-year institutions, postgraduation employment in career or study-related fields,~~  
37 ~~and employer satisfaction of employees who participated in the programs. The evaluation shall~~  
38 ~~also include an analysis of the cost of students participating in each of the programs within the~~  
39 ~~Career and College Promise Program, including at least the following:~~

- 40 (1) ~~Total enrollment funding, the number of budgeted full-time equivalent~~  
41 ~~students, and the number of students enrolled in courses through cooperative~~  
42 ~~innovative high schools, the College Transfer pathway, and the Career and~~  
43 ~~Technical Education pathway.~~
- 44 (2) ~~The cost and number of waivers of tuition and registration fees provided for~~  
45 ~~students enrolled in courses through cooperative innovative high schools, the~~  
46 ~~College Transfer pathway, and the Career and Technical Education pathway.~~
- 47 (3) ~~Any additional costs of a student attending courses on campus if a student is~~  
48 ~~not attending public school in a local school administrative unit for the~~  
49 ~~majority of the student's instructional time.~~

50 ~~The Boards shall jointly report by March 15 of each year to the Joint Legislative Education~~  
51 ~~Oversight Committee, the Senate Appropriations Committee on Education/Higher Education, the~~



1 House Appropriations Committee on Education, and the Fiscal Research Division of the General  
2 Assembly. The report shall be combined with the evaluation of cooperative innovative high  
3 schools required by G.S. 115C-238.55, and the Community Colleges System Office shall be  
4 responsible for submitting the combined report.

5 (y) The State Board of Community Colleges shall adopt a policy to be applied uniformly  
6 throughout the Community College System to provide that any student enrolled in a community  
7 college who is a National Guard service member placed onto State active duty status during an  
8 academic term shall be given an excused absence for the period of time the student is on active  
9 duty. The policy shall further provide all of the following:

- 10 (1) The student shall be given the opportunity to make up any test or other work  
11 missed during the excused absence.
- 12 (2) The student shall be given the option, when feasible, to continue classes and  
13 coursework during the academic term through online participation for the  
14 period of time the student is placed on active duty.
- 15 (3) The student shall be given the option of receiving a temporary grade of  
16 "incomplete (IN)" or "absent from the final exam (AB)" for any course that  
17 the student was unable to complete as a result of being placed on State active  
18 duty status; however, the student must complete the course requirements  
19 within the period of time specified by the community college to avoid  
20 receiving a failing grade for the course.
- 21 (4) The student shall be permitted to drop, with no penalty, any course that the  
22 student was unable to complete as a result of being placed on State active duty  
23 status.

24 (z) The State Board of Community Colleges shall monitor community colleges for  
25 compliance with Article 38 of Chapter 116 of the General Statutes. If the State Board determines  
26 that a community college is in violation of Article 38, it shall report the identity of the community  
27 college to the Joint Legislative Education Oversight Committee.

#### 28 **~~§ 115D-5.1. Workforce Development Programs.~~**

29 (a) Community colleges shall assist in the preemployment and in-service training of  
30 employees in industry, business, agriculture, health occupation and governmental agencies. Such  
31 training shall include instruction on worker safety and health standards and practices applicable  
32 to the field of employment. The State Board of Community Colleges shall make appropriate  
33 regulations including the establishment of maximum hours of instruction which may be offered  
34 at State expense in each in-plant training program. No instructor or other employee of a  
35 community college shall engage in the normal management, supervisory and operational  
36 functions of the establishment in which the instruction is offered during the hours in which the  
37 instructor or other employee is employed for instructional or educational purposes.

38 (b) through (d) Repealed by Session Laws 2008-107, s. 8.7(a), effective July 1, 2008.

39 (e) There is created within the North Carolina Community College System the  
40 Customized Training Program. The Customized Training Program shall offer programs and  
41 training services to assist new and existing business and industry to remain productive, profitable,  
42 and within the State. Before a business or industry qualifies to receive assistance under the  
43 Customized Training Program, the President of the North Carolina Community College System  
44 shall determine that:

- 45 (1) The business is making an appreciable capital investment;
- 46 (2) The business is deploying new technology;
- 47 (2a) The business or individual is creating jobs, expanding an existing workforce,  
48 or enhancing the productivity and profitability of the operations within the  
49 State; and
- 50 (3) The skills of the workers will be enhanced by the assistance.

1 (f) The Community Colleges System Office shall report no later than September 1 of  
2 each year to the Joint Legislative Education Oversight Committee on:

3 (1) The total amount of funds received by a company under the Customized  
4 Training Program.

5 (1a) The types of services sought by the company, whether for new, expanding, or  
6 existing industry.

7 (2) The amount of funds per trainee received by that company.

8 (3) The amount of funds received per trainee by the community college delivering  
9 the training.

10 (4) The number of trainees trained by the company and community college.

11 (5) The number of years that company has been funded.

12 (f1) Notwithstanding any other provision of law, the State Board of Community Colleges  
13 may adopt guidelines that allow the Customized Training Program to use funds appropriated for  
14 that program to support training projects for the various branches of the Armed Forces of the  
15 United States.

16 (f2) Funds available to the Customized Training Program shall not revert at the end of a  
17 fiscal year but shall remain available until expended. Up to ten percent (10%) of the  
18 college delivered training expenditures and up to five percent (5%) of the contractor delivered  
19 training expenditures for the prior fiscal year for Customized Training may be allotted to each  
20 college for capacity building at that college.

21 (f3) Of the funds appropriated in a fiscal year for the Customized Training Programs, the  
22 State Board of Community Colleges may approve the use of up to eight percent (8%) for the  
23 training and support of regional community college personnel to deliver Customized Training  
24 Program services to business and industry.

25 (g) The State Board shall adopt guidelines to implement this section. At least 20 days  
26 before the effective date of any criteria or nontechnical amendments to guidelines, the State  
27 Board must publish the proposed guidelines on the Community Colleges System Office's web  
28 site and provide notice to persons who have requested notice of proposed guidelines. In addition,  
29 the State Board must accept oral and written comments on the proposed guidelines during the 15  
30 business days beginning on the first day that the State Board has completed these notifications.  
31 For the purpose of this subsection, a technical amendment is either of the following:

32 (1) An amendment that corrects a spelling or grammatical error.

33 (2) An amendment that makes a clarification based on public comment and could  
34 have been anticipated by the public notice that immediately preceded the  
35 public comment.

36 **~~§ 115D-5.1A. Short-Term Workforce Development Grant Program.~~**

37 (a) Program Established.—There is established the North Carolina Community College  
38 Short-Term Workforce Development Grant Program (Program) to be administered by the State  
39 Board of Community Colleges. The State Board shall adopt rules for the disbursement of the  
40 grants pursuant to this section.

41 (b) Programs of Study.—The State Board of Community Colleges, in collaboration with  
42 the Department of Commerce, shall determine the eligible programs of study for the Program,  
43 according to the occupations that are in the highest demand in the State. The eligible programs  
44 of study shall include programs such as architecture and construction, health sciences,  
45 information technology, electrical line worker, and manufacturing programs and may include  
46 other programs to meet local workforce needs.

47 (c) Award Amounts.—To the extent funds are made available for the Program, the State  
48 Board of Community Colleges shall award grants in an amount of up to seven hundred fifty  
49 dollars (\$750.00) to students pursuing short-term, noncredit State and industry workforce  
50 credentials. The State Board of Community Colleges shall establish criteria for initial and  
51 continuing eligibility for students. At a minimum, students shall be required to qualify as a

1 resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with  
2 the coordinated and centralized residency determination process administered by the State  
3 Education Assistance Authority.

4 (d) Report. — The State Board shall submit a report by April 1, 2024, and annually  
5 thereafter, on the Program to the Joint Legislative Education Oversight Committee and the Fiscal  
6 Research Division. The report shall contain, for each academic year and by programs of study,  
7 the amount of grant funds disbursed and the number of eligible students receiving funds.

8 **"§ 115D-5.2. Commercial fishing and aquaculture classes.**

9 (a) The General Assembly urges all community colleges serving the coastal area of the  
10 State to offer classes on commercial fishing and aquaculture.

11 (b) The North Carolina Community Colleges System Office shall provide technical  
12 assistance to these colleges on offering such classes.

13 (c) The North Carolina Community Colleges System Office shall report to the Joint  
14 Legislative Education Oversight Committee on any fiscal and administrative issues it identifies  
15 that limit colleges' ability to offer such courses.

16 **"§ 115D-5.5. Board Reserve Fund.**

17 The State Board of Community Colleges shall use its Board Reserve Fund for feasibility  
18 studies, pilot projects, start-up of new programs, and innovative ideas.

19  
20 "Part 2. Administration of Local Community Colleges by State Board of Community Colleges.

21 **"§ 115D-6. Withdrawal of State support.**

22 The State Board of Community Colleges may withdraw or withhold State financial and  
23 administrative support of any institutions subject to the provisions of this Chapter in the event  
24 that: of any of the following:

- 25 (1) The required local financial support of an institution is not ~~provided~~; provided.
- 26 (2) Sufficient State funds are not ~~available~~; available.
- 27 (3) The officials of an institution refuse or are unable to maintain prescribed  
28 standards of administration or ~~instruction~~; or instruction.
- 29 (4) Local educational needs for such an institution cease to exist.

30 **"§ 115D-6.1. Administration of institutions.**

31 (a) Policies. — The State Board of Community Colleges may adopt and execute such  
32 policies, regulations and standards concerning the establishment, administration, and operation  
33 of institutions as the State Board may deem necessary to ensure the quality of educational  
34 programs, to promote the systematic meeting of educational needs of the State, and to provide  
35 for the equitable distribution of State and federal funds to the several institutions.

36 (b) Authority. — The State Board shall have the following authority with respect to  
37 individual institutions:

- 38 (1) To approve sites, capital improvement projects, and budgets.
- 39 (2) To approve the selection of the chief administrative officer.
- 40 (3) To establish and administer standards for professional personnel, curricula,  
41 admissions, and graduation.
- 42 (4) To regulate the awarding of degrees, diplomas, and certificates.
- 43 (5) To establish and regulate student tuition and fees within policies for tuition  
44 and fees established by the General Assembly.
- 45 (6) To establish and regulate financial accounting procedures.

46 (c) Salaries. — The State Board shall establish standards and scales for salaries and  
47 allotments paid from funds administered by the State Board, and all employees of the institutions  
48 shall be exempt from the provisions of the North Carolina Human Resources Act. Any and all  
49 salary caps set by the State Board for community college presidents shall apply only to the  
50 State-paid portion of the salary. Except as otherwise provided by law, the employer contribution

1 rate on the local-paid portion of the salary, to be paid from local funds, shall be set by the State  
2 Treasurer based on actuarial recommendations.

3 (d) Faculty Credentials. – The State Board of Community Colleges shall require each  
4 community college to meet the faculty credential requirements of its accrediting agency for all  
5 community college programs.

6 "**§ 115D-6.2. Accreditation.**~~Accreditation policy.~~

7 The State Board of Community College shall adopt a policy requiring community colleges  
8 to be accredited in accordance with G.S. 115D-21.2.

9 (a) ~~Definitions.~~—The following definitions apply in this section:

10 (1) ~~Accreditation cycle.~~—The period of time during which a community college  
11 is accredited.

12 (2) ~~Accrediting agency.~~—An agency or association that accredits institutions of  
13 higher education.

14 (3) ~~Regional accrediting agency.~~—One of the following accrediting agencies:

15 a. ~~Higher Learning Commission.~~

16 b. ~~Middle States Commission on Higher Education.~~

17 c. ~~New England Commission on Higher Education.~~

18 d. ~~Northwest Commission on Colleges and Universities.~~

19 e. ~~Southern Association of Colleges and Schools Commission on~~  
20 ~~Colleges.~~

21 f. ~~Western Association of Schools and Colleges Accrediting~~  
22 ~~Commission for Community and Junior Colleges.~~

23 (b) ~~Prohibit Consecutive Accreditation by an Accrediting Agency.~~—A community  
24 college shall not receive accreditation by an accrediting agency for consecutive accreditation  
25 cycles except as provided in subsection (c) of this section.

26 (c) ~~Accreditation Transfer Procedure.~~—A community college that pursues accreditation  
27 with a different accrediting agency in accordance with this section shall pursue accreditation with  
28 a regional accrediting agency. If the community college is not granted candidacy status by any  
29 regional accrediting agency that is different from its current accrediting agency at least three  
30 years prior to the expiration of its current accreditation, the community college may remain with  
31 its current accrediting agency for an additional accreditation cycle.

32 (d) ~~Certain Programs Exempt.~~—The requirements of this section do not apply to  
33 professional, departmental, or certificate programs at community colleges that have specific  
34 accreditation requirements or best practices, as identified by the State Board of Community  
35 Colleges.

36 (e) ~~Cause of Action.~~—A community college may bring a civil action, as follows:

37 (1) ~~Against any person who makes a false statement to the accrediting agency of~~  
38 ~~the community college, if all of the following criteria are met:~~

39 a. ~~The statement, if true, would mean the community college is out of~~  
40 ~~compliance with its accreditation standards.~~

41 b. ~~The person made the statement with knowledge that the statement was~~  
42 ~~false or with reckless disregard as to whether it was false.~~

43 c. ~~The accrediting agency conducted a review of the community college~~  
44 ~~as a proximate result of the statement.~~

45 d. ~~The review caused the community college to incur costs.~~

46 (2) ~~A community college that prevails on a cause of action initiated pursuant to~~  
47 ~~this subsection shall be entitled to the following:~~

48 a. ~~Costs related to the review conducted by the accrediting agency,~~  
49 ~~including for the following:~~

50 1. ~~Additional hours worked by community college personnel.~~

51 2. ~~Contracted services, including outside legal counsel.~~

3. ~~Travel, lodging, and food expenses.~~

4. ~~Fees required by the agency.~~

b. ~~Reasonable attorney fees.~~

e. ~~Court costs.~~

**"§ 115D-6.5. Notice of noncompliance; appointment of an interim board of trustees.**

...

(c) Interim Board Assumption of Powers and Duties. – The adoption of the resolution to remove the full board under this section shall have the effect of vacating the terms of all of the members serving on the board of trustees. Notwithstanding G.S. 115D-12, the State Board of Community Colleges shall appoint an interim five-member board of trustees for a period not to exceed 12 months with input from the advisory committee listed in subsection (a) of this section. To preserve local autonomy, the appointing authorities of the local administrative area of the community college under G.S. 115D-12 shall make recommendations to the State Board on the appointment of the members to the interim board of trustees. All appointees to the interim board of trustees shall be residents of the administrative area of the institution for which they are selected or of counties contiguous thereto with the exception of members provided for in ~~subsection (a) of G.S. 115D-12, Group Four.~~ G.S. 115D-12(a)(3). At the end of the period of service of the interim board of trustees, a board of trustees for the community college shall be appointed in accordance with G.S. 115D-12. Initial terms of members of the new board of trustees shall be staggered to align with the remainder of the vacated terms of the members of the board of trustees.

...

**"§ 115D-9.5. Bookstore sales.**

Notwithstanding G.S. 66-58(c)(3) or any other provisions of law, the State Board of Community Colleges may adopt rules governing the expenditure of funds derived from bookstore sales by community colleges. These expenditures shall be consistent with the mission and purpose of the Community College System. Profits may be used in the support and enhancement of the bookstores, for student aid or scholarships, for expenditures of direct benefit to students, and for other similar expenditures authorized by the board of trustees, subject to rules adopted by the State Board. These funds shall not be used to supplement salaries of any personnel.

**"§ 115D-9.10. Exchange of information with The University of North Carolina and North Carolina public schools.**

The State Board of Community Colleges shall comply with the provisions of G.S. 116-11(10a) to plan and implement an exchange of information between the public schools and the institutions of higher education in the State.

**"§ 115D-9.15. Lease purchase and installment contracts.**

The State Board of Community Colleges shall review and approve lease purchase and installment purchase contracts as provided under G.S. 115D-58.15(b). The State Board shall adopt policies and procedures governing the review and approval process.

**"§ 115D-9.20. Compliance review and requested information.**

(a) Compliance Review. – The State Board of Community Colleges shall maintain an accountability function that conducts periodic reviews of each community college operating under the provisions of this Chapter. The purpose of the compliance review shall be to ensure that (i) data used to allocate State funds among community colleges is reported accurately to the System Office and (ii) community colleges are charging and waiving tuition and registration fees consistent with law. The State Board of Community Colleges shall require the use of a statistically valid sample size in performing compliance reviews of community colleges. All compliance review findings that are determined to be material shall be forwarded to the college president, local college board of trustees, the State Board of Community Colleges, and the State Auditor. The State Board of Community Colleges shall adopt rules governing the frequency, scope, and standard of materiality for compliance reviews.



1 institution would require a substantial increase in funds, State Board approval shall be subject to  
2 appropriation of funds by the General Assembly for this purpose.

3 (b) Addition of the college transfer program shall not decrease an institution's ability to  
4 provide programs within its basic mission of vocational and technical training and basic academic  
5 education.

6 (c) The State Board of Community Colleges shall develop appropriate criteria and  
7 standards to regulate the addition of the college transfer program to institutions.

8 (d) The State Board of Community Colleges shall develop appropriate criteria and  
9 standards to regulate the operation of college transfer programs.

10 (e) The Board of Governors of The University of North Carolina shall report to each  
11 community college and to the State Board of Community Colleges in accordance with  
12 G.S. 116-11(10b) on the academic performance of that community college's transfer students. If  
13 the State Board of Community Colleges finds that college transfer students from a community  
14 college are not consistently performing adequately at a four-year college, the Board shall review  
15 the community college's program and determine what steps are necessary to remedy the problem.  
16 The Board shall report annually to the General Assembly on the reports it receives and on what  
17 steps it is taking to remedy problems that it finds.

18 (f) The Community Colleges System Office shall report annually by April 15 to the Joint  
19 Legislative Education Oversight Committee, the State Board of Education, the Office of State  
20 Budget and Management, and the Fiscal Research Division of the General Assembly on the  
21 implementation of the UNC-NCCCS 2+2 E-Learning Initiative. This report shall include the  
22 following:

23 (1) The courses and programs within the 2+2 E-Learning Initiative.

24 (2) The total number of prospective teachers that have taken or are taking part in  
25 this initiative to date broken down by the current academic period and each of  
26 the previous academic periods since the program's inception.

27 (3) The total number of teachers currently in the State's classrooms, by local  
28 school administrative unit, who have taken part in this initiative.

29 (4) The change in the number of teachers available to schools since the program's  
30 inception.

31 (5) The qualitative data from students, teachers, local school administrative unit  
32 personnel, university personnel, and community college personnel as to the  
33 impact of this initiative on our State's teaching pool.

34 (6) An explanation of the expenditures and collaborative programs between the  
35 North Carolina Community College System and The University of North  
36 Carolina, including recommendations for improvement.

37 **§ 115D-10.15. Workforce Development Programs.**

38 (a) Community colleges shall assist in the preemployment and in-service training of  
39 employees in industry, business, agriculture, health occupation and governmental agencies. Such  
40 training shall include instruction on worker safety and health standards and practices applicable  
41 to the field of employment. The State Board of Community Colleges shall make appropriate  
42 regulations including the establishment of maximum hours of instruction which may be offered  
43 at State expense in each in-plant training program. No instructor or other employee of a  
44 community college shall engage in the normal management, supervisory and operational  
45 functions of the establishment in which the instruction is offered during the hours in which the  
46 instructor or other employee is employed for instructional or educational purposes.

47 **§ 115D-10.17. Customized Training Program.**

48 (a) There is created within the North Carolina Community College System the  
49 Customized Training Program. The Customized Training Program shall offer programs and  
50 training services to assist new and existing business and industry to remain productive, profitable,  
51 and within the State. Before a business or industry qualifies to receive assistance under the

1 Customized Training Program, the President of the North Carolina Community College System  
2 shall determine the following:

3 (1) The business is making an appreciable capital investment.

4 (2) The business is deploying new technology.

5 (3) The business or individual is creating jobs, expanding an existing workforce,  
6 or enhancing the productivity and profitability of the operations within the  
7 State.

8 (4) The skills of the workers will be enhanced by the assistance.

9 (b) The Community Colleges System Office shall report no later than September 1 of  
10 each year to the Joint Legislative Education Oversight Committee on the following:

11 (1) The total amount of funds received by a company under the Customized  
12 Training Program.

13 (2) The types of services sought by the company, whether for new, expanding, or  
14 existing industry.

15 (3) The amount of funds per trainee received by that company.

16 (4) The amount of funds received per trainee by the community college delivering  
17 the training.

18 (5) The number of trainees trained by the company and community college.

19 (6) The number of years that company has been funded.

20 (c) Notwithstanding any other provision of law, the State Board of Community Colleges  
21 may adopt guidelines that allow the Customized Training Program to use funds appropriated for  
22 that program to support training projects for the various branches of the Armed Forces of the  
23 United States.

24 (d) Funds available to the Customized Training Program shall not revert at the end of a  
25 fiscal year but shall remain available until expended. Up to ten percent (10%) of the  
26 college-delivered training expenditures and up to five percent (5%) of the contractor-delivered  
27 training expenditures for the prior fiscal year for Customized Training may be allotted to each  
28 college for capacity building at that college.

29 (e) Of the funds appropriated in a fiscal year for the Customized Training Program, the  
30 State Board of Community Colleges may approve the use of up to eight percent (8%) for the  
31 training and support of regional community college personnel to deliver Customized Training  
32 Program services to business and industry.

33 (f) The State Board shall adopt guidelines to implement this section. At least 20 days  
34 before the effective date of any criteria or nontechnical amendments to guidelines, the State  
35 Board must publish the proposed guidelines on the Community Colleges System Office's web  
36 site and provide notice to persons who have requested notice of proposed guidelines. In addition,  
37 the State Board must accept oral and written comments on the proposed guidelines during the 15  
38 business days beginning on the first day that the State Board has completed these notifications.  
39 For the purpose of this subsection, a technical amendment is either of the following:

40 (1) An amendment that corrects a spelling or grammatical error.

41 (2) An amendment that makes a clarification based on public comment and could  
42 have been anticipated by the public notice that immediately preceded the  
43 public comment.

44 **§ 115D-10.19. Short-Term Workforce Development Grant Program.**

45 (a) Program Established. – There is established the North Carolina Community College  
46 Short-Term Workforce Development Grant Program (Program) to be administered by the State  
47 Board of Community Colleges. The State Board shall adopt rules for the disbursement of the  
48 grants pursuant to this section.

49 (b) Programs of Study. – The State Board of Community Colleges, in collaboration with  
50 the Department of Commerce, shall determine the eligible programs of study for the Program,  
51 according to the occupations that are in the highest demand in the State. The eligible programs



1 of study shall include programs such as architecture and construction, health sciences,  
2 information technology, electrical line worker, and manufacturing programs and may include  
3 other programs to meet local workforce needs.

4 (c) Award Amounts. – To the extent funds are made available for the Program, the State  
5 Board of Community Colleges shall award grants in an amount of up to seven hundred fifty  
6 dollars (\$750.00) to students pursuing short-term, noncredit State and industry workforce  
7 credentials. The State Board of Community Colleges shall establish criteria for initial and  
8 continuing eligibility for students. At a minimum, students shall be required to qualify as a  
9 resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with  
10 the coordinated and centralized residency determination process administered by the State  
11 Education Assistance Authority.

12 (d) Report. – The State Board shall submit a report by April 1 annually on the Program  
13 to the Joint Legislative Education Oversight Committee and the Fiscal Research Division. The  
14 report shall contain, for each academic year and by programs of study, the amount of grant funds  
15 disbursed and the number of eligible students receiving funds.

16 **"§ 115D-10.21. Training programs for students with intellectual and developmental**  
17 **disabilities.**

18 (a) The State Board of Community Colleges shall establish a community college training  
19 program for up to 15 community colleges. The program shall provide opportunities for  
20 micro-credentials or other credentials that lead to increased employment outcomes for  
21 individuals with intellectual and developmental disabilities (IDD). To the extent funds are  
22 appropriated for this purpose, the program shall improve the ability of participating community  
23 colleges to offer training and educational components that include improving employability skills  
24 and providing on-the-job training and apprenticeships with business and industry for individuals  
25 with IDD. The goal of the program shall be to inform community colleges and address  
26 cross-departmental supports within the individual community colleges on programs for  
27 individuals with IDD related to at least the following:

- 28 (1) Establishing best practices for providing vocational training for individuals  
29 with IDD.
- 30 (2) Providing financial and benefits counseling.
- 31 (3) Developing strategies on integrating assistive technology.
- 32 (4) Maximizing access, with supports, to credential and degree programs,  
33 including micro-credentials that are established by the State Board.
- 34 (5) Identifying methods to increase orientation and integration of individuals with  
35 IDD into the college community to the greatest extent possible.
- 36 (6) Determining a needs assessment, marketing, and evaluation to serve a broad  
37 array of individuals with developmental and other similar disabilities or  
38 learning challenges to assure adequate demand for new or existing programs.

39 (b) No later than May 1 of each year, the Community Colleges System Office shall report  
40 on the funds appropriated to the System Office for the purposes of this section to the Joint  
41 Legislative Education Oversight Committee and the Fiscal Research Division. At a minimum,  
42 the report shall address the impact of the program, the use of any additional positions created at  
43 community colleges, professional development training for staff, and funding sources identified  
44 for individuals with IDD to build programs at community colleges that support postsecondary  
45 trainings and certifications that enable individuals with IDD to engage in competitive, sustainable  
46 employment.

47 **"§ 115D-10.25. Commercial fishing and aquaculture classes.**

48 (a) The General Assembly urges all community colleges serving the coastal area of the  
49 State to offer classes on commercial fishing and aquaculture.

50 (b) The North Carolina Community Colleges System Office shall provide technical  
51 assistance to these colleges on offering such classes.

1       (c) The North Carolina Community Colleges System Office shall report to the Joint  
2 Legislative Education Oversight Committee on any fiscal and administrative issues it identifies  
3 that limit colleges' ability to offer such courses.

4 **"§ 115D-10.30. Correction education programs.**

5       (a) Approval. – No course of instruction shall be offered by any community college at  
6 State expense or partial State expense to any captive or co-opted group of students, as defined by  
7 the State Board of Community Colleges, without prior approval of the State Board. All course  
8 offerings approved for State prison inmates or prisoners in local jails must be tied to clearly  
9 identified job skills, transition needs, or both. Approval by the State Board shall be presumed to  
10 constitute approval of both the course and the group served by that institution. The State Board  
11 may delegate to the President the power to make an initial approval, with final approval to be  
12 made by the State Board. A course taught without such approval will not yield any full-time  
13 equivalent students, as defined by the State Board. Community colleges shall report full-time  
14 equivalent (FTE) student hours for correction education programs on the basis of student  
15 membership hours. Funds appropriated for community college courses for prison inmates shall  
16 be used only for inmates in State prisons. The first priority for the use of these funds shall be to  
17 restore the FTE for basic skills courses to the FY 2008-2009 level. Funds not needed for this  
18 purpose may be used for continuing education and curriculum courses related to job skills  
19 training. No community college shall operate a multi-entry/multi-exit class or program in a prison  
20 facility, except for a literacy class or program. The State Board shall work with the Division of  
21 Adult Correction and Juvenile Justice of the Department of Public Safety on offering classes and  
22 programs that match the average length of stay of an inmate in a prison facility.

23       (b) Courses in Federal Prisons. – Courses in federal prisons shall not earn regular budget  
24 full-time equivalents, but may be offered on a self-supporting basis.

25 **"§ 115D-10.35. Teacher residency licensure courses.**

26 The North Carolina Community College System may offer courses, in accordance with  
27 Article 17D of Subchapter V of Chapter 115C of the General Statutes, to individuals who choose  
28 to enter the teaching profession through residency licensure.

29 **"§ 115D-10.40. American Sign Language courses.**

30 The State Board of Community Colleges shall develop curriculum and continuing education  
31 standards for courses of instruction in American Sign Language and shall encourage community  
32 colleges to offer courses in American Sign Language as a modern foreign language.

33 **"§ 115D-10.45. Adult high school equivalency diploma test.**

34 The State Board of Community Colleges may establish, retain and budget fees charged to  
35 students taking an adult high school equivalency diploma test, including fees for retesting. Fees  
36 collected for this purpose shall be used only to (i) offset the costs of the test, including the cost  
37 of scoring the test, (ii) offset the costs of printing adult high school equivalency diplomas, and  
38 (iii) meet federal and State reporting requirements related to the test.

39 **"§ 115D-10.50. Motorcycle Safety Instruction Program.**

40       (a) There is created a Motorcycle Safety Instruction Program for the purpose of  
41 establishing statewide motorcycle safety instruction to be delivered through the Community  
42 Colleges System Office. The Program may be administered by a motorcycle safety coordinator  
43 who shall be responsible for the planning, curriculum, and completion requirements of the  
44 Program. The State Board of Community Colleges may elect a motorcycle safety coordinator  
45 upon nomination of the President of the Community College System, and the compensation of  
46 the motorcycle safety coordinator shall be fixed by the State Board upon recommendation of the  
47 President of the Community College System pursuant to G.S. 115D-3. The State Board of  
48 Community Colleges may contract with an appropriate public or private agency or person to  
49 carry out the duties of the motorcycle safety coordinator.

50       (b) The Motorcycle Safety Instruction Program shall be implemented through the  
51 Community Colleges System Office at institutions which choose to provide the Program. The

1 motorcycle safety coordinator shall select and facilitate the training and certification of  
2 instructors who will implement the Program.

3  
4 "Part 4. Students.

5 **"§ 115D-10.65. Accreditation of secondary school located in North Carolina shall not be a**  
6 **factor in admissions, loans, scholarships, or other educational policies.**

7 (a) For purposes of this section, the term "accreditation" shall include certification or any  
8 other similar approval process.

9 (b) The State Board of Community Colleges shall adopt a policy that prohibits any  
10 community college from soliciting or using information regarding the accreditation of a  
11 secondary school located in North Carolina that a person attended as a factor affecting  
12 admissions, loans, scholarships, or other educational activity at the community college, unless  
13 the accreditation was conducted by a State agency.

14 **"§ 115D-10.70. Driving eligibility certificates.**

15 (a) The State Board of Community Colleges shall adopt the following rules to assist  
16 community colleges in their administration of procedures necessary to implement G.S. 20-11 and  
17 G.S. 20-13.2:

18 (1) To establish the procedures a person who is or was enrolled in a community  
19 college must follow and the requirements that person must meet to obtain a  
20 driving eligibility certificate.

21 (2) To require the person who is required under G.S. 20-11(n) to sign the driving  
22 eligibility certificate to provide the certificate if he or she determines that one  
23 of the following requirements is met:

24 a. The person seeking the certificate is eligible for the certificate under  
25 G.S. 20-11(n)(1) and is not subject to G.S. 20-11(n1).

26 b. The person seeking the certificate is eligible for the certificate under  
27 G.S. 20-11(n)(1) and G.S. 20-11(n1).

28 (3) To provide for an appeal through the grievance procedures established by the  
29 board of trustees of each community college by a person who is denied a  
30 driving eligibility certificate.

31 (4) To define exemplary student behavior and to define what constitutes the  
32 successful completion of a drug or alcohol treatment counseling program.

33 (b) The State Board shall develop policies as to when it is appropriate to notify the  
34 Division of Motor Vehicles that a person who is or was enrolled in a community college no  
35 longer meets the requirements for a driving eligibility certificate. The State Board also shall adopt  
36 guidelines to assist the presidents of community colleges in their designation of representatives  
37 to sign driving eligibility certificates.

38 (c) The State Board shall develop a form for the appropriate individuals to provide their  
39 written, irrevocable consent for a community college to disclose to the Division of Motor  
40 Vehicles that the student no longer meets the conditions for a driving eligibility certificate under  
41 G.S. 20-11(n)(1) or G.S. 20-11(n1), if applicable, in the event that this disclosure is necessary to  
42 comply with G.S. 20-11 or G.S. 20-13.2. Other than identifying under which statutory subsection  
43 the student is no longer eligible, no other details or information concerning the student's school  
44 record shall be released pursuant to this consent.

45 **"§ 115D-10.75. Excused absences for religious observances.**

46 The State Board of Community Colleges shall direct each community college to adopt a  
47 policy that authorizes a minimum of two excused absences each academic year for religious  
48 observances required by the faith of a student. The policy may require that the student provide  
49 written notice of the request for an excused absence a reasonable time prior to the religious  
50 observance. The policy shall also provide that the student shall be given the opportunity to make  
51 up any tests or other work missed due to an excused absence for a religious observance.

1 **"§ 115D-10.76. Excused absences for National Guard service members.**

2 The State Board of Community Colleges shall adopt a policy to be applied uniformly  
 3 throughout the Community College System to provide that any student enrolled in a community  
 4 college who is a National Guard service member placed onto State active duty status during an  
 5 academic term shall be given an excused absence for the period of time the student is on active  
 6 duty. The policy shall further provide all of the following:

- 7 (1) The student shall be given the opportunity to make up any test or other work  
 8 missed during the excused absence.  
 9 (2) The student shall be given the option, when feasible, to continue classes and  
 10 coursework during the academic term through online participation for the  
 11 period of time the student is placed on active duty.  
 12 (3) The student shall be given the option of receiving a temporary grade of  
 13 "incomplete (IN)" or "absent from the final exam (AB)" for any course that  
 14 the student was unable to complete as a result of being placed on State active  
 15 duty status; however, the student must complete the course requirements  
 16 within the period of time specified by the community college to avoid  
 17 receiving a failing grade for the course.  
 18 (4) The student shall be permitted to drop, with no penalty, any course that the  
 19 student was unable to complete as a result of being placed on State active duty  
 20 status."

21 **SECTION 1.(b)** G.S. 115D-20(4) reads as rewritten:

- 22 "(4) To apply the standards and requirements for admission and graduation of  
 23 students and other standards established by the State Board of Community  
 24 Colleges. ~~Notwithstanding any law or administrative rule to the contrary, local~~  
 25 ~~community colleges are permitted to offer the following programs:~~  
 26 ~~a. Subject to the approval of the State Board of Community Colleges,~~  
 27 ~~local community colleges may collaborate with public school units~~  
 28 ~~and nonpublic schools to offer courses through the following~~  
 29 ~~programs:~~  
 30 ~~1. Repealed by Session Laws 2022 71, s. 3.2, effective July 8,~~  
 31 ~~2022.~~  
 32 ~~2. Academic transition pathways for qualified junior and senior~~  
 33 ~~high school students that lead to a career technical education~~  
 34 ~~certificate, diploma, or State or industry recognized credential~~  
 35 ~~and academic transition pathways for qualified freshmen and~~  
 36 ~~sophomore high school students that lead to a career technical~~  
 37 ~~education certificate or diploma in (i) industrial and~~  
 38 ~~engineering technologies, (ii) agriculture and natural~~  
 39 ~~resources, (iii) transportation technology, (iv) construction, or~~  
 40 ~~(v) business technologies.~~  
 41 ~~3. College transfer pathways requiring the successful completion~~  
 42 ~~of 30 semester credit hours of transfer courses, including~~  
 43 ~~English and mathematics, for the following students:~~  
 44 ~~I. Qualified junior and senior high school students.~~  
 45 ~~II. Qualified freshman and sophomore high school~~  
 46 ~~students, if all of the following requirements are met:~~  
 47 ~~A. The student is determined to be academically~~  
 48 ~~gifted, have a demonstrated readiness for the~~  
 49 ~~course material, and have the maturity to justify~~  
 50 ~~admission to the community college by (i) the~~  
 51 ~~community college president, (ii) the student's~~

- 1 high school principal or equivalent  
 2 administrator, and (iii) the academically gifted  
 3 coordinator, if one is employed by the high  
 4 school or local school administrative unit.
- 5 B. The student participates in academic advising  
 6 focused on the implications of being admitted  
 7 to college early with representatives from the  
 8 high school and the community college.
- 9 C. The student's parent or guardian has given  
 10 consent for the student to participate.
- 11 a1. Subject to the approval of the State Board of Community Colleges,  
 12 local community colleges may collaborate with local school  
 13 administrative units to offer cooperative innovative high school  
 14 programs, as provided by Part 9 of Article 16 of Chapter 115C of the  
 15 General Statutes.
- 16 b. During the summer quarter, persons less than 16 years old may be  
 17 permitted to take noncredit courses on a self-supporting basis, subject  
 18 to rules of the State Board of Community Colleges.
- 19 e. High school students may be permitted to take noncredit courses in  
 20 safe driving on a self-supporting basis during the academic year or the  
 21 summer.
- 22 d. High school students 16 years and older may be permitted to take  
 23 noncredit courses, except adult basic skills, subject to rules  
 24 promulgated by the State Board of Community Colleges.
- 25 e. Notwithstanding any other provision of this subdivision, qualified  
 26 youth 15 years and older may be permitted to enroll in courses,  
 27 including certification eligible courses, in fire training pursuant to  
 28 G.S. 95-25.5(n) and on a specialized course list approved by the State  
 29 Board of Community Colleges in accordance with  
 30 G.S. 115D-5(b)(2)."

31 SECTION 1.(c) Article 2 of Chapter 115D of the General Statutes is amended by  
 32 adding a new section to read:

33 "**§ G.S. 115D-21.2. Accreditation.**

34 (a) Definitions. – The following definitions apply in this section:

- 35 (1) Accreditation cycle. – The period of time during which a community college  
 36 is accredited.
- 37 (2) Accrediting agency. – An agency or association that accredits institutions of  
 38 higher education.
- 39 (3) Regional accrediting agency. – One of the following accrediting agencies:  
 40 a. Higher Learning Commission.  
 41 b. Middle States Commission on Higher Education.  
 42 c. New England Commission on Higher Education.  
 43 d. Northwest Commission on Colleges and Universities.  
 44 e. Southern Association of Colleges and Schools Commission on  
 45 Colleges.  
 46 f. Western Association of Schools and Colleges Accrediting  
 47 Commission for Community and Junior Colleges.

48 (b) Prohibit Consecutive Accreditation by an Accrediting Agency. – A community  
 49 college shall not receive accreditation by an accrediting agency for consecutive accreditation  
 50 cycles except as provided in subsection (c) of this section.

1       (c) Accreditation Transfer Procedure. – A community college that pursues accreditation  
2 with a different accrediting agency in accordance with this section shall pursue accreditation with  
3 a regional accrediting agency. If the community college is not granted candidacy status by any  
4 regional accrediting agency that is different from its current accrediting agency at least three  
5 years prior to the expiration of its current accreditation, the community college may remain with  
6 its current accrediting agency for an additional accreditation cycle.

7       (d) Certain Programs Exempt. – The requirements of this section do not apply to  
8 professional, departmental, or certificate programs at community colleges that have specific  
9 accreditation requirements or best practices, as identified by the State Board of Community  
10 Colleges.

11       (e) Cause of Action. – A community college may bring a civil action, as follows:

12       (1) Against any person who makes a false statement to the accrediting agency of  
13 the community college, if all of the following criteria are met:

14           a. The statement, if true, would mean the community college is out of  
15 compliance with its accreditation standards.

16           b. The person made the statement with knowledge that the statement was  
17 false or with reckless disregard as to whether it was false.

18           c. The accrediting agency conducted a review of the community college  
19 as a proximate result of the statement.

20           d. The review caused the community college to incur costs.

21       (2) A community college that prevails on a cause of action initiated pursuant to  
22 this subsection shall be entitled to the following:

23           a. Costs related to the review conducted by the accrediting agency,  
24 including for the following:

25                   1. Additional hours worked by community college personnel.

26                   2. Contracted services, including outside legal counsel.

27                   3. Travel, lodging, and food expenses.

28                   4. Fees required by the agency.

29           b. Reasonable attorney fees.

30           c. Court costs.

31       **SECTION 1.(d)** G.S. 115D-21.5 is repealed.

32       **SECTION 1.(e)** Article 2 of Chapter 115D of the General Statutes is amended by  
33 adding a new section to read:

34 **"§ 115D-21.10. Curriculum courses taught throughout year.**

35       Community colleges may teach curriculum courses at any time during the year, including the  
36 summer term. Student membership hours from these courses shall be counted when computing  
37 full-time equivalent students (FTE) for use in budget funding formulas at the State level."

38       **SECTION 1.(f)** Chapter 115D of the General Statutes is amended by adding a new  
39 Article to read:

40                               "Article 2B.

41                               "High School Programs.

42  
43 **"§ 115D-30.1. Career and College Promise.**

44       (a) There is established the Career and College Promise Program to allow pathways for  
45 qualified high school students to take community college courses without the payment of  
46 tuition.

47       (b) Subject to the approval of the State Board of Community Colleges, local community  
48 colleges may collaborate with public school units and nonpublic schools to offer courses  
49 through the following programs:

50           (1) Academic transition pathways for qualified junior and senior high school  
51 students that lead to a career technical education certificate, diploma, or State

1 or industry-recognized credential and academic transition pathways for  
2 qualified freshmen and sophomore high school students that lead to a career  
3 technical education certificate or diploma in one of the following:

- 4 a. Industrial and engineering technologies.
- 5 b. Agriculture and natural resources.
- 6 c. Transportation technology.
- 7 d. Construction.
- 8 e. Business technologies.

9 (2) College transfer pathways requiring the successful completion of 30 semester  
10 credit hours of transfer courses, including English and mathematics, for the  
11 following students:

- 12 a. Qualified junior and senior high school students.
- 13 b. Qualified freshman and sophomore high school students, if all of the  
14 following requirements are met:
  - 15 1. The student is determined to be academically gifted, have a  
16 demonstrated readiness for the course material, and have the  
17 maturity to justify admission to the community college by (i)  
18 the community college president, (ii) the student's high school  
19 principal or equivalent administrator, and (iii) the academically  
20 gifted coordinator, if one is employed by the high school or  
21 local school administrative unit.
  - 22 2. The student participates in academic advising focused on the  
23 implications of being admitted to college early with  
24 representatives from the high school and the community  
25 college.
  - 26 3. The student's parent or guardian has given consent for the  
27 student to participate.

28 **"§ 115D-30.5. Evaluation of Career and College Promise Program.**

29 (a) Evaluation. – In addition to the evaluation of cooperative innovative high schools by  
30 the State Board of Education pursuant to G.S. 115C-238.55, the State Board of Community  
31 Colleges, in conjunction with the State Board of Education and the Board of Governors of The  
32 University of North Carolina, shall evaluate the success of students participating in the Career  
33 and College Promise Program, including the College Transfer pathway and the Career and  
34 Technical Education pathway.

35 (b) Metrics. – Success shall be measured by high school retention rates, high school  
36 completion rates, high school dropout rates, certification and associate degree completion,  
37 admission to four-year institutions, postgraduation employment in career or study-related fields,  
38 and employer satisfaction of employees who participated in the programs. The evaluation shall  
39 also include an analysis of the cost of students participating in each of the programs within the  
40 Career and College Promise Program, including at least the following:

- 41 (1) Total enrollment funding, the number of budgeted full-time equivalent  
42 students, and the number of students enrolled in courses through cooperative  
43 innovative high schools, the College Transfer pathway, and the Career and  
44 Technical Education pathway.
- 45 (2) The cost and number of waivers of tuition and registration fees provided for  
46 students enrolled in courses through cooperative innovative high schools, the  
47 College Transfer pathway, and the Career and Technical Education pathway.
- 48 (3) Any additional costs of a student attending courses on campus if a student is  
49 not attending public school in a local school administrative unit for the  
50 majority of the student's instructional time.

1       (c) Report. – The Boards shall jointly report by March 15 of each year to the Joint  
2 Legislative Education Oversight Committee, the Senate Appropriations Committee on  
3 Education/Higher Education, the House Appropriations Committee on Education, and the Fiscal  
4 Research Division of the General Assembly. The report shall be combined with the evaluation  
5 of cooperative innovative high schools required by G.S. 115C-238.55, and the Community  
6 Colleges System Office shall be responsible for submitting the combined report.

7 **"§ G.S. 115D-30.10. Cooperative Innovative High Schools.**

8       Subject to the approval of the State Board of Community Colleges, local community colleges  
9 may collaborate with local school administrative units to offer cooperative innovative high  
10 school programs, as provided by Part 9 of Article 16 of Chapter 115C of the General Statutes.

11 **"§ G.S. 115D-30.15. Noncredit courses.**

12       Subject to rules adopted by the State Board of Community Colleges, local community  
13 colleges may provide for the following:

- 14       (a) During the summer quarter, persons less than 16 years old may be permitted  
15 to take noncredit courses on a self-supporting basis.  
16       (b) High school students may be permitted to take noncredit courses in safe  
17 driving on a self-supporting basis during the academic year or the summer.  
18       (c) High school students 16 years and older may be permitted to take noncredit  
19 courses, except adult basic skills.  
20       (d) Notwithstanding any other provision of this Article, qualified youth 15 years  
21 and older may be permitted to enroll in courses, including  
22 certification-eligible courses, in fire training pursuant to G.S. 95-25.5(n) and  
23 on a specialized course list approved by the State Board of Community  
24 Colleges in accordance with G.S. 115D-30.1.

25 **"§ 115D-30.20. Gateway to College Program.**

26       The purpose of the first semester of the Gateway to College Program is to address additional  
27 support to successfully complete the program. Students may need to take developmental courses  
28 necessary for the transition to more challenging courses; therefore, the State Board of Community  
29 Colleges shall (i) permit high school students who are enrolled in Gateway to College Programs  
30 to enroll in developmental courses based on an assessment of their individual student needs by a  
31 high school and community college staff team and (ii) include this coursework in computing the  
32 budget FTE for the colleges.

33 **"§ 115D-30.25. NC Career Coach Program.**

34       (a) Purpose. – There is established the NC Career Coach Program to place community  
35 college career coaches in high schools to assist students with determining career goals and  
36 identifying community college programs that would enable students to achieve these goals.

37       (b) Memorandum of Understanding. – The board of trustees of a community college and  
38 a local board of education of a local school administrative unit within the service area of the  
39 community college shall enter into a memorandum of understanding for the placement of career  
40 coaches employed by the board of trustees of the community college in schools within the local  
41 school administrative unit. At a minimum, the memorandum of understanding shall include the  
42 following:

- 43       (1) Requirement that the community college provides the following:  
44       a. Hiring, training, and supervision of career coaches. The board of  
45 trustees may include a local board of education liaison on the hiring  
46 committee to participate in the decision making regarding hiring for  
47 the coach positions.  
48       b. Salary, benefits, and all other expenses related to the employment of  
49 the career coach. The coach will be an employee of the board of  
50 trustees and will not be an agent or employee of the local board of  
51 education.



- 1                   c.     Development of pedagogical materials and technologies needed to  
2                   enhance the advising process.
- 3                   d.     Criminal background checks required by the local school  
4                   administrative unit for employees working directly with students.
- 5                   e.     Agreement that, while on any school campus, the career coach will  
6                   obey all local board of education rules and will be subject to the  
7                   authority of the school building administration.
- 8           (2)   Requirement that the local school administrative unit provides the following  
9           to career coaches:
- 10           a.     Access to student records, as needed to carry out the coach's job  
11           responsibilities.
- 12           b.     Office space on site appropriate for student advising.
- 13           c.     Information technology resources, including, but not limited to,  
14           Internet access, telephone, and copying.
- 15           d.     Initial school orientation and ongoing integration into the faculty and  
16           staff community.
- 17           e.     Promotion of school-wide awareness of coach duties.
- 18           f.     Facilitation of coach's access to individual classes and larger  
19           assemblies for the purposes of awareness-building.
- 20           (c)   Application for NC Career Coach Program Funding. – The board of trustees of a  
21           community college and a local board of education of a local school administrative unit within the  
22           service area of the community college jointly may apply for available funds for NC Career Coach  
23           Program funding from the State Board of Community Colleges. The State Board of Community  
24           Colleges shall establish a process for award of funds as follows:
- 25           (1)   Advisory committee. – Establishment of an advisory committee, which shall  
26           include representatives from the NC Community College System, the  
27           Department of Public Instruction, the Department of Commerce, and at least  
28           three representatives of the business community, to review applications and  
29           make recommendations for funding awards to the State Board.
- 30           (2)   Application submission requirements. – The State Board of Community  
31           Colleges shall require at least the following:
- 32           a.     Evidence of a signed memorandum of understanding that meets, at a  
33           minimum, the requirements of this section.
- 34           b.     Evidence that the funding request will be matched with local funds in  
35           accordance with the following:
- 36                   1.     Matching funds may come from public or private sources.
- 37                   2.     The match amount shall be determined based on the  
38                   development tier designation of the county in which the local  
39                   school administrative unit is located where the career coach is  
40                   assigned on the date of the award of funds by the State Board  
41                   of Community Colleges according to the following:
- 42                           I.     If located in a tier one county as defined in  
43                           G.S. 143B-437.08, no local match shall be required.
- 44                           II.    If located in a tier two county as defined in  
45                           G.S. 143B-437.08, one dollar (\$1.00) of local funds for  
46                           every two dollars (\$2.00) in State funds shall be  
47                           required.
- 48                           III.   If located in a tier three county as defined in  
49                           G.S. 143B-437.08, one dollar (\$1.00) of local funds for  
50                           every one dollar (\$1.00) in State funds shall be  
51                           required.

- 1           (3)   Awards criteria. – The State Board of Community Colleges shall develop  
2           criteria for consideration in determining the award of funds that shall include  
3           the following:  
4           a.     Consideration of the workforce needs of business and industry in the  
5           region.  
6           b.     Targeting of resources to enhance ongoing economic activity within  
7           the community college service area and surrounding counties.  
8           c.     Geographic diversity of awards.  
9        (d)   Annual Report. –  
10       (1)   The board of trustees of a community college that employs one or more career  
11       coaches shall report annually to the State Board of Community Colleges on  
12       implementation and outcomes of the program, including the following  
13       information:  
14       a.     Number of career coaches employed.  
15       b.     Number of local school administrative units served and names of  
16       schools in which career coaches are placed.  
17       c.     Number of students annually counselled by career coaches.  
18       d.     Impact of career coaches on student choices, as determined by a valid  
19       measure selected by the State Board of Community Colleges.  
20       (2)   The State Board of Community Colleges shall report annually no later than  
21       October 1 to the Joint Legislative Education Oversight Committee on the  
22       following:  
23       a     A compilation of the information reported by the board of trustees of  
24       community colleges, as provided in subdivision (1) of this subsection.  
25       b.     Number and names of partnership applicants for NC Career Coach  
26       Program funding.  
27       c.     Number, names, and amounts of those awarded NC Career Coach  
28       Program funding."

29           **SECTION 1.(g)** G.S.115D-39, 115D-39.1, 115D-40.1, and 115D-40.5 are codified  
30 into Part 2 of Article 3 of Chapter 115D of the General Statutes, which shall be entitled  
31 "Tuition and Fees." The remaining sections of Article 3 of Chapter 115D of the General  
32 Statutes are codified into Part 1 of Article 3 of Chapter 115D of the General Statutes, which  
33 shall be entitled "Funding of Community Colleges."

34           **SECTION 1.(h)** Part 2 of Article 3 of Chapter 115D of the General Statues is  
35 amended by adding new sections to read:

36       "§ 115D-39.2. Pro-rata tuition and uniform registration fees.

37       In order to make instruction as accessible as possible to all citizens, the teaching of curricular  
38       courses and of noncurricular extension courses at convenient locations away from institution  
39       campuses as well as on campuses is authorized and shall be encouraged. A pro rata portion of  
40       the established regular tuition rate charged a full-time student shall be charged a part-time student  
41       taking any curriculum course. In lieu of any tuition charge, the State Board of Community  
42       Colleges shall establish a uniform registration fee, or a schedule of uniform registration fees, to  
43       be charged students enrolling in extension courses for which instruction is financed primarily  
44       from State funds.

45       "§ 115D-39.5. Tuition waivers.

46       (a)   Allowed Tuition Waivers. – The State Board of Community Colleges shall not waive  
47       tuition and registration fees for any individuals, except the State Board may, as provided by  
48       general and uniform regulations, waive tuition and registration fees for the following:

- 49       (1)   Persons not enrolled in elementary or secondary schools taking courses  
50       leading to a high school diploma or equivalent certificate.

- 1           (2)   Courses requested by the following entities that support the organizations'  
2           training needs and are on a specialized course list approved by the State Board:  
3           a.     Volunteer fire departments.  
4           b.     Municipal, county, or State fire departments.  
5           c.     Volunteer EMS or rescue and lifesaving departments.  
6           d.     Municipal, county, or State EMS or rescue and lifesaving departments.  
7           e.     Law enforcement, fire, EMS or rescue and lifesaving entities serving  
8           a lake authority that was created by a county board of commissioners  
9           prior to July 1, 2012.  
10          f.     Radio Emergency Associated Communications Teams (REACT)  
11          under contract to a county as an emergency response agency.  
12          g.     Municipal, county, or State law enforcement agencies.  
13          h.     Campus police agencies of private institutions of higher education  
14          certified by the Attorney General pursuant to Chapter 74G of the  
15          General Statutes.  
16          i.     The Division of Prisons of the Department of Adult Correction and the  
17          Division of Juvenile Justice of the Department of Public Safety for the  
18          training of full-time custodial employees and employees of the  
19          Divisions required to be certified under Article 1 of Chapter 17C of  
20          the General Statutes and the rules of the Criminal Justice and Training  
21          Standards Commission.  
22          j.     The Eastern Band of Cherokee Indians law enforcement, fire, EMS or  
23          rescue and lifesaving tribal government departments or programs.  
24          k.     The Criminal Justice Standards Division of the Department of Justice  
25          for the training of criminal justice professionals, as defined in  
26          G.S. 17C-20(6), who are required to be certified under (i) Article 1 of  
27          Chapter 17C of the General Statutes and the rules of the North  
28          Carolina Criminal Justice Education and Training Standards  
29          Commission or (ii) Chapter 17E of the General Statutes and the rules  
30          of the North Carolina Sheriffs' Education and Training Standards  
31          Commission. The waivers provided for in this sub-subdivision apply  
32          to participants and recent graduates of the North Carolina Criminal  
33          Justice Fellows Program to obtain certifications for eligible criminal  
34          justice professions as defined in G.S. 17C-20(6).  
35          (3)   Firefighters, EMS personnel, and rescue and lifesaving personnel whose duty  
36          station is located on a military installation within North Carolina for courses  
37          that support their organizations' training needs and are approved for this  
38          purpose by the State Board.  
39          (4)   Trainees enrolled in courses conducted under the Customized Training  
40          Program.  
41          (5)   Elementary and secondary school employees enrolled in courses in first aid or  
42          cardiopulmonary resuscitation (CPR).  
43          (6)   All courses taken by high school students at community colleges, in  
44          accordance with this section and Article 2B of this Chapter.  
45          (7)   Human resources development courses for any individual who (i) is  
46          unemployed; (ii) has received notification of a pending layoff; (iii) is working  
47          and is eligible for the Federal Earned Income Tax Credit (FEITC); or (iv) is  
48          working and earning wages at or below two hundred percent (200%) of the  
49          federal poverty guidelines.  
50          (8)   Courses providing employability skills, job-specific occupational or technical  
51          skills, or developmental education instruction to certain students who are

1 concurrently enrolled in an eligible community college literacy course, in  
2 accordance with rules adopted by the State Board.

3 (9) Courses provided to students who are participating in a pre-apprenticeship or  
4 apprenticeship program that meets all of the following criteria:

5 a. Meets one of the following:

6 1. Is a registered apprenticeship program recognized by the  
7 United States Department of Labor.

8 2. Is a pre-apprenticeship program recognized and approved by  
9 the State agency administering the statewide apprenticeship  
10 program.

11 b. Has a documented plan of study with courses relating to a job-specific  
12 occupational or technical skill.

13 c. Requires the participants in the program to be North Carolina high  
14 school students when entering the program.

15 (b) Faculty and Staff. – The State Board shall not waive tuition and registration fees for  
16 community college faculty or staff members. Community colleges may, however, use State or  
17 local funds to pay tuition and registration fees for one course per semester for full-time  
18 community college faculty or staff members employed for a nine-, ten-, eleven-, or twelve-month  
19 term. Community colleges may also use State and local funds to pay tuition and registration fees  
20 for professional development courses and for other courses consistent with the academic  
21 assistance program authorized by the State Human Resources Commission.

22 (c) Annual Report. – Annually by February 1, the Community Colleges System Office  
23 shall report to the Joint Legislative Education Oversight Committee on the number and type of  
24 waivers granted pursuant to subsection (a) of this section."

25 **SECTION 1.(i)** G.S. 115D-41 is recodified as G.S. 115D-38.5.

26 **SECTION 1.(j)** G.S. 115D-43 is recodified as G.S. 115D-38.10.

27 **SECTION 1.(k)** G.S. 115D-44 is repealed.

## 28

## 29 PART II. CONFORMING CHANGES

30 **SECTION 2.(a)** G.S. 20-11(n) reads as rewritten:

31 "(n) Driving Eligibility Certificate. – A person who desires to obtain a permit or license  
32 issued under this section must have a high school diploma or its equivalent or must have a driving  
33 eligibility certificate. A driving eligibility certificate must meet the following conditions:

34 (1) The person who is required to sign the certificate under subdivision (4) of this  
35 subsection must show that he or she has determined that one of the following  
36 requirements is met:

37 a. The person is currently enrolled in school and is making progress  
38 toward obtaining a high school diploma or its equivalent.

39 b. A substantial hardship would be placed on the person or the person's  
40 family if the person does not receive a certificate.

41 c. The person cannot make progress toward obtaining a high school  
42 diploma or its equivalent.

43 (1a) The person who is required to sign the certificate under subdivision (4) of this  
44 subsection also must show that one of the following requirements is met:

45 a. The person who seeks a permit or license issued under this section is  
46 not subject to subsection (n1) of this section.

47 b. The person who seeks a permit or license issued under this section is  
48 subject to subsection (n1) of this section and is eligible for the  
49 certificate under that subsection.

50 (2) It must be on a form approved by the Division.

- 1 (3) It must be dated within 30 days of the date the person applies for a permit or  
2 license issuable under this section.
- 3 (4) It must be signed by the applicable person named below:
- 4 a. The principal, or the principal's designee, of the public school in which  
5 the person is enrolled.
- 6 b. The administrator, or the administrator's designee, of the nonpublic  
7 school in which the person is enrolled.
- 8 c. The person who provides the academic instruction in the home school  
9 in which the person is enrolled.
- 10 c1. The person who provides the academic instruction in the home in  
11 accordance with an educational program found by a court, prior to July  
12 1, 1998, to comply with the compulsory attendance law.
- 13 d. The designee of the board of directors of the charter school in which  
14 the person is enrolled.
- 15 e. The president, or the president's designee, of the community college  
16 in which the person is enrolled.

17 Notwithstanding any other law, the decision concerning whether a driving eligibility  
18 certificate was properly issued or improperly denied shall be appealed only as provided under  
19 the rules adopted in accordance with G.S. 115C-12(28), ~~115D-5(a3)~~, 115D-10.70, or 115C-566,  
20 whichever is applicable, and may not be appealed under this Chapter."

21 **SECTION 2.(b)** G.S. 20-13.2(c1) reads as rewritten:

22 "(c1) Upon receipt of notification from the proper school authority that a person no longer  
23 meets the requirements for a driving eligibility certificate under G.S. 20-11(n), the Division must  
24 expeditiously notify the person that his or her permit or license is revoked effective on the  
25 thirtieth calendar day after the mailing of the revocation notice. The Division must revoke the  
26 permit or license of that person on the thirtieth calendar day after the mailing of the revocation  
27 notice. Notwithstanding subsection (d) of this section, the length of revocation must last for the  
28 following periods:

- 29 (1) If the revocation is because of ineligibility for a driving eligibility certificate  
30 under G.S. 20-11(n)(1), then the revocation shall last until the person's  
31 eighteenth birthday.
- 32 (2) If the revocation is because of ineligibility for a driving eligibility certificate  
33 under G.S. 20-11(n1), then the revocation shall be for a period of one year.

34 For a person whose permit or license was revoked due to ineligibility for a driving eligibility  
35 certificate under G.S. 20-11(n)(1), the Division must restore a person's permit or license before  
36 the person's eighteenth birthday, if the person submits to the Division one of the following:

- 37 (1) A high school diploma or its equivalent.
- 38 (2) A driving eligibility certificate as required under G.S. 20-11(n).

39 If the Division restores a permit or license that was revoked due to ineligibility for a driving  
40 eligibility certificate under G.S. 20-11(n)(1), any record of revocation or suspension shall be  
41 expunged by the Division from the person's driving record. The Division shall not expunge a  
42 suspension or revocation record if a person has had a prior expunction from the person's driving  
43 record for any reason.

44 For a person whose permit or license was revoked due to ineligibility for a driving eligibility  
45 certificate under G.S. 20-11(n1), the Division shall restore a person's permit or license before the  
46 end of the revocation period, if the person submits to the Division a driving eligibility certificate  
47 as required under G.S. 20-11(n).

48 Notwithstanding any other law, the decision concerning whether a driving eligibility  
49 certificate was properly issued or improperly denied shall be appealed only as provided under  
50 the rules adopted in accordance with G.S. 115C-12(28), ~~115D-5(a3)~~, 115D-10.70, or 115C-566,  
51 whichever is applicable, and may not be appealed under this Chapter."

1           **SECTION 2.(c)** G.S. 90-631(b) reads as rewritten:

2           "(b) A massage and bodywork therapy program operated by a North Carolina community  
3 college that is accredited by a regional accrediting agency, as defined in  
4 ~~G.S. 115D-6.2~~, G.S. 115D-21.2, is exempt from the approval process, licensure process, or both,  
5 established by the Board. The college shall certify annually to the Board that the program meets  
6 or exceeds the minimum standards for curriculum, faculty, and learning resources established by  
7 the Board. Students who complete the program shall qualify for licenses from the Board as if the  
8 program were approved, licensed, or both, by the Board."

9           **SECTION 2.(d)** G.S. 93A-4(a2) reads as rewritten:

10          "(a2) A certified real estate education provider shall pay a fee of ten dollars (\$10.00) per  
11 licensee to the Commission for each licensee completing a postlicensing education course  
12 conducted by the school, provided that these fees shall not be charged to a community college,  
13 junior college, college, or university located in this State and accredited by a regional accrediting  
14 agency, as defined in ~~G.S. 115D-6.2~~ G.S. 115D-21.2 and G.S. 116-11.4, respectively."

15          **SECTION 2.(e)** G.S. 93A-38.5(e) reads as rewritten:

16          "(e) The Commission may establish a nonrefundable course application fee to be charged  
17 to private real estate education providers for the review and approval of a proposed continuing  
18 education course. The fee shall not exceed one hundred twenty-five dollars (\$125.00) per course.  
19 The Commission may charge the private real estate education providers of an approved course a  
20 nonrefundable fee not to exceed seventy-five dollars (\$75.00) for the annual renewal of course  
21 approval.

22          A private real estate education provider shall pay a fee of ten dollars (\$10.00) per licensee to  
23 the Commission for each licensee completing an approved continuing education course  
24 conducted by the sponsor.

25          The Commission shall not charge a course application fee, a course renewal fee, or any other  
26 fee for a continuing education course sponsored by a community college, junior college, college,  
27 or university located in this State and accredited by a regional accrediting agency, as defined in  
28 ~~G.S. 115D-6.2~~ G.S. 115D-21.2 and G.S. 116-11.4, respectively."

29          **SECTION 2.(f)** G.S. 93E-1-7(b2) reads as rewritten:

30          "(b2) The Board shall not charge a course application fee, a course renewal fee, or any other  
31 fee for a continuing education course offered by a North Carolina college, university, junior  
32 college, or community or technical college accredited by a regional accrediting agency, as  
33 defined in ~~G.S. 115D-6.2~~ G.S. 115D-21.2 and G.S. 116-11.4, respectively, or an agency of the  
34 federal, State, or local government."

35          **SECTION 2.(g)** G.S. 93E-1-8 reads as rewritten:

36          "**§ 93E-1-8. Education program approval and fees.**

37          ...

38          (b) The Board may by rule set nonrefundable fees chargeable to private real estate  
39 appraisal schools or course sponsors, including appraisal trade organizations, for the approval  
40 and annual renewal of approval of their qualifying courses required by G.S. 93E-1-6(a), or  
41 equivalent courses. The fees shall be one hundred dollars (\$100.00) per course for approval and  
42 fifty dollars (\$50.00) per course for renewal of approval. No fees shall be charged for the approval  
43 or renewal of approval to conduct appraiser qualifying courses where such courses are offered  
44 by a North Carolina college, university, junior college, or community or technical college  
45 accredited by a regional accrediting agency, as defined in ~~G.S. 115D-6.2~~ G.S. 115D-21.2 and  
46 G.S. 116-11.4, respectively, or an agency of the federal, State, or local government.

47          ...

48          (d) Nonrefundable fees of one hundred dollars (\$100.00) per course may be charged to  
49 schools and course sponsors for the approval to conduct appraiser continuing education courses  
50 and fifty dollars (\$50.00) per course for renewal of approval. However, no fees shall be charged  
51 for the approval or renewal of approval to conduct appraiser continuing education courses where

1 such courses are offered by a North Carolina college, university, junior college, or community  
2 or technical college accredited by a regional accrediting agency, as defined in  
3 ~~G.S. 115D-6.2~~G.S. 115D-21.2 and G.S. 116-11.4, respectively, or by an agency of the federal,  
4 State, or local government. A nonrefundable fee of fifty dollars (\$50.00) per course may be  
5 charged to current or former licensees or certificate holders requesting approval by the Board of  
6 a course for continuing education credit when approval of such course has not been previously  
7 obtained by the offering school or course sponsor."

8 **SECTION 2.(h)** G.S. 95-25.5(n) reads as rewritten:

9 "(n) Nothing in this section prohibits qualified youths under 18 years of age from  
10 participating in training through their fire department, the Office of State Fire Marshal, or the  
11 North Carolina Community College System. As used in this subsection, the term "qualified youth  
12 under 18 years of age" means an uncompensated fire department or rescue squad member who  
13 is at least the age of 15 and under the age of 18 and who is a member of a bona fide fire  
14 department, as that term is defined in G.S. 58-86-2(4), or of a rescue squad described in  
15 G.S. 58-86-2(6). A qualified youth under 18 years of age under this subsection may be permitted  
16 to enroll in courses, including certification-eligible courses, in fire training at a community  
17 college on a specialized course list approved by the State Board of Community Colleges pursuant  
18 to ~~G.S. 115D-20(4)~~e.G.S. 115D-30.15(d)."

19 **SECTION 2.(i)** G.S. 115C-84.3(a)(3) reads as rewritten:

20 "(3) Institution of higher education courses, as provided in Article 16 of this  
21 Chapter or ~~G.S. 115D-20(4)~~Article 2B of Chapter 115D."

22 **SECTION 2.(j)** G.S. 115C-238.55 reads as rewritten:

23 **"§ 115C-238.55. Evaluation of cooperative innovative high schools.**

24 The State Board of Education and the governing Boards shall evaluate the success of students  
25 in cooperative innovative high schools approved under this Part. Success shall be measured by  
26 high school retention rates, high school completion rates, high school dropout rates, certification  
27 and associate degree completion, admission to four-year institutions, postgraduation employment  
28 in career or study-related fields, and employer satisfaction of employees who participated in and  
29 graduated from the schools. The Boards shall jointly report by March 15 of each year to the Joint  
30 Legislative Education Oversight Committee, the Senate Appropriations Committee on  
31 Education/Higher Education, the House Appropriations Committee on Education, and the Fiscal  
32 Research Division of the General Assembly on the evaluation of these schools. The report shall  
33 be combined with the evaluation of and analysis of cost of students participating in the Career  
34 and College Promise Program required by ~~G.S. 115D-5(x)~~G.S. 115D-30.5, and the Community  
35 Colleges System Office shall be responsible for submitting the combined report."

36 **SECTION 2.(k)** G.S. 115D-2(2) reads as rewritten:

37 "(2) The term "community college" is defined as an educational institution  
38 operating under the provisions of this Chapter and dedicated primarily to the  
39 educational needs of the service area which it serves, and may offer any of the  
40 following:

- 41 a. The freshmen and sophomore courses of a college of arts and sciences,  
42 authorized by ~~G.S. 115D-4.1~~G.S. 115D-10.10.
- 43 b. Organized credit curricula for the training of technicians; curricular  
44 courses may carry transfer credit to a senior college or university  
45 where the course is comparable in content and quality and is  
46 appropriate to a chosen course of ~~study~~study.
- 47 c. Vocational, trade, and technical specialty courses and ~~programs~~,  
48 ~~and~~programs.
- 49 d. Courses in general adult education."

50 **SECTION 2.(l)** G.S. 115D-39(a1) reads as rewritten:

1       "(a1) In addition, federal law enforcement officers, firefighters, EMS personnel, and rescue  
2 and lifesaving personnel whose permanent duty station is within North Carolina and who do not  
3 otherwise qualify for tuition waivers under ~~G.S. 115D-5(b)(2a)~~G.S. 115D-39.5(a)(3) shall also  
4 be eligible for the State resident community college tuition rate for courses that support their  
5 organizations' training needs and are approved for this purpose by the State Board of Community  
6 Colleges."

7           **SECTION 2.(m)** G.S. 115D-41(a) reads as rewritten:

8       "(a) Community college contracts with local school administrative units shall not be used  
9 by these agencies to supplant funding for a public school high school teacher providing courses  
10 offered pursuant to ~~G.S. 115D-20(4)~~Article 2B of this Chapter who is already employed by the  
11 local school administrative unit. In no event shall a community college contract with a local  
12 school administrative unit to provide high school level courses."

13           **SECTION 2.(n)** Article 6A of Chapter 115D of the General Statutes is repealed.

14           **SECTION 2.(o)** G.S. 116-201(b)(8) reads as rewritten:

15       "(8) "Private institution" means an institution other than a seminary, Bible school,  
16 Bible college or similar religious institution in this State that is not owned or  
17 operated by the State or any agency or political subdivision thereof, or by any  
18 combination thereof, that offers post-high school education and is accredited  
19 by a regional accrediting agency, as defined in ~~G.S. 115D-6.2~~G.S. 115D-21.2  
20 and G.S. 116-11.4, or the Transnational Association of Christian Colleges and  
21 Schools, or, in the case of institutions that are not eligible to be considered for  
22 accreditation, accredited in those categories and by those nationally  
23 recognized accrediting agencies that the Authority may designate;"

24           **SECTION 2.(p)** G.S. 116-280(3) reads as rewritten:

25       "(3) Eligible private postsecondary institution. – A school that is any of the  
26 following:

27       a. A nonprofit postsecondary educational institution with a main  
28 permanent campus located in this State that is not owned or operated  
29 by the State of North Carolina or by an agency or political subdivision  
30 of the State or by any combination thereof that satisfies all of the  
31 following:

32       1. Is either (i) accredited by a regional accrediting agency, as  
33 defined in ~~G.S. 115D-6.2~~G.S. 115D-21.2 and G.S. 116-11.4,  
34 or the Transnational Association of Christian Colleges and  
35 Schools or (ii) was accredited by the Southern Association of  
36 Colleges and Schools Commission on CollegesSACSCOC on  
37 January 1, 2021, and, beginning January 1, 2021, was a  
38 member of the Transnational Association of Christian Colleges  
39 and Schools.

40       2. Awards a postsecondary degree as defined in G.S. 116-15.

41       b. A postsecondary institution owned or operated by a hospital authority  
42 as defined in G.S. 131E-16(14) or school of nursing affiliated with a  
43 nonprofit postsecondary educational institution as defined in  
44 sub-subdivision a. of this subsection."

45           **SECTION 2.(q)** G.S. 126-5(c2)(3) reads as rewritten:

46       "(3) Employees of community colleges whose salaries are fixed in accordance with  
47 ~~G.S. 115D-5~~G.S. 115D-6.1 and G.S. 115D-20 and employees of the  
48 Community Colleges System Office whose salaries are fixed by the State  
49 Board of Community Colleges in accordance with G.S. 115D-3."

50           **SECTION 2.(r)** Section 6.9(b) of Session Law 2023-134 reads as rewritten:



1 "SECTION 6.9.(b) Of the recurring funds appropriated in this act to the Community  
 2 Colleges System Office for the 2023-2025 fiscal biennium to support increasing program  
 3 offerings for individuals with IDD pursuant to ~~G.S. 115D-44, as enacted by this~~  
 4 ~~section,~~ G.S. 115D-10.21, the System Office shall establish at least two statewide positions for  
 5 program support, provide professional development training for college advising staff to assist  
 6 students with IDD for career pathway exploration and the identification of credentials leading to  
 7 competitive employment, and explore funding sources to sustain programs for students with  
 8 IDD."  
 9

### 10 PART III. PROPRIETARY SCHOOLS CHANGES

11 SECTION 3.(a) G.S. 115D-89.1(b) reads as rewritten:

12 "(b) The State Board of Proprietary Schools shall consist of seven members as follows:

- 13 (1) The President of the North Carolina Community College System or the  
 14 President's designee.
- 15 (2) Two members appointed by the Governor.
- 16 (3) Two members appointed by the General Assembly upon the recommendation  
 17 of the President Pro Tempore of the Senate, one of whom shall be the owner  
 18 or director of a proprietary school licensed in the State with less than 100 total  
 19 annual enrollment of students and one the owner or director of a proprietary  
 20 school or group of proprietary schools licensed in the State with ~~more than~~  
 21 750-100 or more total annual enrollment of students.
- 22 (4) Two members appointed by the General Assembly upon the recommendation  
 23 of the Speaker of the House of Representatives, one of whom shall be the  
 24 owner or director of a proprietary school licensed in the State with ~~between~~  
 25 less than 100 and 750-total annual enrollment of students and one the owner  
 26 or director of a proprietary school or group of proprietary schools licensed in  
 27 the ~~State~~-State with 100 or more total annual enrollment of students.

28 The appointing authorities shall appoint members who have a demonstrated history of  
 29 experience in proprietary or public postsecondary education, an understanding of standards of  
 30 quality in postsecondary education, and leadership beyond a particular institution."

31 SECTION 3.(b) G.S. 115D-90(b) reads as rewritten:

32 "(b) Application for a license shall be filed in the manner and upon the forms prescribed  
 33 and furnished by the State Board of Proprietary Schools for that purpose. Such application shall  
 34 be signed by the applicant and properly verified and shall contain such of the following  
 35 information as may apply to the particular school for which a license is sought:

- 36 ...
- 37 (7) Such additional information as the State Board, acting by and through the  
 38 State Board of Proprietary Schools, may deem necessary to enable it to  
 39 determine the adequacy of the program of instruction and matters pertaining  
 40 thereto. Each application shall be accompanied by a copy of the current  
 41 bulletin or catalog of the school which shall be in published form and certified  
 42 by an authorized official of the school as being current, true, and correct in  
 43 content and policy. The school bulletin shall contain the following  
 44 information:

45 ...

- 46 i. Policy and regulations of the institution relative to the refund of the  
 47 unused portion of tuition, fees and other charges in the event the  
 48 student does not enter the course or withdraws or is discontinued  
 49 therefrom. The policy and regulations shall comply with federal law  
 50 and provide for, at a minimum, a full refund if a student withdraws  
 51 before the first day of class or the school cancels the class and a

seventy-five percent (75%) refund if the student withdraws within the first twenty-five percent (25%) of the period of enrollment for which the student was charged. the following provisions to the extent those provisions are not inconsistent with federal law:

1. If any of the following occur prior to the first day of class, a student shall receive a one hundred percent (100%) refund, including nonrefundable fees already paid:
  - I. The student withdraws.
  - II. The student is caused to withdraw by the school.
  - III. The school cancels the class.
2. If the student withdraws or is caused to withdraw by the school on or before completing twenty-five percent (25%) of the period of enrollment for which the student was charged, the student shall receive a refund of seventy-five percent (75%), excluding any disclosed nonrefundable fees.

...."

**SECTION 3.(c)** G.S. 115D-95(b) reads as rewritten:

"(b) Amount. – An applicant for a license must file a bond with the North Carolina State Board of Community Colleges executed by the applicant as a principal and by a bonding company authorized to do business in this State. The bond must be payable to the State Board of Community Colleges, must be conditioned on fulfillment of the school's obligations, and must remain in effect until cancelled by the bonding company. The bonding company may cancel the bond upon 30 days' notice to the State Board of Community Colleges.

The application must set out calculations made by the applicant to determine the amount of bond required with the application. The required amount is determined as follows:

- (1) Initial licensure. – For an applicant for initial licensure of a school, the bond amount is the amount determined by the State Board that is adequate to provide indemnification to any student, or the student's parent or guardian who has suffered a loss of tuition, fees, or any other instructional-related expenses paid to the school. A bond amount shall be at least twenty-five thousand dollars (\$25,000).
- (2) ~~First four renewals.~~ Renewal of licensure. – ~~For a school that has been licensed for one year but less than six years,~~ For an applicant for renewal of licensure of a school, the bond shall be in an amount equal to the greatest amount of unearned paid tuition in the school's possession at ~~anytime~~ any time during the prior fiscal year.
- (2a) Evaluations. – Bond amounts shall be evaluated as follows:
  - a. ~~The~~ For a school that has been licensed for one year, but less than six years, the bond amount shall be evaluated by the school quarterly and reported to the State Board or its representative. For a school that has been licensed for six years or more, if the State Board deems an evaluation necessary, the State Board may require the bond amount to be evaluated by the school quarterly and reported to the State Board or its representative.
  - b. A quarterly evaluation requiring an increase of five percent (5%) or more in the amount of the bond held by the school shall require an immediate increase in the bond amount.
  - c. Bond amounts ~~also~~ shall be evaluated pursuant to this subdivision and the rules of the State Board of Community Colleges and State Board of Proprietary Schools at the time of the school's annual license

renewal and increased if necessary regardless of the amount of the change.

(3) ~~Schools in operation more than five years.—A guaranty bond shall be required for license renewal for a school that has been continuously licensed to operate for more than five years in the State, as follows:~~

a. ~~If the balance of the Student Protection Fund in G.S. 115D-95.1 is below the catastrophic loss amount, the school shall file a guaranty bond in an amount equal to the maximum amount of prepaid tuition held by the school during the prior fiscal year multiplied by the percentage amount the fund is deficient.~~

b. ~~If the school held prepaid tuition in excess of the Student Protection Fund catastrophic loss amount during the prior fiscal year, in addition to any bond amount required by sub-subdivision a. of this subdivision, the school shall file a guaranty bond for the difference between the prepaid tuition amount held in the previous fiscal year and the Fund catastrophic loss amount."~~

**SECTION 3.(d)** G.S. 115D-95.1 reads as rewritten:

**"§ 115D-95.1. Student Protection Fund.**

(a) Definitions. – As used in this section:

(1) "Catastrophic loss amount" means the amount of funds required to protect prepaid student tuition in case of a large-scale event that would draw against the Student Protection Fund. The amount is ~~one million dollars (\$1,000,000)~~one million five hundred thousand dollars (\$1,500,000).

(2) "Fund cap amount" means the catastrophic loss amount plus a reserve amount. The amount is ~~one million five hundred thousand dollars (\$1,500,000)~~two million dollars (\$2,000,000).

...

(f) Suspension of Payments. – ~~If the Student Protection Fund balance is equal to or exceeds the Fund cap amount, the State Board of Proprietary Schools shall suspend payments into the Fund for schools that have been continuously licensed in the State for more than eight years. The State Board of Proprietary Schools shall require schools to resume payments into the Fund if the balance of the Fund is less than the catastrophic loss amount.~~The State Board of Proprietary Schools shall suspend payments into the Fund, as follows:

(1) For schools that are currently licensed in this State, if the Student Protection Fund balance is equal to or exceeds the catastrophic loss amount.

(2) For schools applying for initial licensure with the State, if the Student Protection Fund balance is equal to or exceeds the fund cap amount.

(3) If the Student Protection Fund balance decreases below the catastrophic loss amount, the State Board shall reinstate the requirement for schools to make payments into the Fund.

...."

**SECTION 3.(e)** Subsection (a) of this section applies beginning with appointments made on or after the date this act becomes law. Subsection (b) of this section becomes effective July 1, 2024, and applies to licenses issued or renewed on or after that date. Subsections (c) and (d) of this section become effective July 1, 2025, and apply to licenses issued or renewed on or after that date. Except as otherwise provided, this section becomes effective July 1, 2024.

**PART IV. EXPAND CAREER AND COLLEGE READY GRADUATE PROGRAM**

**SECTION 4.** Section 10.13(a) of S.L. 2015-241, as amended by Section 10.5 of S.L. 2016-94 and Section 9.4 of S.L. 2018-5, reads as rewritten:

1 "SECTION 10.13.(a) The State Board of Community Colleges, in consultation with the  
2 State Board of Education, shall develop a program for implementation beginning with model  
3 programs in the 2016-2017 school year that introduces the college developmental mathematics  
4 and developmental reading and English curriculums in the high school senior ~~year-year~~, including  
5 the immediately preceding summer, and provides opportunities for college remediation for  
6 students prior to high school graduation through cooperation with community college partners.  
7 Professional development for high school faculty shall begin with the 2018-2019 school year.  
8 The program shall be phased in by cohorts developed by the Department of Public Instruction  
9 beginning with the 2019-2020 school year. The program shall be fully implemented in all high  
10 schools statewide beginning with the 2020-2021 school year."

## 11 12 **PART V. LEARNING MANAGEMENT SYSTEM**

13 **SECTION 5.(a)** The State Board of Community Colleges shall conduct a request for  
14 information to provide a learning management system to all community colleges. The request for  
15 information shall be completed by April 1, 2025. Answers to the request for information shall  
16 include information on how the learning management system would align with the learning  
17 management systems (i) offered by the Department of Public Instruction to local school  
18 administrative units and (ii) used by the constituent institutions of The University of North  
19 Carolina.

20 **SECTION 5.(b)** By April 1, 2025, the State Board shall report to the Senate  
21 Appropriations Committee on Education/Higher Education, the House Appropriations  
22 Committee on Education, and the Fiscal Research Division on the information received.

## 23 24 **PART VI. FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE** 25 **PUBLIC/PRIVATE PARTNERSHIP**

26 **SECTION 6.** Notwithstanding G.S. 115D-15(a), G.S. 115D-20(13)a.-c. and g., G.S.  
27 143-129, and G.S. 143-341, the Board of Trustees of Fayetteville Technical Community College  
28 (Board of Trustees) may enter into a public/private partnership with an automotive services  
29 company (Company) to provide for construction on or renovations to real property located at  
30 3211 Fort Bragg Road in Fayetteville, North Carolina (Facility). The following terms shall apply  
31 to the public/private partnership:

- 32 (1) Title to the real property remains with the Board of Trustees.
- 33 (2) The Company shall incur at least eighty percent (80%) of the cost of  
34 constructing or renovating the Facility. State funds shall not be used for the  
35 construction or renovation of the Facility.
- 36 (3) The Company is authorized to select its own designer, architect, and general  
37 contractor to perform the construction or renovations. All construction or  
38 renovations shall be done in accordance with the relevant building codes.
- 39 (4) The Board of Trustees is authorized to lease the Facility to the Company for  
40 a term of 10 years without a monthly rental rate.
- 41 (5) The Company may use up to twenty-five percent (25%) of the Facility to  
42 operate a retail establishment while leasing the Facility.
- 43 (6) Fayetteville Technical Community College and the Company shall jointly use  
44 seventy-five percent (75%) of the Facility during the lease to expand  
45 employment pathways that prepare students for high demand employment  
46 positions in the automotive technology repair and maintenance sector.

## 47 48 **PART VII. EFFECTIVE DATE**

49 **SECTION 7.** Except as otherwise provided, this act is effective when it becomes  
50 law.