

**2019**

**HOUSE  
EDUCATION –  
COMMUNITY COLLEGES**

**MINUTES**





**North Carolina General Assembly**

**Education – Community Colleges**

**2019-20 Session**

**Representatives Hurley and Sauls (Chairs)**

**Representative Brody (Vice-Chair)**

**Deborah Holder and Karen Rosser (Committee Clerks)**





## EDUCATION - COMMUNITY COLLEGES

### House Standing Committee

#### Chairs

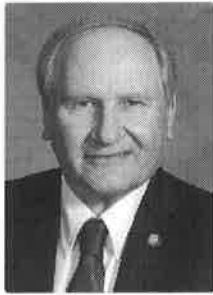


Rep. Hurley



Rep. Sauls

#### Vice Chair



Rep. Brody

#### Members



Rep. Adams



Rep. Elmore



Rep. Gill



Rep. Hunt



Rep. Johnson



Rep. Pittman



Rep. Reives



Rep. B. Turner



Rep. von Haefen



Rep. Zachary

Leader, and the Deputy Majority Leader are ex officio members of each standing committee and permanent subcommittee with the right to vote. The previous sentence does not apply to the Standing Committee on Ethics. For the purposes of determining a quorum, when serving only as ex officio members, these members shall be counted among the membership of the committee or subcommittee only when present.

**HOUSE COMMITTEE ON EDUCATION  
COMMUNITY COLLEGE 2019-20**

Rep. Pat Hurley	CHAIR	Debbie Holder	733-5865	532
Rep. John Sauls	CHAIR	Karen Rosser	715-3026	408
Rep. Mark Brody	VICE Chair	Neva Helms	715-3029	416B

**MEMBERS**

Rep. Jay Adams	Susan Phillips	733-5988	301N
Rep. Jeffrey Elmore	Linda Stevenson	733-5935	306A3
Rep. Rosa Gill	Lisa Ray	733-5880	1303
Rep. Rachel Hunt	Kelly Russell	733-5800	1111
Rep. Linda Johnson	Rhonda Todd	733-5861	301D
Rep. Larry Pittman	Tammy Pittman	715-2009	1010
Rep. Robert Reives	Veronica Green	733-0057	1323
Rep. Brian Turner	Tristine Johnson	715-3012	1217
Rep. Julie Von Haefen	Hudson McCormick	715-0795	1311
Rep. Lee Zachary	Martha Jenkins	715-8361	420

**Ex-Officio**

Rep. David Lewis	Grace Rogers	715-3015	2301
Rep. Sarah Stevens	Lisa Brown	715-1883	419
Rep. John Bell	Susan Horne	715-3017	301F
Rep. Brenden Jones	Andrew Bailey	733-5821	1227

Staff Kara McCraw Samantha Yarborough Brian Gwyn Drupti Chauhan



## EDUCATION COMMUNITY COLLEGES

[illegible]



**House Committee on Education - Community Colleges**  
**Tuesday, February 19, 2019 at 11:00 AM**  
**Room 421**

**MINUTES**

The House Committee on Education - Community Colleges met at 11:00 AM on February 19, 2019 in Room 421. Representatives Brody, Elmore, Goodman, Hunt, Hurley, Johnson, Pittman, Sauls, Turner, von Haefen, and Zachary attended.

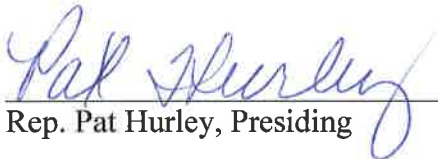
Rep. Pat Hurley presided, and called the meeting to order at 11:04 AM. She welcomed everyone to the first meeting of the Education-Community Colleges Committee.

The members and staff were asked to introduce themselves, followed by the introduction of the Sergeants At Arms, and Pages.

Rep. Corbin was recognized to explain his bill, HB 8, Tri-County CC/Neighbor State In-State Tuition. Rep. Elmore sent forth two amendments. There were several issues of concern from the members and many questions asked between the members and Rep. Corbin. After much discussion, Rep. Corbin asked to have the bill withdrawn, in order to have it re-written as a pilot bill, and returned to the committee at a later date.

The members were advised the committee would not have set meeting dates, as we would be alternating time slots with the Education-Universities Committee, on an as-needed basis, as bills were added to each committee. Our meetings will continue to be held on Tuesdays, at 11:00 AM, in Room 421, when there are bills ready to be heard.

The meeting adjourned at 11:35 AM.

  
Rep. Pat Hurley, Presiding

  
Debbie Holder, Committee Clerk





**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Community Colleges** will meet as follows:

**DAY & DATE:** Tuesday, February 19, 2019  
**TIME:** 11:00 AM  
**LOCATION:** 421 LOB  
**COMMENTS:** Rep. Pat Hurley, presiding

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
<u>HB 8</u>	In-State Tuition Pilot Program.	Representative Corbin

Respectfully,

Representative Pat B. Hurley, Co-Chair  
Representative John Sauls, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 11:13 AM on Tuesday, November 05, 2019.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Deborah Holder (Committee Assistant)



**House Committee on Education - Community Colleges  
Tuesday, February 19, 2019, 11:00 AM  
421 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks**

**Member Introductions**

**Introduction of Pages**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 8	Tri-County CC/Neighbor State In-State Tuition.	Representative Corbin

**Other Business**

**Adjournment**



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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1

HOUSE BILL 8

Short Title: Tri-County CC/Neighbor State In-State Tuition. (Public)

Sponsors: Representative Corbin.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Education - Community Colleges, if favorable, State and Local Government, if favorable, Rules, Calendar, and Operations of the House

January 31, 2019

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE TRI-COUNTY COMMUNITY COLLEGE TO CHARGE IN-STATE TUITION TO RESIDENTS OF STATES BORDERING NORTH CAROLINA WHO LIVE IN COUNTIES THAT ARE CONTIGUOUS TO CHEROKEE COUNTY, CLAY COUNTY, AND GRAHAM COUNTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115D-39(a) reads as rewritten:

"(a) The State Board of Community Colleges shall fix and regulate all tuition and fees charged to students for applying to or attending any institution pursuant to this Chapter.

The receipts from all student tuition and fees, other than student activity fees, shall be State funds and shall be deposited as provided by regulations of the State Board of Community Colleges.

The legal resident limitation with respect to tuition, set forth in G.S. 116-143.1 and G.S. 116-143.3, shall apply to students attending institutions operating pursuant to this Chapter; provided, however, that when an employer other than the Armed Forces, as that term is defined in G.S. 116-143.3, pays tuition for an employee to attend an institution operating pursuant to this Chapter and when the employee works at a North Carolina business location, the employer shall be charged the in-State tuition rate; provided further, however, a community college may charge in-State tuition to up to one percent (1%) of its out-of-state students, rounded up to the next whole number, to accommodate the families transferred by business, the families transferred by industry, or the civilian families transferred by the Armed Forces, consistent with the provisions of G.S. 116-143.3, into the State.

In addition, a resident of a state bordering North Carolina who lives in a county that is contiguous to Cherokee County, Clay County, or Graham County in North Carolina may be charged the in-State tuition rate to attend Tri-County Community College. Tri-County Community College shall ensure that no out-of-state student eligible for in-State tuition due to residence in a contiguous county shall displace an in-State student seeking to enroll in a program offered by the community college.

~~Notwithstanding these requirements,~~ the requirements of this subsection, a refugee who lawfully entered the United States and who is living in this State shall be deemed to qualify as a domiciliary of this State under G.S. 116-143.1(a)(1) and as a State resident for community college tuition purposes as defined in G.S. 116-143.1(a)(2). Also, a nonresident of the United States who has resided in North Carolina for a 12-month qualifying period and has filed an



- 1 immigrant petition with the United States Immigration and Naturalization Service shall be
- 2 considered a State resident for community college tuition purposes."
- 3       **SECTION 2.** This act is effective when it becomes law and applies beginning with
- 4 the 2019-2020 academic year.



## HOUSE BILL 8: Tri-County CC/Neighbor State In-State Tuition.

2019-2020 General Assembly

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<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to State and Local Government. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	February 19, 2019
<b>Introduced by:</b>	Rep. Corbin	<b>Prepared by:</b>	Samantha Yarborough
<b>Analysis of:</b>	First Edition		Staff Attorney

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**OVERVIEW:** *HB 8 would provide in-state tuition to residents of other states who reside in counties bordering the service area of Tri-County Community College.*

**CURRENT LAW:** G.S. 116-143.1 states that to qualify as a resident for tuition purposes, a person must have established legal residence (domicile) in North Carolina and maintained that legal residence for at least 12 months immediately prior to his or her classification as a resident for tuition purposes.

G.S. 115D-39(a) applies the legal residence requirements of G.S. 116-143.1 to students attending community colleges.

Exceptions that apply to students attending community colleges who do not live in the State include:

- Employers who provide community college tuition assistance to employees who work in the State. G.S. 115D-39(a)
- Federal law enforcement officers, firefighters, EMS personnel, and rescue and lifesaving personnel whose permanent duty station is within the State, for any courses that support their organizations training needs. G.S. 115D-39(a1)
- Members of the North Carolina National Guard who are not residents of the State. G.S. 116-143.1(h1)
- Active duty members of the Armed Forces and their dependents, while abiding in the State incident to active military duty. G.S. 116-143.3

**BILL ANALYSIS:** HB 8 would add an exception to the residency requirements for in-state tuition to allow out-of-state students who legally reside in counties that share a border with counties in the service area of Tri-County Community College to pay in-state tuition. The service area of Tri-County Community College includes Cherokee, Clay, and Graham counties. The bill would also require that Tri-County Community College ensure that out-of-state students do not displace in-state students seeking enrollment.

**EFFECTIVE DATE:** HB 8 would become effective when it becomes law and applies beginning with the 2019-2020 school year.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
(919) 733-2578

*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*







# NORTH CAROLINA GENERAL ASSEMBLY

Session 2019

## Legislative Fiscal Note

**Short Title:** Tri-County CC/Neighbor State In-State Tuition.  
**Bill Number:** House Bill 8 (First Edition)  
**Sponsor(s):** Representative Corbin

### SUMMARY TABLE

FISCAL IMPACT OF H.B.8, V.1					
	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	<u>FY 2023-24</u>
<b>State Impact</b>					
General Fund Revenue	-	-	-	-	-
Less Expenditures	42,510	42,510	42,510	42,510	42,510
<b>General Fund Impact</b>	<b>(42,510)</b>	<b>(42,510)</b>	<b>(42,510)</b>	<b>(42,510)</b>	<b>(42,510)</b>
<b>NET STATE IMPACT</b>	<b>(\$42,510)</b>	<b>(42,510)</b>	<b>(42,510)</b>	<b>(42,510)</b>	<b>(42,510)</b>

### FISCAL IMPACT SUMMARY

House Bill 8 authorizes Tri-County Community College to charge in-State tuition to residents of states bordering North Carolina who live in counties that are contiguous to Cherokee County, Clay County, or Graham County.

### FISCAL ANALYSIS

The North Carolina Community College System (NCCCS) System Office estimates the cost to the State in lost out-of-state tuition receipts for Tri-County Community College to be \$42,510, based on FY 2017-18 receipts data.

North Carolina Community Colleges are funded in arrears, based on a two-year rolling enrollment average. This means that the State appropriation in a given fiscal year is determined by the actual fiscal cost of either the prior year or the average of the two prior years, whichever is higher. Therefore, the actual cost in lost out-of-state tuition receipts in FY 2019-20 would be factored into the enrollment growth request for FY 2020-21.

Because the \$42,510 cost estimate is based on FY 2017-18 data, it is worth noting that Tri-County Community College's budget full-time equivalent (FTE) amount, upon which enrollment growth requests are based, declined between 2016-17 and 2017-18. This could plausibly mean that the actual cost for FY 2019-20, as measured in lost out-of-state tuition receipts, would be less than \$42,510, but a definitive determination cannot be made.

The cost estimate is based on the difference between in-State and out-of-state tuition rates. Pursuant to H.B. 8, non-resident students eligible for the in-State tuition rate would be charged \$76 as opposed to \$268 per credit hour. As a result, Tri-County Community College would collect 72 percent less in tuition fees from those qualifying students, and the State would fund the difference. The cost estimate of \$42,510 was determined by multiplying the 72 percent tuition rate difference by all out-of-state tuition receipts in FY2017-18 for Tri County Community College, which assumes that all non-resident students would be eligible for in-State tuition; while this is possible, it is not certain. This, combined with the fact that the FTE amount for Tri-County Community College decreased in FY 2017-18, means that the estimate in this fiscal note represents the likely maximum cost to the State assuming these enrollment trends continue.

It is important to note that a cost estimate beyond FY 2019-20 cannot be definitively determined because the future enrollment impact of H.B. 8 is unknown. It is plausible that the decrease in tuition for eligible non-residents could create an incentive for enrollment amongst that population of potential students. This could, in turn, increase the actual FTE amount upon which the yearly enrollment growth request is based. However, some students in Tennessee are eligible for Tennessee Promise, which provides two years of tuition-free attendance at community colleges in that state. It is likely that most students who can will take advantage of that program. The contiguous counties in Georgia are themselves low-population counties, and so unlikely to create significant new enrollment at Tri-County. If increased enrollment does occur, the fiscal impact will increase after FY 2019-20, but by an indeterminate amount.

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#### **TECHNICAL CONSIDERATIONS**

N/A.

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#### **DATA SOURCES**

NCCCS

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#### **LEGISLATIVE FISCAL NOTE – PURPOSE AND LIMITATIONS**

This document is an official fiscal analysis prepared pursuant to Chapter 120 of the General Statutes and rules adopted by the Senate and House of Representatives. The estimates in this analysis are based on the data, assumptions, and methodology described in the Fiscal Analysis section of this document. This document only addresses sections of the bill that have projected direct fiscal impacts on State or local governments and does not address sections that have no projected fiscal impacts.

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#### **CONTACT INFORMATION**

Questions on this analysis should be directed to the Fiscal Research Division at (919) 733-4910.

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#### **ESTIMATE PREPARED BY**

Lisa Fox



**ESTIMATE APPROVED BY**

---

Mark Trogdon, Director of Fiscal Research  
Fiscal Research Division  
February 18, 2019



**Signed copy located in the NCGA Principal Clerk's Offices**





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 8

H8-ABN-8 [v.2]

AMENDMENT NO. \_\_\_\_\_  
(to be filled in by  
Principal Clerk)

Page 1 of 1

Amends Title [YES]  
First Edition

Date 21 19, 2019

Representative Elmore

1 moves to amend the bill on page 1, lines 2-5, by rewriting the lines to read:

2  
3 "AN ACT TO AUTHORIZE CERTAIN COMMUNITY COLLEGES TO CHARGE IN-STATE  
4 TUITION TO RESIDENTS OF STATES BORDERING NORTH CAROLINA WHO LIVE IN  
5 COUNTIES THAT ARE CONTIGUOUS TO THE COUNTIES IN THE SERVICE AREAS OF  
6 THOSE COMMUNITY COLLEGES.";

7  
8 And on page 1, lines 28-29, by adding the following between the lines:

9  
10 "In addition, a resident of a state bordering North Carolina who lives in a county that is  
11 contiguous to Alleghany County or Ashe County may be charged the in-State tuition rate to  
12 attend Wilkes Community College. Wilkes Community College shall ensure that no out-of-state  
13 student eligible for in-State tuition due to residence in a contiguous county shall displace an in-  
14 State student seeking to enroll in a program offered by the community college.".

SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED

\* no vote taken, bill pulled from agenda

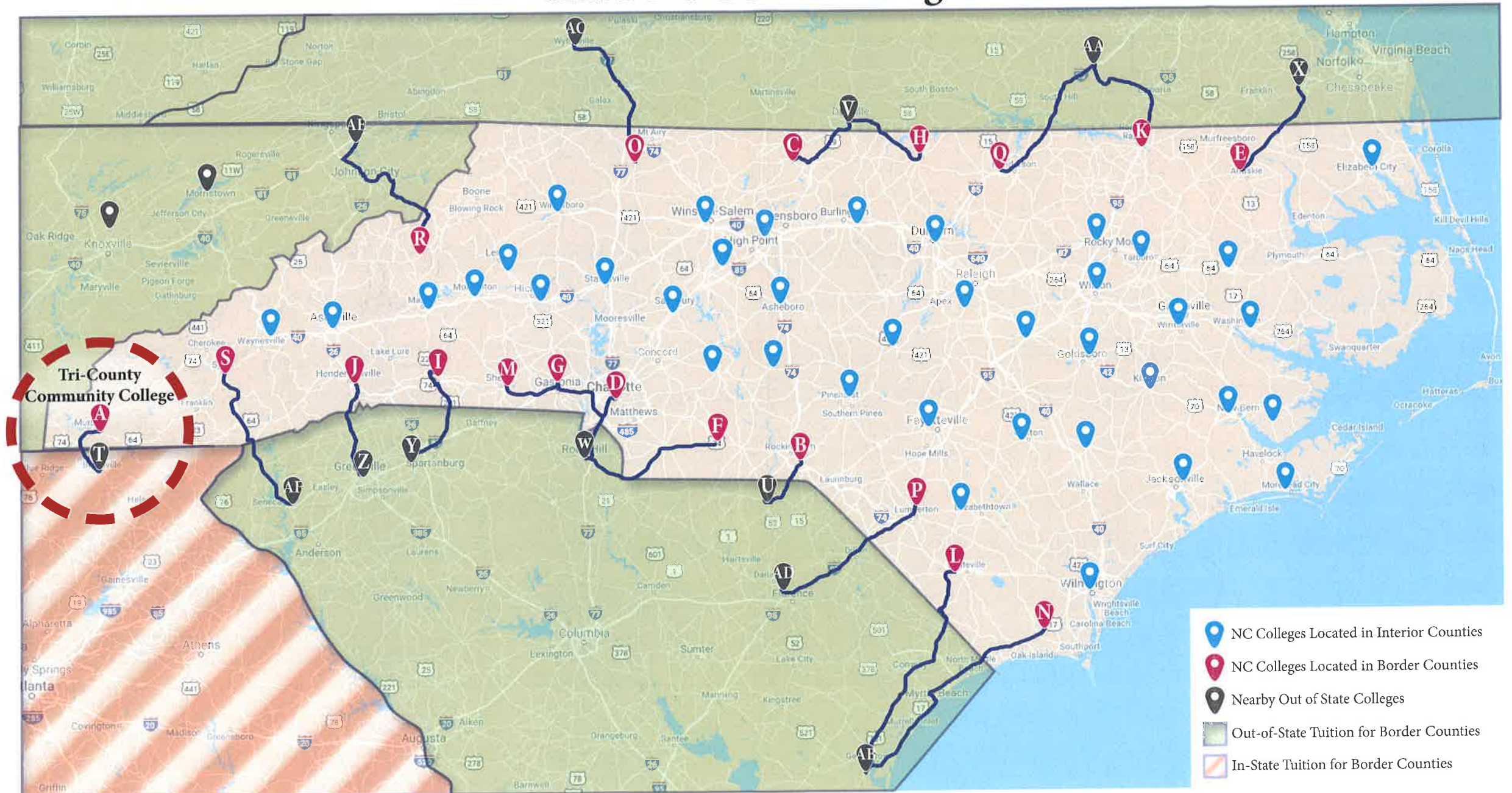


\* H 8 - A B N - 8 - V - 2 \*





# North Carolina Community Colleges and Border State Colleges



\* College key can be found on the reverse side of this page.



North Carolina Community College	NCCC's Main Campuses Located By a Border State College	Bordering State(s)	Closest Out of State Border Colleges	Distance from Main Campus to Closest Out-of-State Border College	Reciprocity~ NC Residents Eligible for In-State Tuition at Closest Out of State College	Notes:
Tri-County Community College (A)	Yes	TN, GA	North Georgia Technical College (T)	20.1 miles	Yes	TCCC is bordered by two states, has the closest out-of-state college neighbor, and is the only NC community college affected by reciprocity.
Richmond Community College (B)	Yes	SC	Northeastern Technical College (U)	22.6 miles	No	
Rockingham Community College (C)	Yes	VA	Danville Community College (V)	28.6 miles	No	
Central Piedmont Community College (D)	Yes	SC	York Technical College (W)	28.7 miles	No	
Roanoke-Chowan Community College (E)	Yes	VA	Paul D Camp Community College (X)	32.2 miles	No	
South Piedmont Community College (F)	Yes	SC	York Technical College (W)	34.4 miles	No	
Gaston College (G)	Yes	SC	York Technical College (W)	35.0 miles	No	
Piedmont Community College (H)	Yes	VA	Danville Community College (V)	35.3 miles	No	
Isothermal Community College (I)	Yes	SC	Spartanburg Technical College (Y)	39.8 miles	No	
Blue Ridge Community College (J)	Yes	SC	Greenville Technical College (Z)	40.4 miles	No	
Halifax Community College (K)	Yes	VA	Southside Virginia Community College (AA)	41.6 miles	No	
Southeastern Community College (L)	Yes	SC	Horry Georgetown Technical College (AB)	46.4 miles	No	
Cleveland Community College (M)	Yes	SC	York Technical College (W)	47.2 miles	No	
Brunswick Community College (N)	Yes	SC	Horry Georgetown Technical College (AB)	51.1 miles	No	
Surry Community College (O)	Yes	VA	Wytheville Community College (AC)	56.6 miles	No	
Robeson Community College (P)	Yes	SC	Florence-Darlington Technical College (AD)	58.2 miles	No	
Vance-Granville Community College (Q)	Yes	VA	Southside Virginia Community College (AA)	59.9 miles	No	
Mayland Community College (R)	Yes	TN	Northeast State Community College (AE)	65.2 miles	No	
Southwestern Community College (S)	Yes	SC	Tri-County Technical College (AF)	72.2 miles	No	



## VISITOR REGISTRATION SHEET

House Committee on Education-Community Colleges

19 February 2019

Name of Committee

Date \_\_\_\_\_

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME \_\_\_\_\_

FIRM OR AGENCY AND ADDRESS

Seth Higgins

NC Community Colleges

Elizabeth Grovenstein

NCCS

Sallie James

Governor's Office

*[Handwritten signature]*



Lenny Corbin

AC House



# VISITOR REGISTRATION SHEET

House Committee on Education-Community Colleges

19 February 2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Ford Esley

MWC

Anthony Bruto

OSBM

Lindsay Marchello

Carolina Journal

Rupen Fofaria

EdNC.org



Committee Sergeants at Arms

**NAME OF COMMITTEE** House Committee on Education-Community Colleges

**DATE:** 19 February 2019

**Room:** 421 LOB

House Sgt-At Arms:

1. **Name:** Jonas Cherry

2. **Name:** Kim Blackman

3. **Name:** Rey Cooke

4. **Name:** Glen Wall

5. **Name:** \_\_\_\_\_

Senate Sgt-At Arms:

1. **Name:** \_\_\_\_\_

2. **Name:** \_\_\_\_\_

3. **Name:** \_\_\_\_\_

4. **Name:** \_\_\_\_\_

5. **Name:** \_\_\_\_\_



**House Pages  
Assignments  
Tuesday, February 19, 2019  
Session: 4:45 PM**

<b>Committee</b>	<b>Room</b>	<b>Time</b>	<b>Staff</b>	<b>Comments</b>	<b>Member</b>
Education - Community Colleges	421	11:00 AM	Anastasia Schrader		Rep. John Sauls
			Michael Steele		Speaker Tim Moore
			Selena Wilkins		Speaker. Tim Moore





**House Committee on Education-Community Colleges**  
**Tuesday, February 26, 2019 at 11:00 am**  
**Room 423 LOB**

**MINUTES**

The House Committee on Education-Community Colleges met on Tuesday, February 26 at 11:00 am in Room 423 of the Legislative Building. Representatives Sauls chaired and called the meeting to order at 11:04. He introduced the Pages and the Sergeant at Arms. Two bills were under consideration on the agenda: **HB 8 and SB 6**.


Rep. Sauls opened the first order of business by calling upon Senator Steinburg to address **SB 6**, entitled Dare County/CC construction Funds. Sen Steinburg explained the purpose of bill was to provide flexibility to the College of the Albemarle to use state funds to enter into construction projects with Dare County for educational facilities. Further information by Sen. Steinburg indicated that the bill passed House last session but got stalled in Senate. Questions regarding age of the current facilities arose and were addressed. Rep. Adams made a motion to accept the bill as written. There was a unanimous vote to pass the bill with a favorable report with a serial referral to the Appropriations, Capital committee.

For the next order of business Rep. Sauls called upon Rep. Corbin to discuss **HB 8**, Tri-County CC/Neighbor State in-State Tuition. Rep. Corbin, the primary sponsor, explained the PCS was intended to clarify the bill would create a "pilot program" for 4 years in the Tri-County Community College area. Thus data would be accumulated over 4 years to show how tuition and student numbers are affected by giving In-State Tuition to counties that share contiguous lines with Cherokee, Clay or Graham County. Handouts were given to the committee with maps and information.

Mary Shuping was called upon to give the Community College's stand upon the matter, and she replied that there was no objections. Rep. Linda Johnson added to the discussion with further insight upon purpose. Following a brief dialogue, Rep. Linda Johnson made a motion in favor to the PCS, unfavorable to the original bill. There was a unanimous vote in the affirmative to pass the PCS with a serial referral to the State and Local Committee.

There being no further business, Representative Sauls adjourned the meeting at 11:16 am.

Respectfully submitted,

  
\_\_\_\_\_  
Representative Sauls, Chair      Date      02-28-19

  
\_\_\_\_\_  
Karen Rosser, Committee Clerk      Date      2-28-19



**Updated #1: HB19 Has been pulled from Calendar**

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Community Colleges** will meet as follows:

**DAY & DATE:** Tuesday, February 26, 2019

**TIME:** 11:00 AM

**LOCATION:** 421 LOB

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
<u>HB 8</u>	Tri-County CC/Neighbor State In-State Tuition.	Representative Corbin
<u>SB 6</u>	Dare County/CC Construction Funds.	Senator Steinburg

Respectfully,

Representative Pat B. Hurley, Co-Chair  
Representative John Sauls, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 12:16 PM on Thursday, February 21, 2019.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Karen Rosser (Committee Assistant)



**House Committee on Education - Community Colleges**  
**Tuesday, February 26, 2019, 11:00 AM**  
**421 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks**

**Introduction of Pages**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 8	Tri-County CC/Neighbor State In-State Tuition.	Representative Corbin
SB 6	Dare County/CC Construction Funds.	Senator Steinburg

**Presentations**

**Other Business**

**Adjournment**



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

S

1

SENATE BILL 6

Short Title: Dare County/CC Construction Funds. (Public)

Sponsors: Senator Steinburg (Primary Sponsor).

Referred to: Rules and Operations of the Senate

January 31, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FLEXIBILITY TO THE COLLEGE OF THE ALBEMARLE IN  
3 USING STATE FUNDS TO ENTER INTO CONSTRUCTION PROJECTS WITH DARE  
4 COUNTY FOR EDUCATIONAL FACILITIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Notwithstanding any other provision of law to the contrary, the Board  
7 of Trustees of the College of the Albemarle may expend State funds appropriated for capital  
8 improvements, including Connect NC Bond funds, for the construction and renovation of  
9 educational facilities owned by and located on property owned by Dare County, which is within  
10 the service area of the College of the Albemarle, including razing some or all of the existing  
11 College of the Albemarle facility in Manteo, known as the "Old Manteo Middle School" campus,  
12 and the construction of a multi-use facility upon the "Old Manteo Middle School" campus for  
13 use by the College of the Albemarle.

14 Any facility constructed or renovated under this authority shall be leased for a period  
15 of at least 30 years to the Board of Trustees of the College of the Albemarle. If Dare County  
16 terminates the lease through no fault of the college, a prorated amount of the building cost  
17 supported by State funds, amortized over the lease period, shall be returned to the college.

18 **SECTION 2.** If State funds described in Section 1 of this act are derived from the  
19 proceeds of Connect NC Bonds, then the proceeds shall be expended on the cost of capital  
20 facilities that are to be used by the College of the Albemarle to carry out its community college  
21 purposes. The lease shall contain adequate provision to assure that the capital facilities so  
22 provided will be used for community college purposes.

23 **SECTION 3.** The Board of Trustees of the College of the Albemarle may contract  
24 for the renovation or construction of educational facilities as described in Section 1 of this act  
25 with Dare County without being subject to the provisions of G.S. 143-341.

26 **SECTION 4.** This act is effective when it becomes law and applies only to capital  
27 improvement projects with construction contracts executed prior to July 1, 2022.



\* S 6 - V - 1 \*







## SENATE BILL 6: Dare County/CC Construction Funds.

2019-2020 General Assembly

<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to Appropriations, Capital. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	February 26, 2019
<b>Introduced by:</b>	Sen. Steinburg	<b>Prepared by:</b>	Drupti Chauhan*
<b>Analysis of:</b>	First Edition		Committee Counsel

**OVERVIEW:** Senate Bill 6 provides flexibility to the College of Albemarle in using State funds to enter into construction projects with Dare County for educational facilities.

[As introduced, this bill was identical to H19, as introduced by Rep. Hanig, which is currently in House Education - Community Colleges.]

**CURRENT LAW:** Chapter 115D of the General Statutes requires approval by the State Board of Community Colleges before the expenditure of any State funds on capital improvements of existing community college institutions and before a community college may dispose, transfer, or acquire property. Chapter 143 gives the Department of Administration control of real property owned or leased by the State and control over architecture and engineering of community college buildings.

Session Law 2017-183 exempts the College of Albermarle (College) from the abovementioned State laws to allow the College to expend State funds, including Connect NC Bond funds, for the construction and renovation of educational facilities owned by and located on property owned by a county within the service area of the College (Camden, Chowan, Currituck, Dare, Gates, Pasquotank, and Perquimans).

**BILL ANALYSIS:** Senate Bill 6 does the following:

- **Section 1** – Clarifies that the authority granted in Session Law 2017-183 includes the expenditure of State funds by the College for the construction and renovation of educational facilities owned by and located on property owned by Dare County, specifically (i) the razing of some or all of the existing College facility located in Manteo, known as the "Old Manteo Middle School," and (ii) the construction of a multi-use facility upon the "Old Manteo Middle School" campus for use by the College. Additionally, this language requires the multi-use facility to be leased by Dare County to the College for a period of at least 30 years.
- **Section 2** – If any Connect NC Bond proceeds are used for the activities described in Section 1, this section requires those funds to be spent on capital facilities that are to be used for community college purposes.
- **Section 3** – Allows the College to contract with Dare County for the activities described in Section 1 without being subject to G.S. 143-341 (the powers and duties of the Department of Administration).

**EFFECTIVE DATE:** This act is effective when it becomes law and applies only to capital improvement projects with construction contracts executed prior to July 1, 2022.

\*Susan Sitze, Brian Gwyn, and Luke Gillenwater, Staff Attorneys, substantially contributed to this summary.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
(919) 733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - COMMUNITY COLLEGES COMMITTEE REPORT**

**Representative Pat B. Hurley, Co-Chair**

**Representative John Sauls, Co-Chair**

**FAVORABLE AND RE-REFERRED**

**SB 6**

Dare County/CC Construction Funds.

Draft Number: None

Serial Referral: **APPROPRIATIONS, CAPITAL**

Recommended Referral: None

Long Title Amended: No

Floor Manager: Hanig

**TOTAL REPORTED: 1**



\* C M R 2 5 - V - 1 \*



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

D

HOUSE BILL 8  
PROPOSED COMMITTEE SUBSTITUTE H8-PCS10103-BN-2

Short Title: In-State Tuition Pilot Program.

(Public)

Sponsors:

Referred to:

January 31, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO  
3 IMPLEMENT AN IN-STATE TUITION PILOT PROGRAM FOR RESIDENTS OF  
4 CERTAIN GEORGIA COUNTIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** Pilot Program. – Notwithstanding G.S. 115D-39(a) and  
7 G.S. 116-143.1, the State Board of Community Colleges shall establish and implement an  
8 in-State tuition pilot program for certain border counties in the State of Georgia. The pilot  
9 program shall allow Tri-County Community College to offer in-State tuition to residents of the  
10 following Georgia counties:

- 11 (1) Fannin County.
- 12 (2) Rabun County.
- 13 (3) Towns County.
- 14 (4) Union County.

15 No out-of-state student eligible for in-State tuition due to this pilot program shall  
16 displace a North Carolina resident eligible for in-State tuition who is seeking to enroll in a  
17 program offered by Tri-County Community College.

18 **SECTION 1.(b)** Report. – By September 30, 2020, and annually thereafter, the State  
19 Board of Community Colleges shall report the results of the pilot program to the Joint Legislative  
20 Education Oversight Committee and the Fiscal Research Division of the General Assembly. This  
21 report shall include information about the number of out-of-state students who enrolled at the  
22 in-State tuition rate, the programs that these students chose, any programs unavailable to these  
23 students due to potential displacement of North Carolina residents, any indicators of increased  
24 economic development as a result of this program, and the number of out-of-state students  
25 enrolled who do not qualify for the in-State tuition rate.

26 **SECTION 1.(c)** Expiration. – The pilot program required by this section shall expire  
27 at the end of the 2022-2023 academic year.

28 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
29 the 2019-2020 academic year.





**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - COMMUNITY COLLEGES COMMITTEE REPORT**  
**Representative Pat B. Hurley, Co-Chair**  
**Representative John Sauls, Co-Chair**

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED**

HB 8

Tri-County CC/Neighbor State In-State Tuition.

Draft Number: H8-PCS10103-BN-2

Serial Referral: **STATE AND LOCAL  
GOVERNMENT**

Recommended Referral: None

Long Title Amended: Yes

Floor Manager: Corbin

TOTAL REPORTED: 1



\* C M R 3 0 - V - 1 \*





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

1

HOUSE BILL 8

Short Title: Tri-County CC/Neighbor State In-State Tuition. (Public)

Sponsors: Representative Corbin.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Education - Community Colleges, if favorable, State and Local Government, if favorable, Rules, Calendar, and Operations of the House

January 31, 2019

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE TRI-COUNTY COMMUNITY COLLEGE TO CHARGE IN-STATE TUITION TO RESIDENTS OF STATES BORDERING NORTH CAROLINA WHO LIVE IN COUNTIES THAT ARE CONTIGUOUS TO CHEROKEE COUNTY, CLAY COUNTY, AND GRAHAM COUNTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115D-39(a) reads as rewritten:

"(a) The State Board of Community Colleges shall fix and regulate all tuition and fees charged to students for applying to or attending any institution pursuant to this Chapter.

The receipts from all student tuition and fees, other than student activity fees, shall be State funds and shall be deposited as provided by regulations of the State Board of Community Colleges.

The legal resident limitation with respect to tuition, set forth in G.S. 116-143.1 and G.S. 116-143.3, shall apply to students attending institutions operating pursuant to this Chapter; provided, however, that when an employer other than the Armed Forces, as that term is defined in G.S. 116-143.3, pays tuition for an employee to attend an institution operating pursuant to this Chapter and when the employee works at a North Carolina business location, the employer shall be charged the in-State tuition rate; provided further, however, a community college may charge in-State tuition to up to one percent (1%) of its out-of-state students, rounded up to the next whole number, to accommodate the families transferred by business, the families transferred by industry, or the civilian families transferred by the Armed Forces, consistent with the provisions of G.S. 116-143.3, into the State.

In addition, a resident of a state bordering North Carolina who lives in a county that is contiguous to Cherokee County, Clay County, or Graham County in North Carolina may be charged the in-State tuition rate to attend Tri-County Community College. Tri-County Community College shall ensure that no out-of-state student eligible for in-State tuition due to residence in a contiguous county shall displace an in-State student seeking to enroll in a program offered by the community college.

Notwithstanding these requirements, the requirements of this subsection, a refugee who lawfully entered the United States and who is living in this State shall be deemed to qualify as a domiciliary of this State under G.S. 116-143.1(a)(1) and as a State resident for community college tuition purposes as defined in G.S. 116-143.1(a)(2). Also, a nonresident of the United States who has resided in North Carolina for a 12-month qualifying period and has filed an



\* H 8 - V - 1 \*



1 immigrant petition with the United States Immigration and Naturalization Service shall be  
2 considered a State resident for community college tuition purposes."

3 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
4 the 2019-2020 academic year.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

D

HOUSE BILL 8  
PROPOSED COMMITTEE SUBSTITUTE H8-CSBN-2 [v.1]

02/25/2019 11:26:56 AM

Short Title: In-State Tuition Pilot Program.

(Public)

Sponsors:

Referred to:

January 31, 2019

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO  
IMPLEMENT AN IN-STATE TUITION PILOT PROGRAM FOR RESIDENTS OF  
CERTAIN GEORGIA COUNTIES.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** Pilot Program. – Notwithstanding G.S. 115D-39(a) and G.S. 116-143.1, the State Board of Community Colleges shall establish and implement an in-State tuition pilot program for certain border counties in the State of Georgia. The pilot program shall allow Tri-County Community College to offer in-State tuition to residents of the following Georgia counties:

- (1) Fannin County.
- (2) Rabun County.
- (3) Towns County.
- (4) Union County.

No out-of-state student eligible for in-State tuition due to this pilot program shall displace a North Carolina resident eligible for in-State tuition who is seeking to enroll in a program offered by Tri-County Community College.

**SECTION 1.(b)** Report. – By September 30, 2020, and annually thereafter, the State Board of Community Colleges shall report the results of the pilot program to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly. This report shall include information about the number of out-of-state students who enrolled at the in-State tuition rate, the programs that these students chose, any programs unavailable to these students due to potential displacement of North Carolina residents, any indicators of increased economic development as a result of this program, and the number of out-of-state students enrolled who do not qualify for the in-State tuition rate.

**SECTION 1.(c)** Expiration. – The pilot program required by this section shall expire at the end of the 2022-2023 academic year.

**SECTION 2.** This act is effective when it becomes law and applies beginning with the 2019-2020 academic year.



\* H 8 - C S B N - 2 \*





## HOUSE BILL 8: In-State Tuition Pilot Program.

2019-2020 General Assembly

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<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to State and Local Government. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	February 26, 2019
<b>Introduced by:</b>	Rep. Corbin	<b>Prepared by:</b>	Samantha Yarborough
<b>Analysis of:</b>	PCS to First Edition H8-CSBN-2		Staff Attorney

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**OVERVIEW:** *HB 8 would provide in-State tuition to residents of other states who reside in counties bordering the service area of Tri-County Community College.*

*The PCS to HB 8 would remove the contents of HB 8 and instead authorize the State Board of Community Colleges to create a four-year pilot program for residents of certain border counties in Georgia to receive in-State tuition at Tri-County Community College.*

**CURRENT LAW:** G.S. 116-143.1 states that to qualify as a resident for tuition purposes, a person must have established legal residence (domicile) in North Carolina and maintained that legal residence for at least 12 months immediately prior to his or her classification as a resident for tuition purposes.

115D-39(a) applies the legal residence requirements of G.S. 116-143.1 to students attending community colleges. Students attending community colleges who do not live in the State may be eligible to receive the in-State tuition rate if they are participating in certain training for employees paid for by employers, or training for law enforcement or certain other emergency personnel whose duty station is within the State.

**BILL ANALYSIS:** The PCS would authorize the State Board of Community Colleges to create an in-State tuition pilot program for residents of Georgia counties bordering North Carolina. The pilot program would allow out-of-state students to pay in-State tuition at Tri-County Community College if they are residents of one of the following Georgia counties: Fannin County, Rabun County, Towns County, or Union County. The PCS would require that no out-of-state student qualifying for in-State tuition as a result of this pilot program displace a North Carolina resident seeking enrollment at Tri-County Community College.

The PCS would require that the State Board of Community Colleges report on the outcomes of the pilot program annually to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly.

**EFFECTIVE DATE:** The PCS would become effective when it becomes law and apply beginning with the 2019-2020 school year.

Karen Cochrane-Brown  
Director



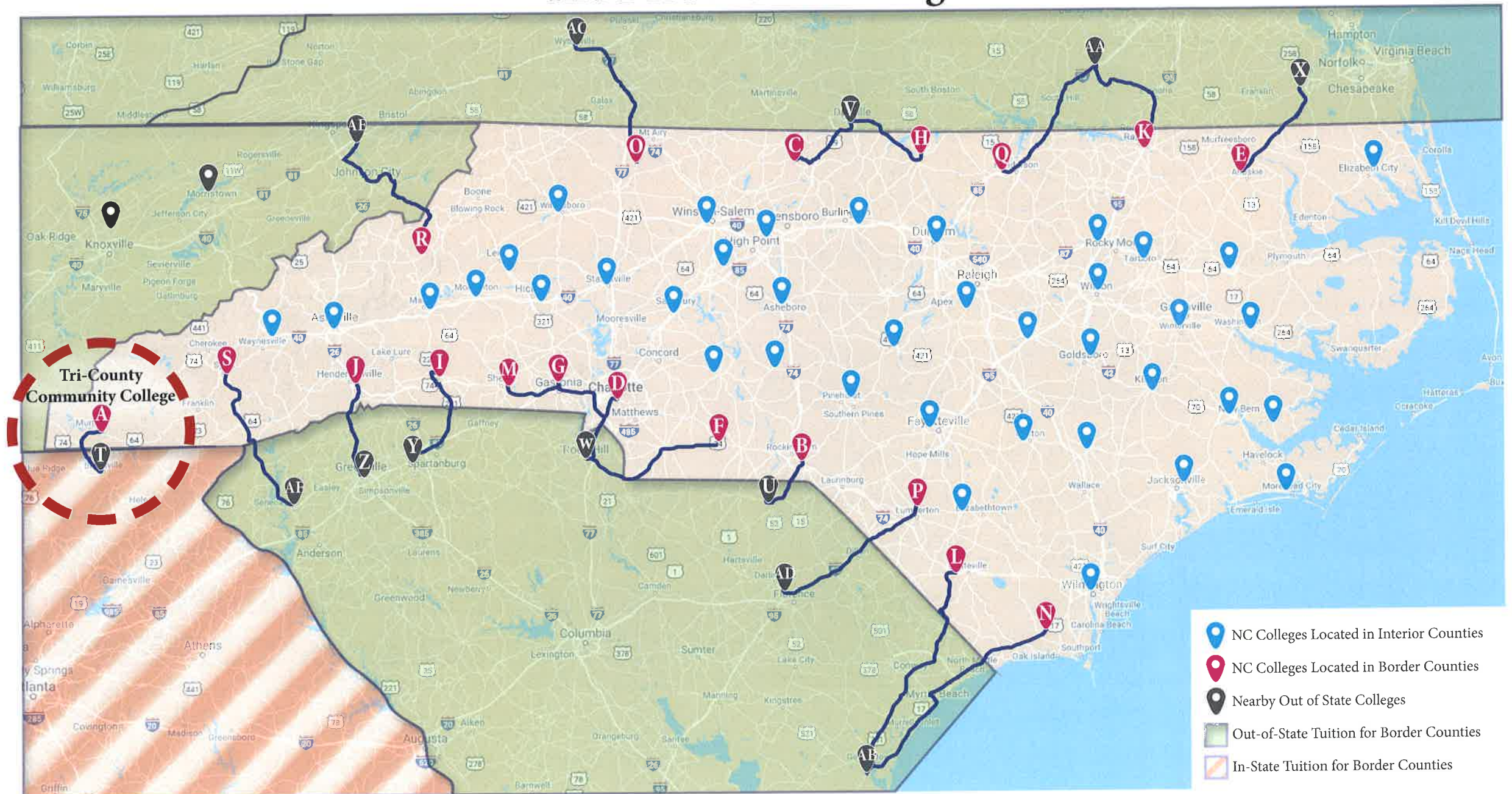
Legislative Analysis  
Division  
(919) 733-2578

*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*





# North Carolina Community College and Border State Colleges



\* College key can be found on the reverse side of this page.



North Carolina Community College	NCCC's Main Campuses Located By a Border State College	Bordering State(s)	Closest Out of State Border Colleges	Distance from Main Campus to Closest Out-of-State Border College	Reciprocity~ NC Residents Eligible for In-State Tuition at Closest Out of State College	Notes:
Tri-County Community College (A)	Yes	TN, GA	North Georgia Technical College (T)	20.1 miles	Yes	TCCC is bordered by two states, has the closest out-of-state college neighbor, and is the only NC community college affected by reciprocity.
Richmond Community College (B)	Yes	SC	Northeastern Technical College (U)	22.6 miles	No	
Rockingham Community College (C)	Yes	VA	Danville Community College (V)	28.6 miles	No	
Central Piedmont Community College (D)	Yes	SC	York Technical College (W)	28.7 miles	No	
Roanoke-Chowan Community College (E)	Yes	VA	Paul D Camp Community College (X)	32.2 miles	No	
South Piedmont Community College (F)	Yes	SC	York Technical College (W)	34.4 miles	No	
Gaston College (G)	Yes	SC	York Technical College (W)	35.0 miles	No	
Piedmont Community College (H)	Yes	VA	Danville Community College (V)	35.3 miles	No	
Isothermal Community College (I)	Yes	SC	Spartanburg Technical College (Y)	39.8 miles	No	
Blue Ridge Community College (J)	Yes	SC	Greenville Technical College (Z)	40.4 miles	No	
Halifax Community College (K)	Yes	VA	Southside Virginia Community College (AA)	41.6 miles	No	
Southeastern Community College (L)	Yes	SC	Horry Georgetown Technical College (AB)	46.4 miles	No	
Cleveland Community College (M)	Yes	SC	York Technical College (W)	47.2 miles	No	
Brunswick Community College (N)	Yes	SC	Horry Georgetown Technical College (AB)	51.1 miles	No	
Surry Community College (O)	Yes	VA	Wytheville Community College (AC)	56.6 miles	No	
Robeson Community College (P)	Yes	SC	Florence-Darlington Technical College (AD)	58.2 miles	No	
Vance-Granville Community College (Q)	Yes	VA	Southside Virginia Community College (AA)	59.9 miles	No	
Mayland Community College (R)	Yes	TN	Northeast State Community College (AE)	65.2 miles	No	
Southwestern Community College (S)	Yes	SC	Tri-County Technical College (AF)	72.2 miles	No	

## Summary for HB 8

### Tri-County CC/ Neighbor State In-State Tuition

- Tri-County Community College (TCCC) is the only North Carolina Community College System (NCCCS) member, whose main campus is located 20 miles or less from a competing institution (North Georgia Technical College) that entices residents in TCCC's service area with Georgia in-state tuition.
- North Georgia Technical College offers an Out-of-State Tuition Exemption Waiver to residents of counties that border its service area in North Carolina, Tennessee and South Carolina.
- While other NCCCS-member colleges might share a border to another state, **only** Tri-County Community College faces the imposing challenge that comes from the out-of-state tuition exemption offered by another state system.
- The Technical College System of Georgia (TCSG) has 22 colleges and has the authority to grant reciprocity agreements to any of its colleges that seek to grant a tuition waiver for out-of-state residents.
- Local Technical College Boards of Directors in Georgia can request a local reciprocity agreement for students who are domiciled in out-of-state counties bordering Georgia counties and approval is granted from the Technical College System of Georgia.
- The Local Reciprocity Agreement is only established between an individual Georgia-based Technical College and the Technical College System of Georgia since the TCSG state board is empowered to establish and approve all bylaws and actions for all of its local technical college's boards.
- Records indicate that Out-of-State Tuition Exemption Waivers have been offered by the Georgia State Board of Technical and Adult Education since (at least) 2005.
- Procedure 6.2.2p of The Technical College System of Georgia's policy and procedures, define "reciprocity" as: *Students domiciled in an out-of-state county bordering Georgia, enrolling in a program offered at a location approved by the Technical College System of Georgia, and for which the offering institution has been granted permission to award Reciprocity exemptions.*



On Mon, Feb 25, 2019 at 2:49 PM Kallan Williams <[kwilliams@northgatech.edu](mailto:kwilliams@northgatech.edu)> wrote:

Good afternoon,

The availability of local reciprocity agreements varies college-by-college. A representative at Athens Technical College should be able to better address their tuition procedures. (706) 355-5000 is the main phone number at Athens Technical College.

At NGTC, the Out-of-State Tuition Exemption is available to legal residents of counties that border the Georgia counties in NGTC's service area. Those counties are:

- **North Carolina** – Cherokee, Clay, and Macon
- **South Carolina** – Oconee
- **Tennessee** – Polk

NGTC recognizes several different avenues for individuals to claim an Out-of-State Tuition Exemption. Page 41 of NGTC's **2018-2019 College Catalog** (attached) includes those options. Please do not hesitate to contact me with additional questions. I am more than happy to help.

Sincerely,

**Kallan Williams**

Director of Admissions and Registrar  
North Georgia Technical College  
706.754.7724

On Mon, Feb 18, 2019 at 8:48 AM Kallan Williams <[kwilliams@northgatech.edu](mailto:kwilliams@northgatech.edu)> wrote:

Residents of Cherokee County, NC are eligible for an Out-of-State Tuition Exemption at NGTC. The Out-of-State Tuition Exemption allows eligible students to be assessed the in-state tuition rate of \$89 per credit hour. Students who request the Out-of-State Tuition Exemption must provide verification of lawful presence in the U.S. (such as an original/certified birth certificate or a Permanent Resident Card) and proof that they live in the out-of-state county (such as a valid driver's license). Please let me know if you have additional questions. Kristie Gibbs, Director of Student Affairs, can also help you with the process if you plan to attend the Blairsville Campus.

Sincerely,

**Kallan Williams**

Director of Admissions and Registrar  
North Georgia Technical College  
706.754.7724



## TUITION &amp; FEES

## Tuition

Tuition is typically assessed at the rate of \$89 per credit hour for Georgia residents, \$178 per credit hour for out-of-state students, and \$356 per credit hour for international students.

**Out-of-State Tuition Exemption**

Students in the following classifications are eligible for Out-of-State Tuition Exemption. These exemptions do not affect the student's eligibility for the HOPE Scholarship or Grant, except for exemptions for military personnel and their dependents as provided for in the Georgia Student Finance Commission regulations.

1. Employees and their children who move to Georgia for employment with a new or expanding industry as defined in OCGA 20-4-40;
2. Full-time employees of the Technical College System of Georgia, their spouses, and dependent children;
3. Full-time teachers in a public school, a military base, or a public postsecondary college, their spouses, and dependent children;
4. United States military personnel stationed in Georgia and on active duty and their dependents living in Georgia;
5. United States military personnel, spouses and dependent children reassigned outside Georgia, who remain continuously enrolled and on active military status;
6. United States military personnel and their dependents that are domiciled in Georgia, but are stationed outside the United States;
7. Students who are domiciled in out-of-state counties bordering on Georgia counties and who are enrolled in a Technical College with a local reciprocity agreement;
8. Career consular officers and their dependents that are citizens of the foreign nation which their consular office represents, and who are living in Georgia under orders of their respective governments. This exemption shall apply only to those consular officers whose nations operate on the principle of educational reciprocity with the United States.
9. Members of a uniformed military service of the United States who, within thirty-six (36) months of separation from such service, enroll in an academic program and demonstrate an intent to become domiciled in Georgia. *This exemption may also be granted to their spouses and dependent children or individuals eligible for GI Bill benefits.*
10. Students using transferred GI Bill while the transferor is on active duty who demonstrate an intent to become domiciled in Georgia and students using the Marine Gunnery John David Fry Scholarship who demonstrate an intent to become domiciled in Georgia.
11. Students who are described as covered individuals in 38 U. S. C. 3679 (c).
12. Students who are dually enrolled and participating in Move on When Ready.

Notwithstanding any provision in this procedure, no person who is unlawfully present in the United States shall be eligible for any exemption of the tuition differential.

Requests for tuition waivers must be made in writing to the Vice President for Student Affairs.



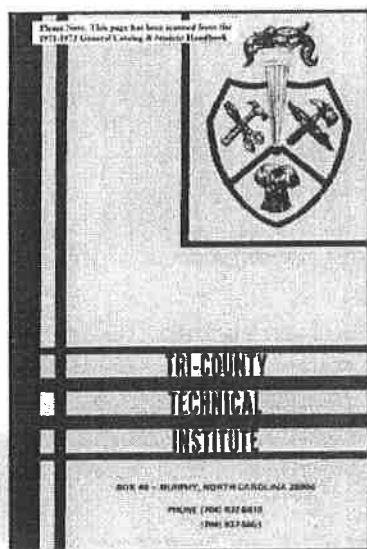




## TRI-COUNTY COMMUNITY COLLEGE

### Coming Full Circle in Southwestern North Carolina

At the very beginning in 1964, we were called **Tri-County Industrial Education Center**. Created under the umbrella of Asheville-Buncombe Technical Institute, we were established as the flagship post-secondary educational entity designated to serve the tri-state region of North Carolina, Georgia and Tennessee. In fact, one of our earliest Student Handbooks left no doubt regarding the specific residents to be served by our institution: *"The purpose of Tri-County Technical Institute is to serve the people of Southwestern North Carolina, North Georgia and East Tennessee, by providing opportunities for their continuing growth and development through occupational, adult, and community service education."*



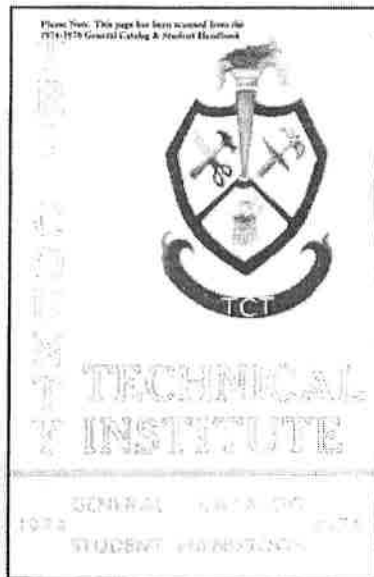
"Any person living in North Carolina, Georgia, or Tennessee may enroll in a course provided he meets educational requirements."



A 1971 General Catalog & Student Handbook added this statement: *"Any person living in North Carolina, Georgia, or Tennessee may enroll in a course provided he meets educational requirements."*



In 1974, the catalog and handbook specified: "*All persons who are legal residents of the Appalachian Regional Commission area enrolled in programs offered by Tri-County Technical Institute shall pay the same tuition charged to citizens of the State of North Carolina.*"

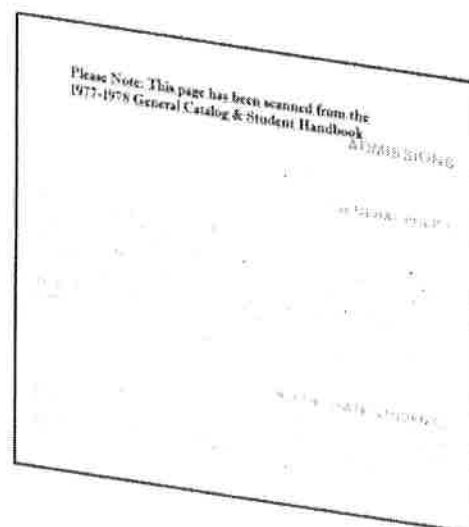


All persons who are legal residents of the Appalachian Regional Commission area enrolled in programs offered by Tri-County Technical Institute shall pay the same tuition charged to citizens of the State of North Carolina.

[1974 Catalog]



It was not until the 1977-78 General Catalog & Student Handbook that Tri-County Technical Institute introduced a category for non-resident students. On page 17, the document said that North Carolina state law required "*each post secondary institution in the state of North Carolina to classify each out-of-state student and charge the required rate for the same.*"





# FINANCIAL INFORMATION

## Tuition

Full-time resident students per quarter	\$ 39.00
Full-time non-resident students per quarter	\$198.00
Part-time resident students per quarter hour	\$ 3.25
Part-time non-resident students per quarter hour	\$ 16.50

For tuition purposes, a full-time student is one who is enrolled for 12 credit hours or more. Credit hours are computed by the following formula:

Page 26 of the 1977-1978 catalog indicated the per quarter costs for a "Full-time resident student" was \$39 (or \$3.25 per quarter hour), while costs for a "Full time non-resident student" was \$198 (or \$16.50 per quarter hour).

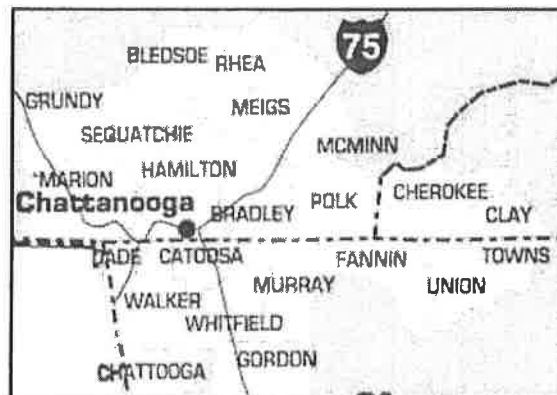
As it stands, for more than 20 years Tri-County Community College has been limited in efforts to fulfill its original mission to residents in the initial service area. Geographically, TCCC serves the three westernmost counties in North Carolina. Topographically, however, the high peaks surrounding our service area automatically place us in a natural "bowl" with Fannin, Towns and Union counties in Georgia (please see "Regional Labor Shed/Retail Trade Area" map on next page).

In fact, a drive from our main campus in Murphy to any one of the three Georgia counties requires fewer miles than a trip to our satellite campus in Robbinsville. Also, the healthy and longstanding relationship between residents of North Carolina and Georgia is clearly understood in business and community settings (examples include WCNG-FM, Murphy's Super Wal-Mart, Blue Ridge Mountain EMC, Southeast Industrial Development Association [SEIDA] and Three Corners).

The common ground relationship between residents in our service area and those in Georgia is most vividly demonstrated by the fact that North Georgia Technical College (NGTC) in Union County, GA has a friendly "border county" financial policy for North Carolina residents in Cherokee, Clay and Macon. According to the NGTC website, the three North Carolina counties are designated as part of the "Service Delivery Area" for North Georgia Technical College, thus its residents are exempt from paying "out of state" tuition.

Tri-County Community would like permission to "compete" on a level field with our "out-of-state" competitor.

Thus, if passed, ratified and signed, this proposed Bill will permit Tri-County Community College the opportunity to pro-actively look to the future of economic and workforce development. It will also allow TCCC to aggressively respond to the enticements from a "competitor" which seeks to lure students across the state line. Such an arrangement will enable this College to come full circle and back to our original mission and purpose.



Southeast Industrial Development Association is a regional economic development organization for 22 counties in North Carolina, Georgia and Tennessee, including Cherokee and Clay in North Carolina and Towns, Union and Fannin in Georgia.



## **Technical College System of Georgia**

**Date: September 14, 2007**

**Revises Previous Effective Date: August 2005**

### **I. POLICY:**

To ensure that all technical colleges in the Technical College System of Georgia (TCSG) apply residency requirements uniformly and in accordance with the rules and regulations of both the Technical College System of Georgia and the Georgia Student Finance Commission (GSFC).

### **II. APPLICABILITY:**

All technical colleges associated with the Technical College System of Georgia.

### **III. RELATED AUTHORITY:**

V.B.3. Residency

V.K. Student Tuition and Fees

GSFC Rules and Regulations

### **IV. DEFINITIONS:**

**Academic Year:** a period of time, usually eight or nine months, during which a Full-Time student would normally be expected to complete three quarters of instruction.

**Accrediting Agency:** an association or agency recognized to function as an evaluator of the quality of the educational institutions and programs.

**Alternative Study:** course work included in college Degree credit-earning programs of study that require travel outside of the State of Georgia, but within the United States.

**Associate Degree:** a two-year college level Degree conferred on students by a postsecondary institution upon completion of a unified program of study in an academic discipline or major at the Undergraduate level. Associate Degrees typically require a student to earn at least 90 quarter hours of college credit.

**Award Year:** four consecutive quarters beginning with the summer term and ending with the spring term.

**Continuously Enrolled:** a student who is making satisfactory academic progress toward completion of a degree, or certificate program of study at an Eligible Postsecondary Institution, and such student is without a break in enrollment of more than one traditional academic quarter. A student who is not enrolled for two or more consecutive academic quarters is not considered to be a Continuously Enrolled student. Participation in eligible Alternative Study programs are not considered to be breaks in enrollment.





**Degree:** a two-year Associate Degree conferred on students by a postsecondary institution upon completion of a unified program of study in academic discipline at the Undergraduate level.

**Dependent Student:** an individual under the age of 24 who receives financial support from a parent or United States court-appointed Legal Guardian whose federal or state tax return lists the individual as "dependent."

**Diploma:** a credential indicating satisfactory completion of training in a technical program of study offered by a postsecondary institution that is not an Associate Degree.

**Domicile:** a person's present, permanent home where that individual returns following periods of temporary absence. Domicile, once established, shall not be affected by mere transient or temporary physical presence in another state. No individual may have more than one Domicile even though an individual may maintain more than one residence. Temporary residence does not constitute the establishment of one's Domicile. To acquire Domicile, an individual must demonstrate the intent to remain permanently or indefinitely.

**Eligible High School:** any private or public secondary educational institution in the state of Georgia that is authorized to grant high school diplomas and is accredited by the Southern Association of Colleges and Schools, the Georgia Accrediting Commission, the Georgia Association of Christian Schools, the Association of Christian Schools International, the Georgia Private School Accreditation Council, the Accrediting Commission for Independent Study, or the Southern Association of Independent Schools. If the institution is not located in the State of Georgia, then it must be accredited by the Southern Association of Colleges and Schools or one of the following regional agencies: New England Association of Schools and Colleges, Middle State Association of Colleges and Schools, North Central Association of colleges and Schools, Northwest Association of Accredited Schools (successor to the Northwest Association of Schools and Colleges), Western Association of Schools and Colleges, the Alabama Independent School Association, or the Southern Association of Independent Schools.

**Eligible Non-Citizen:** a person who, in accordance with the Federal Title IV definition, is a United States permanent resident with a Permanent Resident Card (I-551); or a conditional permanent resident (I-551C); or the holder of an Arrival-Departure Record (I-94) from the Department of Homeland Security showing any one of the following designations: Refugee, Asylum Granted, Parolee (I-94 confirms paroled for a minimum of one year and status has not expired); or Cuban-Haitian Entrant. Persons with an F1 or F2 student visa, a J1 or J2 exchange visitor visa, or a G series visa do not meet the definition of an Eligible Non-Citizen.

**Full-Time:** enrollment for the equivalent of at least 12 quarter hours of postsecondary credit of a Matriculated student at a college in the Technical College System of Georgia.

**Full-Time Employment:** an individual who has an annual earned income reported for tax purposes that is equivalent to minimum wage earned by working forty hours per week during fifty weeks of work per year.

**Georgia Resident/Georgia Residency:** an individual or the status of such individual who is a United States Citizen or Eligible Non-Citizen and is domiciled in the State of Georgia and meets the in-state tuition requirements of the State Board of Technical and Adult Education.

**Georgia Student Finance Commission (GSFC):** the agency responsible for administering postsecondary educational student financial aid programs for the State of Georgia.



**Independent Student:** an individual who is not claimed as a dependent on the federal or state income tax returns of a parent or United States court-appointed legal guardian who has ceased to provide support and right to that individual's care, custody, and earnings.

**In-State Tuition Classification:** a status granted to a student, in accordance with the policies of the State Board of Technical and Adult Education, who has been determined to be eligible to pay tuition at the in-state rate.

**International Tuition Classification:** a status granted to a student, in accordance with the policies of the State Board of Technical and Adult Education, who has been determined to be ineligible to pay tuition at either the In-State Tuition Classification rate or the Out-of-State Tuition Classification rate.

**Legal Guardian:** an individual who has been granted custody of a Dependent Student (under the age of 24) by a court in the United States.

**Matriculated:** a student who is fully admitted and enrolled in a college in the Technical College System of Georgia in a unified academic program of study leading to a Degree, Diploma, or Certificate. Retroactively gaining Matriculated status will not establish retroactive eligibility.

**Military Personnel:** an active and full-time member of the Armed Forces of the United States, including members of the Army, Navy, Air Force, Marine Corps, and Coast Guard. Commissioned officers of the Public Health Service or the National Oceanic and Atmospheric Administration on active duty are also considered to be military personnel

**Non-Citizen:** a person who is not a United States born or naturalized citizen of the United States.

**Non-Resident:** a person who has not established Domicile in the State of Georgia for a period of at least 12 months prior to the first day of classes for the quarter for which the person is intending to enroll at a technical college.

**Out-of-State Tuition Classification:** the status granted to a student, in accordance with the policies of the State Board of Technical and Adult Education, who has been determined to be ineligible to pay tuition at the In-State Tuition Classification rate.

**Out-of-State Tuition Waiver:** a waiver of the difference in tuition paid by students with an Out-of-State Tuition Classification and those with an In-State Tuition Classification, in accordance with the policies of the State Board of Technical and Adult Education

**Parent:** the natural mother or father, adoptive parent, or United States court-appointed legal guardian of a student.

**Postsecondary Educational Institution:** an institution of higher education above the high school level.

**Residence:** the state within the United States of America where an individual currently lives. An individual may be residing in the State of Georgia and may be classified as having established residency in Georgia for securing marital status, a driver's license, or classification of taxpayer status, but does not meet the qualifications to establish Domicile in the State of Georgia.



**Technical Certificate of Credit:** a credential indicating satisfactory completion of training in a technical program of study offered by a postsecondary education institution which is not a Diploma or an Associate Degree.

**Tuition:** the charges to a student for instruction without regard to other fees such as technology, activity, athletic, health, etc.

**United States Citizen:** a citizen of the 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, and the Northern Mariana Islands.

## **V. ATTACHMENTS:**

N/A

## **VI. PROCEDURE:**

### **Overview**

Determining a student's residency status must be based on the existence of surrounding objective circumstances that indicate a student's intent to maintain a permanent presence, or Domicile, in the State of Georgia. No single factor is conclusive. Similarly, there is no predetermined number of factors required to be met. The following indicators may be considered when documenting the Domicile of an individual, but this is not an exhaustive list:

- Location of employment.
- Location of voter registration.
- Location of property, including home purchase, and taxes paid thereon.
- State for which the individual filed and paid state income taxes.
- Address and other information on federal and state income tax returns.
- State where the person's automobile title is registered and the payment of property taxes thereon.
- Address on driver's license and state of issuance.
- Address on the Georgia Driver's License Bureau ID.
- Reason for initially coming to Georgia.
- State of issuance of business, professional, or other licenses.
- Location of checking, savings, or other banking accounts.
- Citizenship Requirements:

A student meets the Citizenship Requirements, for purposes of this procedure and the related policies, if he or she is a United States Citizen, born or naturalized, for at least 12 consecutive months immediately preceding the first day of classes of the school term for which the student is seeking in-state tuition.

A student meets the Citizenship requirements, for purposes of this procedure and the related policies, if he or she is an Eligible Non-Citizen, according to the Federal Title IV definition, for at least 12 consecutive months immediately preceding the first day of classes of the school term for which the student is seeking in-state tuition.

- **Ineligible Non-Citizens:** A Non-Citizen cannot qualify for in-state tuition. However, in the discretion of the President of the college the international tuition may be waived in favor of an out of state tuition rate for a Non-Citizen.
- Georgia Residency



#### 1. Dependent Students:

- A Dependent Student meets the Georgia Residency Requirements, for purposes of this procedure and the related policies, if his or her Parent has established and maintained Domicile in the State of Georgia for at least 12 consecutive months immediately preceding the first day of classes of the school term for which the student is seeking in-state tuition, and Such student graduated from an Eligible High School located in the State of Georgia; or The Parent claimed the student as a dependent on the Parent's most recent federal income tax return.
- A Dependent Student meets the Georgia Residency Requirements, for purposes of this procedure and related policies, if a United States court-appointed Legal Guardian has established and maintained Domicile in the State of Georgia for at least 12 consecutive months immediately preceding the first day of classes of the school term for which the student is seeking in-state tuition, provided that the appointment was not made to avoid payment of Out-of-State Tuition.
- Independent Students:  
An Independent Student meets the Georgia Residency requirements, for purposes of this procedure and the related policies, if he or she has established and maintained Domicile in the State of Georgia for at least 12 consecutive months immediately preceding the first day of classes of the school term for which the student is seeking In-State Tuition.
- It is presumed that no Independent Student shall have gained or acquired Georgia Residency, for purposes of this procedure and the related policies, while attending a TCSG college without clear evidence of having established a Domicile in the State of Georgia for purposes other than attending a TCSG college.

#### E. Retaining Georgia Residency

- Dependent Students: If the Parent or United States court-appointed Legal Guardian of a Dependent Student who was correctly determined to meet Georgia Residency requirements for the purposes of this procedure and the related policies, establishes Domicile outside the State of Georgia, such student shall continue to retain his or her status as a Georgia Resident, for purposes of this procedure and the related policies, as long as such student remains Continuously Enrolled in a TCSG college.
- Independent Students: If an Independent Student who was correctly determined to meet Georgia Residency requirements, for purposes of this procedure and the related policies, temporarily relocates outside the State of Georgia, but returns to the State of Georgia within 12 months, such student shall retain his or her status as a Georgia Resident, for purposes of In-State Tuition.
- Eligibility for In-State Tuition Waivers: Students in the following classifications are eligible for In-State Tuition waivers. These waivers do not affect the student's eligibility for the HOPE Scholarship or Grant, except for waivers for military personnel and their dependents as provided for in the GSFC regulations.
- Employees and their children who move to Georgia for employment with a new or expanding industry as defined in OCGA 20-4-40;
- Full-time employees of the Technical College System of Georgia, their spouses, and dependent children;
- Full-time teachers in a public school, a military base, or a public postsecondary college, their spouses, and dependent children;
- United States military personnel stationed in Georgia and on active duty and their dependents living in Georgia;
- United States military personnel and their dependents that are Domiciled in Georgia, but are stationed outside the State;





- Students who are Domiciled in out-of-state counties bordering on Georgia counties and who are enrolled in a Technical College with a local reciprocity agreement;  
*(Local reciprocity agreement is requested by the local Technical College Board then sent to the Technical College System of Georgia for approval)*

- Career consular officers and their dependents that are citizens of the foreign nation which their consular office represents, and who are living in Georgia under orders of their respective governments. This waiver shall apply only to those consular officers whose nations operate on the principle of educational reciprocity with the United States.

**VII. RECORD RETENTION:**

N/A



**Committee Bill Action Sheet**

Committee: Comm College Date: 2-26-19

Chair: Sauls

Bill #: SB 6

PCS: YES/NO NO Motion made PCS before the Committee \_\_\_\_\_

Amendments: \_\_\_\_\_

\*Serial referral to: Appropriations Capital

Representative/Senator Stenbury explained the bill.

Floor Manager: \_\_\_\_\_

Rep. Jay Adams motioned for:

☒ Favorable Report to the original

\_\_\_\_ Favorable to PCS, unfavorable to original bill

\_\_\_\_ Favorable to new PCS with Amendments rolled in, unfavorable to original bill

\_\_\_\_ Adoption (Conference Report/House Resolution)

\_\_\_\_ Unfavorable Report (recommend not be passed) (Minority report YES/NO)

\_\_\_\_ No vote or Bill sponsor pulled bill from consideration

\_\_\_\_ Concur or NOT Concur (SCS on a House bill)

Vote: \_\_\_\_\_ (Voice Vote/Show of hands (Division called)/Roll Call)

Speakers \_\_\_\_\_

Attached Handouts: YES/NO NO



**Committee Bill Action Sheet**

Date: 2-26-19

Committee: Comm Colleges

Chair: Sauls

Bill #: HB 8

PCS: YES/NO \_\_\_\_\_ Motion made PCS before the Committee \_\_\_\_\_

Amendments: \_\_\_\_\_

Serial referral to: St & Local Govt

Representative/Senator Corbin explained the bill.

Floor Manager: \_\_\_\_\_

Rep. Johnson motioned for:

\_\_\_\_ Favorable Report

☒ Favorable to PCS, unfavorable to original bill

\_\_\_\_ Favorable to new PCS with Amendments rolled in, unfavorable to original bill

\_\_\_\_ Adoption (Conference Report/House Resolution)

\_\_\_\_ Unfavorable Report (recommend not be passed) (Minority report YES/NO)

\_\_\_\_ No vote or Bill sponsor pulled bill from consideration

\_\_\_\_ Concur or NOT Concur (SCS on a House bill)

Vote: \_\_\_\_\_ (Voice Vote/Show of hands (Division called)/Roll Call)

Speakers Mary Shuping - no objections  
Rep Johnson & details

Attached Handouts: YES/NO \_\_\_\_\_



# VISITOR REGISTRATION SHEET

House Committee on Education-Community Colleges

2-26-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Liz Bell	Education NC
Elizabeth Howard	NCCCS
Mary Shuping	NCCCS
Tyler Ross	intern
Resha Fortson	SEANL
Kevin Daniels	CCC
LaVonda Daniels	Amey CDC
D. A. Lewis	WGLN WCCS
Ben Crow	Beth Catron





## VISITOR REGISTRATION SHEET

House Committee on Education-Community Colleges

2-26-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

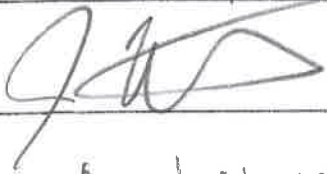
FIRM OR AGENCY AND ADDRESS

Ed Stiles

Sen. Bob Steinburg's Office

Ashley Perme

Rep. Johnson office



MWC

April Neumann

MWC



Committee Sergeants at Arms

NAME OF COMMITTEE House Committee on Education-Community Colleges

DATE: 2-26-2019

Room: 421 LOB

House Sgt-At Arms:

1. Name: Bill Bass

2. Name: [REDACTED]

3. Name: Glen Wall

4. Name: DOUG HARRIS

5. Name: MALACHI MCCULLOUGH

Senate Sgt-At Arms:

1. Name: \_\_\_\_\_

2. Name: \_\_\_\_\_

3. Name: \_\_\_\_\_

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_



212824 2009  
HARRIS MCMILLAN

**House Pages  
Assignments  
Tuesday, February 26, 2019  
Session: 5:15 PM**

<b>Committee</b>	<b>Room</b>	<b>Time</b>	<b>Staff</b>	<b>Comments</b>	<b>Member</b>
Education - Community Colleges	421	11:00 AM	Isaiah Booker		Speaker Tim Moore
			Christian Cortez		Speaker Tim Moore
			Alicia Fleming		Speaker Tim Moore
			Caleb Mosley		Speaker Tim Moore



**House Committee on Education - Community Colleges**  
**Tuesday, March 12, 2019 at 11:00 AM**  
**Room 421 of the Legislative Office Building**

**MINUTES**

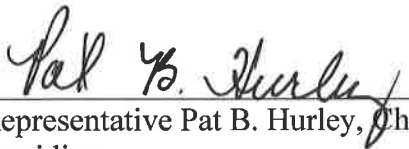
The House Committee on Education - Community Colleges met at 11:00 AM on March 12, 2019 in Room 421 of the Legislative Office Building. Representatives Hurley, Sauls, Brody, Elmore, Gill, Goodman, Hunt, Pittman, Reives, and von Haefen attended.

Representative Pat B. Hurley, Chair, presided and called the meeting to order at 11:02 AM. She welcomed everyone and recognized the Sergeants at Arms, and Page.

Rep. Elmore was recognized to present HB 128, High Achieving Tuition Scholarships. (Representatives Elmore, Hurley, Goodman, Howard), followed by a time of questions and answers, from several of the committee members. Mary Shuping, representing the NC Community College Systems, was recognized to answer some member's questions and concerns.

Rep. Gill moved for a favorable report, with a referral to Appropriations – Education. The bill passed.

The meeting adjourned at 11:22 AM.



Representative Pat B. Hurley, Chair  
Presiding



Deborah Holder, Committee Clerk





**Deborah Holder (Rep. Pat Hurley)**

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**From:** Laura Bone (House Legislative Assistant's Office)  
**Se** Thursday, March 07, 2019 12:50 PM  
**To:** Rep. Julia Howard; Rep. Pat Hurley; Rep. Ken Goodman; Rep. Jeffrey Elmore  
**Cc:** Cody Huneycutt (Rep. Julia Howard); Deborah Holder (Rep. Pat Hurley); Judy Veorse (Rep. Ken Goodman); Linda Stevenson (Rep. Jeffrey Elmore)  
**Subject:** <NCGA> House Education - Community Colleges Committee Meeting Notice for Tuesday, March 12, 2019 at 11:00 AM  
**Attachments:** Add Meeting to Calendar\_LINC\_ics

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Community Colleges** will meet as follows:

**DAY & DATE:** Tuesday, March 12, 2019  
**T** **E:** **11:00 AM**  
**LOCATION:** **421 LOB**

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
<u>HB 128</u>	High Achieving Tuition Scholarships.	Representative Elmore Representative Hurley Representative Goodman Representative Howard

Respectfully,

Representative Pat B. Hurley, Co-Chair  
Representative John Sauls, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 12:49 PM on Thursday, March 07, 2019.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Laura Bone (Committee Assistant)



**House Committee on Education - Community Colleges**  
**Tuesday, March 12 11 am**  
**Room 421 LOB**

**AGENDA**

**Welcome and Opening Remarks: Representative Hurley, Chair**

**Introduction of Pages and Sgt. At Arms**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB128	High Achieving Tuition Scholarships	Elmore, Hurley, Goodman and Howard

**Adjournment**



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - COMMUNITY COLLEGES COMMITTEE REPORT**

**Representative Pat B. Hurley, Co-Chair**

**Representative John Sauls, Co-Chair**

**FAVORABLE AND RE-REFERRED**

**HB 128**

High Achieving Tuition Scholarships.

Draft Number: None

**Serial Referral:** **APPROPRIATIONS, EDUCATION**

Recommended Referral: None

Long Title Amended: No

Floor Manager: Elmore

TOTAL REPORTED: 1



\* C M R 8 1 - V - 1 \*



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

1

HOUSE BILL 128

Short Title: High Achieving Tuition Scholarships. (Public)

Sponsors: Representatives Elmore, Hurley, Goodman, and Howard (Primary Sponsors).

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Education - Community Colleges, if favorable, Appropriations, Education, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

February 21, 2019

A BILL TO BE ENTITLED

AN ACT TO CREATE THE HIGH ACHIEVING TUITION SCHOLARSHIP PROGRAM FOR SCHOLARSHIPS FOR TOP-PERFORMING HIGH SCHOOL STUDENTS ATTENDING NORTH CAROLINA COMMUNITY COLLEGES AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

The General Assembly of North Carolina enacts:

**SECTION 1.** Purpose of Program. – There is created the High Achieving Tuition Scholarship Program. The purposes of the High Achieving Tuition Scholarship Program include the following:

- (1) Encourage higher-performing students at community colleges.
- (2) Utilize the State's educational resources to the fullest.
- (3) Create more educational and career options for students.
- (4) Realize significant cost-savings to the State.
- (5) Develop a more competitive workforce.

**SECTION 2.** Scholarship Eligibility. – A student shall be eligible to receive a High Achieving Tuition Scholarship if the student meets all of the following requirements:

- (1) In the academic semester prior to enrolling in a community college, graduates with at least a 3.5 unweighted grade point average from either a (i) public high school located in this State or (ii) a nonpublic high school or home school, as defined in Article 39 of Chapter 115C of the General Statutes, located in this State.
- (2) Presents evidence the student is either a United States citizen or eligible noncitizen.
- (3) Qualifies as a resident of this State for tuition purposes, as provided in Article 14 of Chapter 116 of the General Statutes.
- (4) Gains admission as a student at a North Carolina community college in a curriculum program.
- (5) Complies with Selective Service registration requirements.
- (6) Affirmatively states the student does not have a felony conviction for a controlled substance offense under Article 5 of Chapter 90 of the General Statutes.

**SECTION 3.** Award of Scholarships. – Within the funds available for the program, the State Education Assistance Authority (Authority) shall annually award High Achieving







1 Tuition Scholarships to eligible students in an amount not to exceed the cost of 16 credit hours  
2 of tuition per fall or spring academic semester for a maximum of four academic semesters. The  
3 Authority shall require students to complete a Free Application for Federal Student Aid (FAFSA)  
4 to be eligible for a scholarship award and shall reduce the amount of the scholarship award for  
5 any student by the amount of grants or scholarships received by that student from other State or  
6 federal sources. The Authority shall award scholarships to eligible students in the order in which  
7 they are received. The Authority shall award scholarships beginning with the fall semester of the  
8 2020-2021 academic year to students graduating from high school in the 2019-2020 school year.

9 **SECTION 4. Scholarship Renewal.** – A scholarship awarded to an eligible student  
10 shall be annually renewed if the student demonstrates all of the following:

- 11 (1) A cumulative 3.0 grade point average.
- 12 (2) Completion of a minimum of 30 semester credit hours by the end of the  
13 academic year.
- 14 (3) The student does not have a felony conviction for a controlled substance  
15 offense under Article 5 of Chapter 90 of the General Statutes demonstrated by  
16 the student submitting an affirmative statement of that fact to the Authority.

17 **SECTION 5. Scholarship Revocation.** – A scholarship awarded to an eligible student  
18 shall be revoked at the conclusion of the first semester of an academic year for any of the  
19 following:

- 20 (1) Failure to maintain a course load of at least 12 credit hours.
- 21 (2) Default or an unpaid refund on a student financial aid program.

22 **SECTION 6. Scholarship Administration.** – The Authority shall adopt rules for  
23 administration of the High Achieving Tuition Scholarship Program.

24 **SECTION 7. Course Counseling and Transfer.** – Community colleges shall ensure  
25 that scholarship recipients are provided counseling and assistance in maintaining the necessary  
26 grade point averages and selecting coursework that reflects their educational and career goals.  
27 For students planning to enter a constituent institution of The University of North Carolina, the  
28 State Board of Community Colleges shall ensure that credits earned by those students  
29 participating in the program are transferable.

30 **SECTION 8.** There is appropriated from the General Fund to the Board of Governors  
31 of The University of North Carolina the sum of fifty thousand dollars (\$50,000) for the  
32 2019-2020 fiscal year to be allocated to the Authority for administrative costs related to the  
33 implementation of the High Achieving Tuition Scholarship Program. There is appropriated from  
34 the General Fund to the Board of Governors of The University of North Carolina the sum of two  
35 million dollars (\$2,000,000) for the 2020-2021 fiscal year to be allocated to the Authority for  
36 administrative costs and award of scholarships. The Authority may use up to five percent (5%)  
37 of the appropriated funds for administrative costs associated with the program. Any unexpended  
38 funds for the purposes set forth in this section shall not revert at the end of each fiscal year but  
39 shall remain available to award scholarships to eligible students.

40 **SECTION 9.** The Board of Governors of The University of North Carolina shall  
41 adopt a policy to permit any student admitted to a constituent institution who receives a High  
42 Achieving Tuition Scholarship to defer admission to the constituent institution for two years,  
43 beginning with the 2020-2021 academic year. Deferred admission shall be contingent upon the  
44 successful completion of an associate degree and remaining in good standing in the scholarship  
45 program while enrolled in the community college.

46 **SECTION 10.(a)** For the 2019-2020 school year, the State Board of Education shall  
47 direct local boards of education to survey high school students in their senior year who meet the  
48 eligibility requirements of the High Achieving Tuition Scholarship Program to determine interest  
49 in the program, including numbers of students who intend to apply for the scholarship, and  
50 reasons that eligible students may choose not to apply for the scholarship. The State Board of



1 Education shall report to the Joint Legislative Education Oversight Committee no later than  
2 December 15, 2019, on the results of this survey.

3 **SECTION 10.(b)** The Board of Governors of The University of North Carolina and  
4 the State Board of Community Colleges shall jointly identify and report to the Joint Legislative  
5 Education Oversight Committee by April 1, 2023, on potential issues related to the transition of  
6 High Achieving Tuition Scholarship recipients from community college to university enrollment  
7 and other recommendations to improve and expand the High Achieving Tuition Scholarship  
8 Program.

9 **SECTION 10.(c)** The State Education Assistance Authority shall report annually on  
10 or before September 1, beginning in 2021, to the Joint Legislative Education Oversight  
11 Committee on the implementation of the High Achieving Tuition Scholarship Program. The  
12 report shall include at least the following information:

- 13 (1) Number of students applying for the scholarship, including information about  
14 student demographics and geographic location.
- 15 (2) Number of students awarded the scholarship, including information about  
16 student demographics and geographic location, and community college  
17 attended.
- 18 (3) Amount of funds expended for scholarships.
- 19 (4) Number of students whose scholarships were revoked and reasons for  
20 revocation.
- 21 (5) Other relevant information as determined by the Authority.

22 **SECTION 11.** This act becomes effective July 1, 2019.





## HOUSE BILL 128: High Achieving Tuition Scholarships.

2019-2020 General Assembly

<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	March 12, 2019
<b>Introduced by:</b>	Reps. Elmore, Hurley, Goodman, Howard	<b>Prepared by:</b>	Samantha Yarborough*
<b>Analysis of:</b>	First Edition		Staff Attorney

**OVERVIEW:** House Bill 128 would create the High Achieving Tuition Scholarship Program for top-performing high school students attending North Carolina Community Colleges.

**BILL ANALYSIS:** Section 1 would create the High Achieving Tuition Scholarship Program (Program) and describe the purposes of the Program.

**Section 2** would outline the eligibility requirements, which include: (i) a minimum unweighted GPA of 3.5 in the academic semester prior to enrolling in a community college from public or nonpublic high school in the State or a home school located in the State, (ii) evidence the student is either a United States citizen or eligible noncitizen (iii) resident of the State for tuition purposes, (iv) admission in a curriculum program at a community college, (v) compliance with Selective Service registration requirements, and (vi) an affirmative statement the student does not have a felony drug conviction.

**Section 3** would authorize the State Education Assistance Authority (SEAA) to annually award High Achieving Tuition Scholarships (Scholarships) to all eligible students not to exceed the cost of 16 credit hours of tuition per academic semester for a maximum of four academic semesters. Students must complete a Free Application for Federal Student Aid (FAFSA) to be eligible for a Scholarship. The SEAA must reduce the amount of the Scholarship award by the amount of grants or scholarships received by a student from other State or federal sources. The SEAA would award Scholarships beginning with the fall semester of the 2020-2021 academic year to students graduating from high school in the 2019-2020 school year.

**Section 4** would require that SEAA renew the Scholarship if the student (i) maintains a cumulative 3.0 GPA, (ii) completes a minimum of 30 semester credit hours by the end of the academic year, and (iii) makes an affirmative statement the student does not have a felony drug conviction.

**Section 5** would require a Scholarship to be revoked at the conclusion of the first semester of an academic year if the student failed to maintain a course load of at least 12 credit hours or defaulted on a student financial aid program.

**Section 6** would direct the SEAA to adopt rules for administering the Program.

**Section 7** would require the community colleges to ensure that Scholarship recipients are provided counseling and assistance in selecting coursework and maintaining the necessary GPA. The State Board of Community Colleges (SBCC) would be required to ensure credits earned by participating students are transferable into constituent institutions of The University of North Carolina.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.



# House Bill 128

Page 2

**Section 8** would appropriate \$50,000 from the General Fund to the SEAA for the 2019-2020 fiscal year for administrative costs of implementation of the Program. The bill would appropriate \$2 million for the 2020-2021 fiscal year for administrative costs and award of the Scholarships. The SEAA may use up to five percent (5%) of the funds appropriated for administrative costs associated with the Program. Any unexpended funds at the end of the fiscal year would not revert.

**Section 9** would require the Board of Governors of The University of North Carolina to adopt a policy to allow any student admitted to a constituent institution who receives a Scholarship to defer admission for two years, beginning with the 2020-2021 academic year. Deferred admission awarded to students would be contingent upon the successful completion of an associate degree and remaining in good standing in the Program.

**Section 10** would require the following reports:

- For the 2019-2020 school year, the State Board of Education (SBE) must direct local boards of education to survey high school seniors who meet the eligibility requirements for the Scholarship to determine interest in the Program, including numbers of students who intend to apply for the Scholarships and reasons that eligible students may choose not to apply. The SBE must report the survey results to the Joint Legislative Education Oversight Committee (JLEOC) by December 15, 2019.
- The Board of Governors of The University of North Carolina and the SBCC must jointly identify and report to the JLEOC by April 1, 2023, on potential issues related to the transition of Scholarship recipients from community college to university enrollment and other recommendations to improve and expand the Program.
- Beginning on or before September 1, 2021, the SEAA must file an annual report with the JLEOC on the implementation of the Program that must include information on all of the following: (i) the number of students applying for and being awarded Scholarships, (ii) the amount of funds expended for Scholarships, (iii) the number of revocations of Scholarships and the reasons for the revocations, and (iv) other relevant information as determined by the SEAA.

**EFFECTIVE DATE:** HB 128 would become effective July 1, 2019.

*\*Drupti Chauhan, Committee Counsel, substantially contributed to this summary.*





# VISITOR REGISTRATION SHEET

House Committee on Education-Community Colleges

3-12-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Sallie James	Governor's office
Tristine Johnson	NCEA B. Turner LA
Richard Succins	WAKE TECH
Rasha Fortson	SEANL
Austen Naveh	UNC system
Drew Moretz	UNC system
Maury Shuping	NCCCS
Richard Bostic	NC SBA



## VISITOR REGISTRATION SHEET

House Committee on Education-Community Colleges

3-12-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Martez Hill

JMHill Consulting

Adam Proctor

Wetzel



Committee Sergeants at Arms

**NAME OF COMMITTEE** House Committee on Education-Community Colleges

**DATE:** 3-12-2019 **Room:** 421 LOB

House Sgt-At Arms:

1. **Name:** Bill Bass

2. **Name:** Joe Crook

3. **Name:** Glen Wall

4. **Name:** \_\_\_\_\_

5. **Name:** \_\_\_\_\_

Senate Sgt-At Arms:

1. **Name:** \_\_\_\_\_

2. **Name:** \_\_\_\_\_

3. **Name:** \_\_\_\_\_

4. **Name:** \_\_\_\_\_

5. **Name:** \_\_\_\_\_



**House Pages  
Assignments  
Tuesday, March 12, 2019  
Session: 11:00 AM**

<b>Committee</b>	<b>Room</b>	<b>Time</b>	<b>Staff</b>	<b>Comments</b>	<b>Member</b>
Education - Community Colleges	421	11:00 AM	Moira Kelly		Speaker Tim Moore





**House Committee on Education-Community Colleges**  
**Tuesday, March 26, 2019 at 11:00 am**  
**Room 423 LOB**

**MINUTES**

The House Committee on Education-Community Colleges met on Tuesday, March 26 at 11:00 am in Room 423 of the Legislative Building. Committee members present were Co Chairs Representatives Hurley, Sauls and Members, Representative Gill, Goodman, Hunt, Johnson, Pittman, and Von Haefen. Representatives Sauls chaired and called the meeting to order at 11:04 by introduction of the Pages and the Sergeant at Arms. Four bills were under consideration on the agenda: **HB 62, HB 197, HB 270 and HB 299**. Rep. Sauls called upon Representative Cleveland to address **SB 6**, entitled In-State Tuition/Members served on USS NC. Cleveland explained the purpose of bill was to provide In-State Tuition for service members who served 180 days or more on the USS NC. Following the overview, Rep. Sauls called for questions from the committee. Rep. Johnson was acknowledge with a question regarding total monies necessary. Rep. Cleveland indicated that there was minimal expense anticipated. With no further questions Rep. Sauls called upon Rep. Larry Pittman who made a motion to accept the bill as written and the bill passed in a unanimous vote **with a favorable report** and a serial referral to the Rules committee.

To address the 2nd bill, Rep. Sauls called upon Rep. Goodman to discuss **HB 197**, Richmond Community College Multicampus Funds. The bill would provide recurring funds for the operation of a Scotland County Campus under Richmond Community College. Representative Goodman asked Rep. Sauls to allow President McInnis from RCCC to speak on the subject. Rep. Sauls recognized President McInnis to address the committee. Following a brief comment, and no further questions or discussion, Rep. Sauls called upon Rep. Johnson who called for a motion to report **the bill without prejudice** with a re-referral to Appropriations-Education. A unanimous vote was taken to accept the motion.

Rep. Sauls called upon Representative Willingham to speak on the 3<sup>rd</sup> bill, **HB 270**, Edgecombe CC/Funds for Training Center. Rep. Willingham addressed the purpose for the training center and industries affected, Rep. Sauls called for questions and comments, and there were none. Rep. Sauls called upon Rep. Johnson who made a motion to report the **bill without prejudice** with a re-referral to Appropriations, Education, followed by a unanimous vote to accept the motion. The final and 4<sup>th</sup> bill, **HB 299** Henderson County/Build Community College Buildings was brought before the committee. Rep. Sauls called upon Rep. McGrady to speak on the bill. Rep. McGrady gave a brief summary of the purpose which was to renovate and construct needed Community College buildings on campus. Rep. Sauls recognized Rep. Hunt for a question regarding current state law and oversight from DOA. With no further discussion, Rep. Sauls called upon Rep. Pittman who made a motion for **a favorable report on the bill** with a re-referral to State and Local Government.

There being no further business, Representative Sauls adjourned the meeting at 11:16 am.  
Respectfully submitted,

  
Representative Sauls, Chair

03/26/19  
3/26/19

  
Karen Rosser, Committee Clerk

3/26/19



**Deborah Holder (Rep. Pat Hurley)**

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**From:** Karen Rosser (Rep. John Sauls)  
**S** Thursday, March 21, 2019 10:28 AM  
**Tu.** Rep. George Cleveland; Rep. Craig Horn; Rep. Garland Pierce; Rep. Shelly Willingham; Rep. Edward C. Goodwin; Rep. Bobby Hanig; Rep. Chuck McGrady; Rep. Cody Henson  
**Cc:** Pamela Ahlin (Rep. George Cleveland); Erin Wilson (Rep. Craig Horn); Janice Fenner (Rep. Garland Pierce); Johnna Smith (Rep. Shelly Willingham); Richard Blackwelder (Rep. Edward C. Goodwin); Wes Householder (Rep. Bobby Hanig); Kimberly Neptune (Rep. Chuck McGrady); Megan Kluttz (Rep. Cody Henson)  
**Subject:** <NCGA> House Education - Community Colleges Committee Meeting Notice for Tuesday, March 26, 2019 at 11:00 AM  
**Attachments:** Add Meeting to Calendar\_LINC\_ics

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Community Colleges** will meet as follows:

**DAY & DATE:** Tuesday, March 26, 2019  
**TIME:** 11:00 AM  
**LOCATION:** 421 LOB  
**COMMENTS:** Rep. Sauls will preside.

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
<u>HB 62</u>	In-State Tuition/Members Served on USS NC.	Representative Cleveland Representative Horn
<u>HB 197</u>	Richmond CC/Multicampus Funds.	Representative Pierce
<u>HB 270</u>	Edgecombe CC/Funds for Training Center.	Representative Willingham Representative Goodwin Representative Hanig
<u>HB 299</u>	Henderson Cty/Build Community College Bldgs.	Representative McGrady Representative Henson



Respectfully,

Representative Pat B. Hurley, Co-Chair

Representative John Sauls, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:26 AM on Thursday, March 21, 2019.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Karen Rosser (Committee Assistant)



**House Committee on Education - Community Colleges**  
**Tuesday, March 26, 2019, 11:00 AM**  
**421 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks Rep. John Sauls, Chair**

**Introduction of Pages and Sgt. At Arms**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 62	In-State Tuition/Members Served on USS NC.	Representative Cleveland Representative Horn
HB 197	Richmond CC/Multicampus Funds.	Representative Pierce
HB 270	Edgecombe CC/Funds for Training Center.	Representative Willingham Representative Goodwin Representative Hanig
HB 299	Henderson Cty/Build Community College Bldgs.	Representative McGrady Representative Henson

**Other Business**

**Adjournment**





**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - COMMUNITY COLLEGES COMMITTEE REPORT**

**Representative Pat B. Hurley, Co-Chair**

**Representative John Sauls, Co-Chair**

**FAVORABLE AND RE-REFERRED**

HB 62 (CS#1) In-State Tuition/Members Served on USS NC.  
Draft Number: None  
Serial Referral: RULES, CALENDAR, AND  
OPERATIONS OF THE HOUSE  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: Cleveland

HB 299 Henderson Cty/Build Community College Bldgs.  
Draft Number: None  
Serial Referral: STATE AND LOCAL  
GOVERNMENT  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: McGrady

**REPORTED WITHOUT PREJUDICE AND RE-REFERRED**

HB 197 Richmond CC/Multicampus Funds.  
Draft Number: None  
Serial Referral: APPROPRIATIONS, EDUCATION  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: Willingham

HB 270 Edgecombe CC/Funds for Training Center.  
Draft Number: None  
Serial Referral: APPROPRIATIONS, EDUCATION  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: Pierce

TOTAL REPORTED: 4





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

2

HOUSE BILL 62  
Committee Substitute Favorable 3/19/19

Short Title: In-State Tuition/Members Served on USS NC.

(Public)

Sponsors:

Referred to:

February 14, 2019

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT SERVICE MEMBERS WHO SERVE ON THE USS NORTH  
3 CAROLINA SSN 777 FOR A PERIOD OF 180 DAYS OR LONGER ARE ELIGIBLE FOR  
4 IN-STATE TUITION.  
5 The General Assembly of North Carolina enacts:  
6 SECTION 1. Article 14 of Chapter 116 is amended by adding a new section to read:  
7 "§ 116-143.3B. Tuition of Armed Forces personnel having served on the USS North  
8 Carolina SSN 777.  
9 (a) Any member of the United States Armed Forces who has served on the USS North  
10 Carolina SSN 777 for a period of 180 days or more and qualifies for admission to an institution  
11 of higher education as defined in G.S. 116-143.1(a)(3), but does not qualify as a resident for  
12 tuition purposes under G.S. 116-143.1, shall be charged the in-State tuition rate and applicable  
13 mandatory fees for enrollment.  
14 (b) The person applying for the benefit of this section has the burden of proving  
15 entitlement to the benefit."  
16 SECTION 2. This act is effective July 1, 2019, and applies beginning with the  
17 2019-2020 academic year.







## HOUSE BILL 62: In-State Tuition/Members Served on USS NC.

2019-2020 General Assembly

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<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	March 26, 2019
<b>Introduced by:</b>	Reps. Cleveland, Horn	<b>Prepared by:</b>	Samantha Yarborough
<b>Analysis of:</b>	Second Edition		Staff Attorney

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**OVERVIEW:** HB 62 would make any member of the United States Armed Forces that has served on the USS North Carolina SSN 777 for at least 180 days eligible to receive the in-State tuition rate.

**CURRENT LAW:** G.S. 116-143.1 states that to qualify as a resident for tuition purposes, a person must have established legal residence (domicile) in North Carolina and maintained that legal residence for at least 12 months immediately prior to his or her classification as a resident for tuition purposes.

G.S. 116-143.3 allows Armed Forces personnel to be charged the in-State tuition rate without meeting the requirements of G.S. 116-143.1 if the person is living in the State incident to active military duty. In the event that the active duty member is reassigned outside of the State or retires, the member continues to be eligible for in-State tuition rate as long as the member is continuously enrolled. The member has the burden of proving entitlement to this benefit.

G.S. 116-143.3A waives the 12-month residency requirement of G.S. 116-143.1 for veterans living in North Carolina who are entitled to federal education benefits under 38 U.S.C. Chapter 30 or 38 U.S.C. Chapter 33 and enroll within three years of discharge or release from the Armed Forces.

**BILL ANALYSIS:** The HB 62 would create a new exception to the residency requirements of G.S. 116-143.1 for members of the United States Armed Forces that have served at least 180 days on the USS North Carolina SSN 777. Any member applying for the benefit of this exception would have the burden of proving entitlement to the exception.

**EFFECTIVE DATE:** HB 62 would become effective on July 1, 2019, and apply beginning with the 2019-2020 academic year.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

1

HOUSE BILL 197\*

Short Title: Richmond CC/Multicampus Funds. (Public)

Sponsors: Representative Pierce.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Education - Community Colleges, if favorable, Appropriations, Education, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

February 27, 2019

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE MULTICAMPUS FUNDING FOR THE SCOTLAND COUNTY  
3 CAMPUS OF RICHMOND COMMUNITY COLLEGE.  
4 The General Assembly of North Carolina enacts:  
5 **SECTION 1.** There is appropriated from the General Fund to the Community  
6 Colleges System Office the sum of five hundred sixty-six thousand five hundred eighty-seven  
7 dollars (\$566,587) in recurring funds for the 2019-2020 fiscal year for the operation of the  
8 Scotland County Campus of Richmond Community College as a multicampus center.  
9 **SECTION 2.** This act becomes effective July 1, 2019.



\* H 1 9 7 - V - 1 \*







## HOUSE BILL 197: Richmond CC/Multicampus Funds.

2019-2020 General Assembly

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<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	March 26, 2019
<b>Introduced by:</b>	Rep. Pierce	<b>Prepared by:</b>	Kara McCraw
<b>Analysis of:</b>	First Edition		Committee Counsel

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**OVERVIEW:** HB 197 would appropriate \$566,587 in recurring funds to be allocated for the operation of the Scotland County Campus of Richmond Community College as a multicampus center.

[As introduced, this bill was identical to S159, as introduced by Sen. McInnis, which is currently in Senate Appropriations/Base Budget.]

**CURRENT LAW:** G.S. 115D-5(o) requires that the State Board of Community Colleges cannot approve any additional multicampus centers without identified recurring sources of funding.

**BILL ANALYSIS:** HB 197 would appropriate the sum of five hundred sixty-six thousand five hundred eighty-seven dollars (\$566,587) in recurring funds for the operation of the Scotland County Campus of Richmond Community College as a multicampus center.

**EFFECTIVE DATE:** HB 197 would become effective July 1, 2019.

**BACKGROUND:** A proposed rule for the State Board of Community Colleges describes a multi-campus center (MCC) as a convenience location in the community college service area to provide appropriate population and geographic access for community outreach, testing, faculty and staff offices, as well as literacy, continuing education, and curriculum instruction. Students may complete certificates, diplomas, and associate degrees at MCC locations. Comprehensive instructional support functions including, but not limited to libraries and student development services, are parts of the operation. An MCC must provide students the opportunity to complete at least one associate degree at the MCC.

Karen Cochrane-Brown  
Director



H 1 9 7 - S M T C - 9 E 1 - V - 2

Legislative Analysis  
Division  
919-733-2578

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**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

**H**

**1**

**HOUSE BILL 270**

Short Title:	Edgecombe CC/Funds for Training Center.	(Public)
<hr/>		
Sponsors:	Representatives Willingham, Goodwin, and Hanig (Primary Sponsors).	
	<i>For a complete list of sponsors, refer to the North Carolina General Assembly web site.</i>	
<hr/>		
Referred to:	Education - Community Colleges, if favorable, Appropriations, Education, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House	

March 6, 2019

A BILL TO BE ENTITLED  
AN ACT TO APPROPRIATE FUNDS FOR EDGECOMBE COMMUNITY COLLEGE TO  
SUPPORT A NEW TRAINING AND RECRUITMENT CENTER.

Whereas, Edgecombe Community College (ECC) is constructing a new Training and Recruitment Center (Center) to provide training facilities and to support industry growth for a sustainable pipeline of candidates to enter into existing and new jobs within the advanced manufacturing sector; and

Whereas, the Center will support ECC's industry partners, including Triangle Tire, Corning, and Carolina Connector, through the Carolinas Gateway Partnership, a public-private industrial recruitment agency dedicated to the economic development of the Eastern North Carolina counties of Nash and Edgecombe; and

Whereas, 1,950 new jobs have been added to the Twin Counties Region of Nash and Edgecombe Counties, with approximately 1,500 jobs currently open and an estimate of 3,450 jobs that will need to be filled and on the market in the next 18 to 24 months; and

Whereas, the Center shall be a 32,000 square foot facility that will provide as part of its mission at least the following:

- (1) An employment office for jobs recruiting.
- (2) A major meeting facility.
- (3) A recruiting tool for the remaining 1,600 acres at the Kingsboro Mega Site.
- (4) Unique training, recruiting, and meeting opportunities; and

Whereas, the Center will support workforce development growth in the Raising Awareness of Manufacturing Possibilities (RAMP) East Service workforce development region by providing services at the Center to Edgecombe County and nine other surrounding counties, including Alexander, Washington, Northampton, Hertford, Camden, Currituck, Chowan, Perquimans, and Pasquotank Counties, and Edgecombe Community College and eight other community colleges, including College of the Albemarle, Nash Community College, Wilson Community College, Halifax Community College, Martin Community College, Pitt Community College, Roanoke-Chowan Community College, and Beaufort County Community College; and

Whereas, Edgecombe County contributed 14 acres of land owned by the county; and  
Whereas, Edgecombe County received a Golden Leaf Foundation Grant of \$10 million for the construction of the Center; and

Whereas, State funds are necessary for the project to obtain the equipment needed for the operation of the Center; Now, therefore,





1 The General Assembly of North Carolina enacts:

2       **SECTION 1.** There is appropriated from the General Fund to the Community  
3 Colleges System Office the sum of two million five hundred thousand dollars (\$2,500,000) in  
4 nonrecurring funds for the 2019-2020 fiscal year to be allocated to Edgecombe Community  
5 College to provide for equipment for training and meeting room audiovisual activities to  
6 complete construction of a new Training and Recruitment Center.

7       **SECTION 2.** This act becomes effective July 1, 2019.





## HOUSE BILL 270: Edgecombe CC/Funds for Training Center.

2019-2020 General Assembly

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<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	March 26, 2019
<b>Introduced by:</b>	Reps. Willingham, Goodwin, Hanig	<b>Prepared by:</b>	Kara McCraw
<b>Analysis of:</b>	First Edition		Committee Counsel

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**OVERVIEW:** HB 270 would appropriate \$2,500,000 to be allocated to Edgecombe Community College for equipment for a new Training and Recruitment Center.

**BILL ANALYSIS:** HB 270 would appropriate a one-time sum of two million five hundred thousand dollars (\$2,500,000) for the 2019-2020 fiscal year to be allocated to Edgecombe Community College to provide for equipment for training and meeting room audiovisual activities to complete construction of a new Training and Recruitment Center.

**EFFECTIVE DATE:** HB 270 would become effective July 1, 2019.

**BACKGROUND:** Edgecombe Community College (ECC) is constructing a new Training and Recruitment Center (Center) to provide training facilities and to support industry growth.

Karen Cochrane-Brown  
Director



H 2 7 0 - S M T C - B E 1 - V - 1

Legislative Analysis  
Division  
919-733-2578

*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*





**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

**H**

**1**

**HOUSE BILL 299**

Short Title:	Henderson Cty/Build Community College Bldgs.	(Local)
<hr/>		
Sponsors:	Representatives McGrady and Henson (Primary Sponsors).	
	<i>For a complete list of sponsors, refer to the North Carolina General Assembly web site.</i>	
<hr/>		
Referred to:	Education - Community Colleges, if favorable, State and Local Government, if favorable, Rules, Calendar, and Operations of the House	

March 11, 2019

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT COMMUNITY COLLEGE BUILDINGS ON THE HENDERSON COUNTY CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE TO BE USED FOR ARTS, SCIENCES, AND GENERAL STUDIES AND POLICE PHYSICAL ABILITIES TEST TRAINING AND TO AUTHORIZE THE COUNTY TO MAKE SUBSTANTIAL RENOVATIONS TO EXISTING CAMPUS BUILDINGS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Notwithstanding G.S. 115D-9, 115D-15.1, 143-341(3), or any other provision of law, Henderson County is hereby authorized to (i) construct or renovate community college buildings, as that term is defined in G.S. 143-336, on the main campus of Blue Ridge Community College located within Henderson County, to be used for a new arts, sciences, and general studies center and for a new police officers physical abilities test training center and (ii) make substantial renovations to existing buildings on campus. In exercising the authority granted in this Section, Henderson County shall comply with all of the following:

- (1) Article 3D of Chapter 143 of the General Statutes (Procurement of Architectural, Engineering, and Surveying Services).
- (2) Article 8 of Chapter 143 of the General Statutes (Public Contracts).
- (3) Article 8 of Chapter 159 of the General Statutes (Financing Agreements and Other Financing Arrangements).
- (4) G.S. 160A-20 (Security interests).
- (5) Henderson County shall consult with the Board of Trustees of Blue Ridge Community College about programming requirements for the buildings and shall keep the Board of Trustees informed as to the construction process and progress.
- (6) Henderson County shall fund all projects entirely with County funds.

**SECTION 2.** Henderson County and the Board of Trustees of Blue Ridge Community College may enter into a memorandum of understanding to allow for the construction of community college buildings authorized by Section 1 of this act in a timely fashion and cost-efficient manner if deemed appropriate by the parties.

**SECTION 3.(a)** Within 120 days of the effective date of this act, the Board of Trustees of Blue Ridge Community College shall identify, in writing, to Henderson County (i) the real property upon which it intends the new buildings described in Section 1 of this act to be constructed and (ii) any other real property needed for the financing of the construction and





1 renovations authorized by Section 1 of this act. The real property identified by the Board of  
2 Trustees shall be a portion of the real property described in Book 490, Page 373 of the Henderson  
3 County Registry.

4 **SECTION 3.(b)** Within 30 days of the identification of the real property as provided  
5 in subsection (a) of this Section, the Board of Trustees of Blue Ridge Community College shall  
6 transfer title to the identified property to Henderson County for the life of any debt incurred  
7 against the property by Henderson County for the construction or renovation of community  
8 college buildings as authorized by Section 1 of this act.

9 **SECTION 3.(c)** Upon the satisfaction of any debt incurred against the property  
10 referred to in subsection (a) of this Section, Henderson County shall transfer title to the property  
11 back to the Board of Trustees of Blue Ridge Community College. If no debt is incurred against  
12 the property referred to in subsection (a) of this Section by Henderson County for the construction  
13 or renovation of community college buildings on or before December 31, 2022, Henderson  
14 County shall transfer title to the property back to the Board of Trustees of Blue Ridge Community  
15 College.

16 **SECTION 4.** Henderson County and the Board of Trustees of Blue Ridge  
17 Community College may enter into a lease agreement in accordance with G.S. 160A-274 for any  
18 space in county-owned buildings located within Henderson County if deemed appropriate by the  
19 parties.

20 **SECTION 5.** Sections 1 through 3 of this act are effective when they become law  
21 and apply only to construction and renovation projects by Henderson County on the Henderson  
22 County campus of Blue Ridge Community College between January 1, 2019, and December 31,  
23 2023. The remainder of this act is effective when it becomes law.





## HOUSE BILL 299: Henderson Cty/Build Community College Bldgs.

2019-2020 General Assembly

<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to State and Local Government. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	March 26, 2019
<b>Introduced by:</b>	Reps. McGrady, Henson	<b>Prepared by:</b>	Samantha Yarborough Staff Attorney
<b>Analysis of:</b>	First Edition		

**OVERVIEW:** *House Bill 299 would allow Henderson County to construct and renovate community college buildings on the Henderson County campus of Blue Ridge Community College, provided the County funds the construction entirely with County funds.*

**CURRENT LAW:** G.S. 115D-9 requires approval by the State Board of Community Colleges before the expenditure of any State funds on capital improvements of existing community college institutions. G.S. 115D-15.1 requires approval by the State Board of Community Colleges before a community college may dispose, transfer, or acquire property. Chapter 143 gives the Department of Administration control of real property owned or leased by the State. G.S. 143-341(3) gives the Department of Administration control over the architecture and engineering of community college buildings.

### BILL ANALYSIS:

**Section 1** would authorize Henderson County to do the following:

- Construct or renovate community college buildings located on the campus of Blue Ridge Community College in Henderson County to be used for (i) a new arts, sciences, and general studies center and (ii) a new police officers physical abilities test training center.
- Make substantial renovations to existing buildings on campus.

Section 1 also sets forth requirements that Henderson County would have to meet in order to construct or renovate community college buildings located within Henderson County.

**Section 2** would allow Henderson County and the Board of Trustees of Blue Ridge Community College (BOT) to enter into a memorandum of understanding to allow Henderson County to construct and renovate community college buildings in a timely fashion and cost-efficient manner.

**Section 3(a)** would set a deadline of within 120 days of the effective date of this act for the BOT to identify to Henderson County (i) the real property upon which it intends the new buildings to be constructed and (ii) any other real property needed for the financing of the construction and renovations authorized by this act. The BOT would be required to identify a portion of the real property described in Book 490, Page 373 of the Henderson County Registry.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*



# House Bill 299

*Page 2*

**Section 3(b)** would set a deadline of within 30 days of the identification of the real property as provided in Section 3(a), for the BOT to transfer title to the identified property to Henderson County for the life of the debt incurred against the property for the construction or renovation authorized in Section 1.

**Section 3(c)** would require Henderson County to transfer the property back to the BOT upon satisfaction of the debt incurred in the construction or renovation of the buildings. If no debt is incurred against the property by December 31, 2022, Henderson County would be required to transfer title back to the BOT.

**Section 4** would allow Henderson County and the BOT to enter into a lease agreement for any space in County-owned buildings located within Henderson County.

**EFFECTIVE DATE:** Sections 1, 2, and 3 would be effective when they become law and apply only to construction and renovation projects by Henderson County on the Henderson County campus of Blue Ridge Community College between January 1, 2019, and December 31, 2023. The remainder of this act would be effective when it becomes law.

**BACKGROUND:** Similar acts affecting Henderson County and Blue Ridge Community College were enacted in 2016 (S.L. 2016-22) and 2017 (S.L. 2017-21).





# VISITOR REGISTRATION SHEET

House Committee on Education-Community Colleges

3-26-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Angella Post	McDermid
David Snoemaker	governor ofc
Austin Nareh	UNC system
Samantha Long	NCEA Intern
Mary Thompson	Weyerhaeuser
[Signature]	[Signature]
[Signature]	NCPTA
Shamira Myers	NCPTA
Heather Hall	NCPTA



# VISITOR REGISTRATION SHEET

House Committee on Education-Community Colleges

3-26-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Dale McIris	Richmond Community College
Nytasha Tobias	Wake Young Men's Leadership Academy <sup>NCPTA</sup>
Seth Riggins	NC Community Colleges
Mary Shaping	NC Community Colleges
David Crawford	AIA NC
Drew Muretz	UNC System
Anne Barom	NCCCS
Tyler Ford	MWC
Martez Hill	SM Hill



Committee Sergeants at Arms

NAME OF COMMITTEE House Committee on Education-Community Colleges

DATE: 3-26-2019

Room: 421 LOB

House Sgt-At Arms:

1. Name: Bill Bass

2. Name: Joe Crook

3. Name: John Gilbert

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_

Senate Sgt-At Arms:

1. Name: \_\_\_\_\_

2. Name: \_\_\_\_\_

3. Name: \_\_\_\_\_

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_



**House Pages  
Assignments  
Tuesday, March 26, 2019  
Session: 4:45 PM**

<b>Committee</b>	<b>Room</b>	<b>Time</b>	<b>Staff</b>	<b>Comments</b>	<b>Member</b>
Education - Community Colleges	643	11:00 AM	Aria Harrell		Rep. Evonne Holley
			<u>EMAN</u> & Imani Hayes		Rep. Garland Pierce
			Jada Long		Rep. Zack Hawkins





**House Committee on Education - Community Colleges**  
**Tuesday, April 9, 2019 at 11:00 AM**  
**Room 421 of the Legislative Office Building**

**MINUTES**

The House Committee on Education - Community Colleges met at 11:00 AM on April 9, 2019 in Room 421 of the Legislative Office Building. Representatives Adams, Brody, Elmore, Gill, Goodman, Hunt, Hurley, Pittman, Reives, Sauls, B. Turner, von Haefen, and Zachary attended.

Representative Pat B. Hurley, Chair, presided, and called the meeting to order at 11:00 AM, followed by the introduction of the Sergeants at Arms and Page.

Chair Hurley stated the committee would be voting on the Candidates for Nomination to the State Board of Community Colleges. There are five applicants for both the Full Term Election and Vacancy Election.

Chair Hurley opened the floor to any House Members wishing to speak on behalf of the individual they were sponsoring for the Full Term Election.

Chair Hurley recognized Representative Horn to speak on behalf of Jeffrey Atkinson, followed by a motion from Representative Pittman, to put forth Mr. Atkinson as a Community College Board Member Nominee, to be voted on by the full House.

Chair Hurley recognized Representative Brody to speak on behalf of David Willis, followed by a motion by Representative Brody, to put forth Mr. Willis as a Community College Board Member Nominee, to be voted on by the full House.

Chair Hurley recognized Rep. Cleveland to speak on behalf of Ronald Lingle, followed by a motion by Representative Pittman, to put forth Mr. Lingle as a Community College Board Member Nominee to be voted on by the full House.

Seeing no members to speak on behalf of Hari Nath, Chair Hurley recognized Representative Sauls for a motion to put forth Mr. Nath as a Community College Board Member Nominee, to be voted on by the full House, followed by a motion by Representative Hunt to put forth Tammy Simmons as a Community College Board Member Nominee, to be voted on by the full House, as well.

Chair Hurley opened the floor to any House Members wishing to speak on the behalf of the individual they were sponsoring for the Vacancy Election.

Chair Hurley recognized Rep. Fraley to speak on behalf of Thomas Keigher, followed by a motion by Representative Elmore, to put forth the slate of five nominees to be voted on by the full House.

Chair Hurley called on Rep. Fraley to speak on behalf of Robert Welch, followed by Representative Ball on behalf of Dr. C. Neill McLeod, followed by Representative Brody to speak on behalf of David Willis. There was no one in the meeting to speak on behalf of Jeffrey Atkinson, a second time.



The motion previously made by Representative Elmore carried, and the candidates will all be sent to the House floor for a vote.

Chair Hurley asked if any members wanted to introduce the individuals they were nominating. Representative Brody introduced David Willis.

Representative Sauls replaced Representative Hurley as Chair, in order for her to present her bill in the committee.

Chair Sauls called on Representative Hurley to present the following bill:

**HB 438 Campus Police/Private IHE/CC Waiver.**

Representative Hurley asked Chair Sauls to allow Tom West, NC Independent Colleges and Universities to explain the bill. Dr. Hope Williams, NC Independent Colleges and Universities was also called on to comment on the bill.

Representative Pittman moved for a Favorable report and re-referred to Education - Universities Committee. The motion carried and the bill passed.

Representative Hurley returned to the podium, as Chair. She recognized Representative Rena Turner to explain the following bill:

**HB 467 Establish State Board of Prop. (Representatives R. Turner, Fraley, Blackwell)**

Representative Elmore moved for the PCS to be brought before the Committee, prior to Representative Turner's explanation of the bill.


Representative Elmore moved for a favorable report to the PCS, unfavorable to the original bill and be re-referred to Pensions and Retirement. The motion carried and the PCS passed.

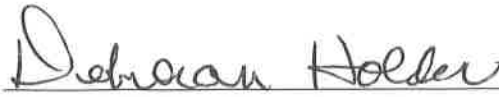
Chair Hurley recognized Representative McElraft to explain the following bill:

**HB 487 CC Short-Term Workforce Training Funds. (Representatives Dobson, Howard, McElraft, Carney)**

Representative Pittman moved for the bill to move forward without prejudice and be re-referred to Appropriations – Education. The motion carried.

Chair Hurley adjourned the meeting at 11:44 AM.

  
Representative Pat B. Hurley, Chair  
Presiding

  
Deborah Holder, Committee Clerk



**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Community Colleges** will meet as follows:

**DAY & DATE:** Tuesday, April 9, 2019  
**TIME:** 11:00 AM  
**LOCATION:** 421 LOB  
**COMMENTS:** Rep. Pat Hurley, Presiding

**State Board of Community Colleges Selection of Nominees**  
**There will be one selection process for the full term seat and one selection process for the vacant seat.**

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
<u>HB 438</u>	Campus Police/Private IHE/CC Waiver.	Representative Hurley
<u>HB 467</u>	Establish State Board of Prop.	Representative R. Turner Representative Fraley Representative Blackwell
<u>HB 487</u>	CC Short-Term Workforce Training Funds.	Representative Dobson Representative Howard Representative McElraft Representative Carney

Respectfully,

Representative Pat B. Hurley, Co-Chair  
Representative John Sauls, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 11:21 AM on Thursday, April 04, 2019.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Deborah Holder (Committee Assistant)



**House Committee on Education - Community Colleges**  
**Tuesday, April 9, 2019, 11:00 AM**  
**421 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks**

**Introduction of Sergeants At Arms and Pages**

**State Board of Community Colleges Selection of Nominees:**

**Full Term Seat**

**Vacant Seat**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 438	Campus Police/Private IHE/CC Waiver.	Representative Hurley
HB 467	Establish State Board of Prop.	Representative R. Turner Representative Fraley Representative Blackwell
HB 487	CC Short-Term Workforce Training Funds.	Representative Dobson Representative Howard Representative McElraft Representative Carney

**Other Business**

**Adjournment**





**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - COMMUNITY COLLEGES COMMITTEE REPORT**

**Representative Pat B. Hurley, Co-Chair**

**Representative John Sauls, Co-Chair**

**FAVORABLE AND RE-REFERRED**

**HB 438**

Campus Police/Private IHE/CC Waiver.

Draft Number: None

**Serial Referral: EDUCATION - UNIVERSITIES**

Recommended Referral: None

Long Title Amended: No

Floor Manager: Hurley

**REPORTED WITHOUT PREJUDICE AND RE-REFERRED**

**HB 487**

CC Short-Term Workforce Training Funds.

Draft Number: None

**Serial Referral: APPROPRIATIONS, EDUCATION**

Recommended Referral: None

Long Title Amended: No

Floor Manager: Dobson

**TOTAL REPORTED: 2**



\* C M R 2 2 4 - V - 1 \*



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - COMMUNITY COLLEGES COMMITTEE REPORT**  
**Representative Pat B. Hurley, Co-Chair**  
**Representative John Sauls, Co-Chair**

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED**

**HB 467**

Establish State Board of Prop.

Draft Number: H467-PCS40313-TC-10

**Serial Referral: PENSIONS AND RETIREMENT**

Recommended Referral: None

Long Title Amended: No

Floor Manager: R. Turner

**TOTAL REPORTED: 1**



★ C M R 2 2 6 - V - 1 ★



**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

**H**

**1**

**HOUSE BILL 438**

Short Title:   Campus Police/Private IHE/CC Waiver. (Public)

Sponsors:   Representative Hurley.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to:   Education - Community Colleges, if favorable, Education - Universities, if favorable, Appropriations, Education, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 25, 2019

A BILL TO BE ENTITLED

AN ACT TO ADD A WAIVER OF TUITION AND REGISTRATION FEES FOR  
COMMUNITY COLLEGE COURSES FOR THE TRAINING NEEDS OF CAMPUS  
POLICE AGENCIES OF PRIVATE INSTITUTIONS OF HIGHER EDUCATION AND TO  
APPROPRIATE FUNDS TO COVER THE COST OF THE WAIVER.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115D-5(b) reads as rewritten:

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

- (1)   Persons not enrolled in elementary or secondary schools taking courses leading to a high school diploma or equivalent certificate.
- (2)   Courses requested by the following entities that support the organizations' training needs and are on a specialized course list approved by the State Board of Community Colleges:
  - a.   Volunteer fire departments.
  - b.   Municipal, county, or State fire departments.
  - c.   Volunteer EMS or rescue and lifesaving departments.
  - d.   Municipal, county, or State EMS or rescue and lifesaving departments.
  - d1.   Law enforcement, fire, EMS or rescue and lifesaving entities serving a lake authority that was created by a county board of commissioners prior to July 1, 2012.
  - e.   Radio Emergency Associated Communications Teams (REACT) under contract to a county as an emergency response agency.
  - f.   Municipal, county, or State law enforcement agencies.



- 1 fl. Campus police agencies of private institutions of higher education  
2 certified by the Attorney General pursuant to Chapter 74G of the  
3 General Statutes.  
4 g. The Division of Adult Correction and Juvenile Justice of the  
5 Department of Public Safety for the training of full-time custodial  
6 employees and employees of the Division required to be certified  
7 under Article 1 of Chapter 17C of the General Statutes and the rules  
8 of the Criminal Justice and Training Standards Commission.  
9 h. Repealed by Session Laws 2017-186, s. 2(hhhhh), effective December  
10 1, 2017.  
11 i. The Eastern Band of Cherokee Indians law enforcement, fire, EMS or  
12 rescue and lifesaving tribal government departments or programs.  
13 j. The Criminal Justice Standards Division of the Department of Justice  
14 for the training of criminal justice professionals, as defined in  
15 G.S. 17C-20(6), who are required to be certified under (i) Article 1 of  
16 Chapter 17C of the General Statutes and the rules of the North  
17 Carolina Criminal Justice Education and Training Standards  
18 Commission or (ii) Chapter 17E of the General Statutes and the rules  
19 of the North Carolina Sheriffs' Education and Training Standards  
20 Commission. The waivers provided for in this sub-subdivision apply  
21 to participants and recent graduates of the North Carolina Criminal  
22 Justice Fellows Program to obtain certifications for eligible criminal  
23 justice professions as defined in G.S. 17C-20(6).

24 ...."

25 **SECTION 2.** There is appropriated from the General Fund to the Community  
26 Colleges System Office the sum of one hundred ten thousand dollars (\$110,000) in recurring  
27 funds for the 2020-2021 fiscal year to support the waiver of tuition and fees for community  
28 college courses for campus police agencies in accordance with G.S. 115D-5(b)(2)f1., as enacted  
29 by this act.

30 **SECTION 3.** This act becomes effective July 1, 2019, and applies beginning with  
31 the 2019-2020 academic year.



# HOUSE BILL 438: Campus Police/Private IHE/CC Waiver.

2019-2020 General Assembly

<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to Education - Universities. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 9, 2019
<b>Introduced by:</b>	Rep. Hurley	<b>Prepared by:</b>	Samantha Yarborough Staff Attorney
<b>Analysis of:</b>	First Edition		

**OVERVIEW:** House Bill 438 would allow the State Board of Community Colleges (State Board) to waive tuition and registration fees for courses for the training needs of campus police agencies of private institutions of higher education and would appropriate funds to cover the cost of the waiver.

**CURRENT LAW:** G.S. 115D-5(b) identifies individuals and entities that can receive tuition and registration fee waivers for community college courses. The State Board cannot waive tuition or registration fees for individuals or entities not listed in statute. G.S. 115D-5(b)(2) identifies entities that can have tuition and registration fees waived for courses requested by the entities that support their training needs and are on a specialized course list approved by the State Board of Community Colleges. These entities include:

- Volunteer fire departments.
- Municipal, county, or State fire departments.
- Volunteer EMS or rescue and lifesaving departments.
- Municipal, county, or State EMS or rescue and lifesaving departments.
- Law enforcement, fire, EMS or rescue and lifesaving entities serving a lake authority that was created by a county board of commissioners prior to July 1, 2012.
- Radio Emergency Associated Communications teams (REACT) under contract to a county as an emergency response agency.
- Municipal, county, or State law enforcement agencies.
- The Division of Adult Correction and Juvenile Justice of the Department of Public Safety for the training of full-time custodial employees and employees of the Division required to be certified under Chapter 17C of the General Statutes and the rules of the Criminal Justice and Training Standards Commission.
- The Eastern Band of Cherokee Indians law enforcement, fire, EMS, or rescue and lifesaving tribal government departments or programs.

**BILL ANALYSIS:** House Bill 438 would add to the list of entities in G.S. 115D-5(b)(2) the campus police agencies of private institutions of higher education certified by the Attorney General pursuant to Chapter 74G of the General Statutes. The bill would also appropriate \$110,000 in recurring funds to the Community College System Office, beginning with the 2020-2021 fiscal year, to support the waiver of tuition and fees for these police agencies.

**EFFECTIVE DATE:** This act would become effective July 1, 2019, and would apply beginning with the 2019-2020 academic year.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

2

HOUSE BILL 467  
Committee Substitute Favorable 4/9/19

Short Title: Establish State Board of Prop. (Public)

Sponsors:

Referred to:

March 28, 2019

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH THE NORTH CAROLINA PROPRIETARY SCHOOL  
LICENSURE ACT.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 8 of Chapter 115D of the General Statutes is repealed.

**SECTION 2.** The General Statutes are amended by adding a new Chapter to read:

**"Chapter 115F.**

**"North Carolina Proprietary School Licensure Act.**

**"§ 115F-1. Short title.**

This Chapter shall be known as the "North Carolina Proprietary School Licensure Act."

**"§ 115F-5. Purpose.**

The purpose of this Chapter is to provide for the establishment, organization, and administration of educational institutions having a physical presence in North Carolina that educate or train students in vocational programs leading toward professional licensing examination, employment, or a postsecondary degree below the associate level. The major purpose of each institution operating under this Chapter shall be to provide a quality education through a sustained curriculum equal to that prescribed for similar public schools and educational institutions of the State that have met the standards set forth by the North Carolina Board of Proprietary Schools, including course offerings, adequate facilities, financial stability, competent personnel, and legitimate operating practices.

**"§ 115F-10. Definitions.**

The following definitions apply in this Chapter:

- (1) Board. – North Carolina Board of Proprietary Schools.
- (2) Catastrophic loss amount. – Funds in the amount of one million five hundred thousand dollars (\$1,500,000) to protect prepaid student tuition in case of a large-scale event that would draw against the Student Protection Fund.
- (3) Commercial Education Fund. – The Fund established in G.S. 115F-35.
- (4) Distance education. – Education, training courses, or programs delivered to a student who is geographically separate from the instructor. Distance education shall not include education, training courses, or programs delivered by institutions licensed under G.S. 116-15. Delivery systems employed by a proprietary school may include any of the following:
  - a. Correspondence.
  - b. Classroom instruction.
  - c. Instruction provided in hotels or other temporary dwelling units or areas.



- 1           d. Electronic communications.  
2           (5) Fund cap amount. – The cap amount for the Student Protection Fund that is  
3           equal to the catastrophic loss amount plus a reserve in the amount of five  
4           hundred thousand dollars (\$500,000).  
5           (6) License. – A certificate issued by the Board to a proprietary school that meets  
6           the requirements established for a proprietary school by this Chapter and rules  
7           adopted pursuant to this Chapter.  
8           (7) Person. – Any individual, association, partnership, or corporation and includes  
9           any director, receiver, referee, trustee, executor, or administrator, as well as a  
10          natural person.  
11          (8) Proprietary school. – An educational institution having a physical presence  
12          within North Carolina, including a branch or extension of a private  
13          postsecondary educational institution of another state that (i) is located in this  
14          State or (ii) offers educational services or education at a physical location  
15          within this State, that meets all of the following conditions:  
16          a. It is privately owned by a sole proprietorship, partnership, limited  
17          liability company, or corporation.  
18          b. It is established as a business entity or as a nonprofit charitable  
19          organization.  
20          c. It offers instruction to individuals who (i) have completed their  
21          elementary and secondary education or (ii) are beyond the age of  
22          compulsory secondary school attendance and have demonstrated an  
23          ability to benefit from that instruction for the attainment of educational  
24          objectives, vocational objectives, or both.  
25          d. It charges tuition or receives any consideration from a student for any  
26          portion of the instruction in any form, including written or audiovisual  
27          material.  
28          e. It educates, trains, or claims to educate or train students in a program  
29          leading toward (i) examinations for licensing in a profession or  
30          vocation, (ii) employment at a beginning or advanced level, or (iii) a  
31          postsecondary educational credential below the associate degree level.  
32          (9) Student Protection Fund. – The Fund established in G.S. 115F-60.

33 **"§ 115F-15. Exemptions.**

34 The following shall be exempt from the provisions of this Chapter:

- 35          (1) Nonprofit schools conducted by (i) charities that are exempt from taxation  
36          under section 501(c)(3) of the Internal Revenue Code where no fee or tuition  
37          is charged to the student or (ii) religious institutions.  
38          (2) Schools maintained or classes conducted by employers for their own  
39          employees where no fee or tuition is charged to the student.  
40          (3) Courses of instruction given by any fraternal society, civic club, or benevolent  
41          order, which courses are not operated for profit.  
42          (4) Any school for which there is another legally existing licensing or approving  
43          board or agency in this State.  
44          (5) Classes or schools that are equipment-specific to purchasers, users, classes, or  
45          schools offering training or instruction to acquaint purchasers or users with  
46          equipment capabilities.  
47          (6) Classes or schools that the Board determines are avocational, recreational, for  
48          self-improvement, or continuing education for already trained and  
49          occupationally qualified individuals.  
50          (7) Any established university, professional, or liberal arts college, public or  
51          private school regulated or recognized pursuant to Chapter 115C of the

General Statutes or by any other State agency, or any State institution which has offered, or which may offer, one or more courses covered in this Chapter, provided that the tuition, fees, and charges, if any, made by such university, college, high school, or State institution shall be collected by their regular officers in accordance with the rules prescribed by the board of trustees or governing body of such university, college, high school, or State institution.

(8) Any institution exempt from licensure pursuant to G.S. 116-15(c).

**"§ 115F-20. North Carolina Board of Proprietary Schools.**

(a) There is established the North Carolina Board of Proprietary Schools.

(b) The Board shall consist of seven members appointed or serving ex officio as follows:

(1) Two members appointed by the Governor.

(2) Two members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate, as provided in G.S. 120-121, as follows:

a. One member who is the owner or director of a proprietary school licensed in the State with a total annual enrollment of fewer than 100 students.

b. One member who is the owner or director of a proprietary school or group of proprietary schools licensed in the State with a total annual enrollment of more than 750 students.

(3) Two members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives, as provided in G.S. 120-121, as follows:

a. One member who is the owner or director of a proprietary school licensed in the State with a total annual enrollment between 100 and 750 students.

b. One member who is the owner or director of a proprietary school licensed in the State.

(4) The Executive Director of the North Carolina State Approving Agency, or the Executive Director's designee.

(c) Members appointed pursuant to subsection (b) of this section shall possess (i) a demonstrated history of experience related to a proprietary school or public postsecondary education, (ii) an understanding of standards of quality in postsecondary education, and (iii) a leadership background beyond the leadership experience demonstrated at a particular proprietary school.

(d) Appointments for all members shall be for terms of four years beginning on January 1. Appointed members may be reappointed but shall not serve more than two consecutive terms of four years. Vacancies among appointed members shall be filled by the appointing entity and shall be for the remainder of the vacant term. Vacancies appointed by the General Assembly shall be filled in accordance with G.S. 120-122.

(e) The Board shall elect from the appointed members a chair and a vice-chair for terms of two years. A chair or vice-chair may serve no more than two consecutive terms in that role.

(f) No member of the General Assembly, spouse of a member of the General Assembly, or officer or employee of the State shall be eligible to serve on the Board as an appointed member.

(g) The Board may declare vacant the office of a member who does not attend three consecutive scheduled meetings without justifiable excuse. The chair shall notify the appropriate appointing authority of any such vacancy.

(h) The Board shall meet at stated times established by the Board but not less frequently than four times a year. Special meetings of the Board may be set at any regular meeting or may be called by the chair. A majority of the appointed members of the Board shall constitute a quorum for the transaction of business.



(i) Members of the Board shall receive such per diem compensation and necessary travel and subsistence expenses while engaged in the official discharge of the official duties as provided in G.S. 93B-5.

**"§ 115F-25. Powers and duties of the Board.**

The Board shall have the following powers and duties:

- (1) Administer and enforce the provisions of this Chapter, including all of the following powers:
  - a. Have the powers of a body corporate, including the power to make contracts and to alter the same as may be deemed expedient.
  - b. Be authorized and empowered to rent and lease such property, real or personal, as the Board may deem proper to carry out the purposes and provisions of this Chapter, all or any of them.
  - c. Establish an office for the transaction of its business at such place or places as, in the opinion of the Board, shall be advisable or necessary in carrying out the purposes of this Chapter.
  - d. Be authorized and empowered to pay from the Commercial Education Fund all necessary costs and expenses involved in and incident to the formation, organization, and administration of the Board and all other costs and expenses reasonably necessary or expedient in carrying out and accomplishing the purposes of this Chapter.
  - e. Be authorized and empowered to do any and all other acts and things in this Chapter authorized or required to be done, whether or not included in the general powers listed in this section.
- (2) Adopt rules in accordance with Chapter 150B of the General Statutes as may be necessary to administer the provisions of this Chapter.
- (3) Grant and issue licenses to proprietary schools whose sustained curriculum is of a grade equal to that prescribed for similar public schools and educational institutions of the State and that have met the standards set forth by the Board, including offerings, adequate facilities, financial stability, competent personnel, and legitimate operating practices.
- (4) Formulate the criteria and the standards for the approval of proprietary schools.
- (5) Provide for adequate investigations of all proprietary schools applying for a license. The Board shall not contract with or employ a person who is employed by a proprietary school licensed by the Board to serve as an investigator or inspector.
- (6) Issue licenses to those applicants meeting the standards adopted by the Board.
- (7) Maintain a list of schools licensed under the provisions of this Chapter and make that list available for inspection by the public.
- (8) Provide for periodic inspection of all schools licensed under the provisions of this Chapter.
- (9) Oversee the proprietary schools in the State in order to protect the health, safety, and welfare of the public by requiring the proprietary schools to maintain adequate, safe, and sanitary school locations, sufficient and proper facilities and equipment, sufficient and qualified teaching and administrative staff, and satisfactory programs of operation and instruction and to require proprietary schools to carry out advertised promises and contracts made with its students and patrons.
- (10) Request any occupational licensing or approving board or agency in this State to adopt rules requiring the approval of that board or agency for a course of study. Under these rules, the board or agency shall pass on the adequacy of

- 1                    equipment, curricula, and instructional personnel. The Board may deny  
2                    approval to a course of study that is not approved by such board or agency.  
3                    (11) Pursuant to the maximum amounts set forth by this Chapter and other specific  
4                    authority authorizing fees, establish reasonable fees related to the approval  
5                    and operation of proprietary schools.

6                    **"§ 115F-30. Office of Proprietary Schools.**

7                    (a) The Board shall establish an Office of Proprietary Schools as its principal  
8                    administrative unit. The Board shall employ an executive director of the Office of Proprietary  
9                    Schools, who shall serve as chief administrative officer. The Board may contract with an outside  
10                   consultant to serve as the executive director. The compensation of this position shall be fixed by  
11                   the Board from funds provided by fees deposited in the Commercial Education Fund.

12                   (b) The Board may hire other employees as it deems necessary to carry out the provisions  
13                   of this Chapter. The compensation of the staff members hired by the Board shall be fixed by the  
14                   Board upon recommendation of the executive director of the Office of Proprietary Schools.

15                   (c) The Office of Proprietary Schools shall use BEACON, or the State payroll system  
16                   that supersedes BEACON, for payroll purposes for employees of the Board.

17                   (d) Each year, at a time designated by the Board, the executive director of the Office of  
18                   Proprietary Schools shall submit a written report to the Board and the State Board of Community  
19                   Colleges containing the following information:

20                   (1) The number of schools receiving initial licenses during the previous year.

21                   (2) A list of all licensed proprietary schools operating in the State.

22                   (3) Any school closures during the previous year, including a complete report of  
23                   actions concerning any catastrophic closures.

24                   (4) Any complaints received and the resulting decisions or actions on the  
25                   complaints.

26                   (5) The total fees collected.

27                   (6) The balances of the Commercial Education Fund and the Student Protection  
28                   Fund.

29                   (7) A recommendation for the annual projected operating budget.

30                   (8) If applicable, a recommendation for an adjustment to the catastrophic loss  
31                   amount or cap amount for the Student Protection Fund.

32                   (e) The executive director for the Board is authorized to collect in the name and on behalf  
33                   of the Board the fees prescribed by this Article, and shall turn over to the State Treasurer all funds  
34                   collected or received under this Article. Those funds shall be credited to the appropriate Fund of  
35                   the State Board of Proprietary Schools established by this Chapter, and said funds shall be held  
36                   and expended under the supervision of the Director of the Budget of the State of North Carolina  
37                   exclusively for the administration and enforcement of the provisions of this Article. Nothing in  
38                   this Article shall be construed to authorize any expenditure in excess of the amount available  
39                   from time to time in the hands of the State Treasurer derived from the fees collected under the  
40                   provisions of this Article and received by the State Treasurer.

41                   **"§ 115F-35. Authority to establish and collect fees; Commercial Education Fund; refund**  
42                   **of fees.**

43                   (a) The Board shall establish fees for applications, initial licensure, license renewal, and  
44                   inspections performed of proprietary schools pursuant to this Chapter in accordance with Article  
45                   2A of Chapter 150B of the General Statutes not to exceed the following:

46                   (1) Initial license. – Three thousand five hundred twenty dollars (\$3,520), plus  
47                   fifty-five dollars (\$55.00) per program submitted for licensure.

48                   (2) Annual license renewal. – One thousand eight hundred seventy dollars  
49                   (\$1,870), plus fifty-five dollars (\$55.00) per licensed program renewed and  
50                   two hundred twenty dollars (\$220.00) for each new program submitted for



- 1                    licensure. A late fee of five hundred fifty dollars (\$550.00) may be assessed  
2                    for any license renewal application postmarked after March 15.
- 3                    (3)   Program additions submitted outside of the annual license renewal period. –  
4                    Two hundred twenty dollars (\$220.00).
- 5                    (4)   Program revisions. – Two hundred twenty dollars (\$220.00).
- 6                    (5)   School relocations. – Five hundred fifty dollars (\$550.00).
- 7                    (6)   Remote sites. – One thousand one hundred dollars (\$1,100) initial site fee,  
8                    plus an annual renewal fee of eight hundred twenty-five dollars (\$825.00).
- 9                    (7)   Site assessments to verify compliance with statutes or rules or to approve  
10                   program additions of changes. – Five hundred fifty dollars (\$550.00).
- 11                  (b)   All fees and other moneys collected and received by the Board shall be used for the  
12                  purposes of implementing this Chapter. In no case shall any salary, expense, or other obligation  
13                  of the Board be charged against the General Fund.
- 14                  (c)   There is established the Commercial Education Fund as a special fund consisting of  
15                  fees collected pursuant to this Chapter. Moneys in the Fund shall be used under the supervision  
16                  and direction of the Board for the administration of this Chapter.
- 17                  (d)   No fee shall be refunded in the event an application is rejected or if a license is  
18                  suspended or revoked.
- 19                  **"§ 115F-40. License required; application for license; school bulletins; requirements for**  
20                  **issuance of license; license restricted to courses indicated; supplementary**  
21                  **applications.**
- 22                  (a)   No person shall operate, conduct, or maintain or offer to operate in this State a  
23                  proprietary school unless a license is first secured from the Board granted in accordance with the  
24                  provisions of this Chapter and the rules adopted by the Board. The license, when issued, shall  
25                  constitute the formal acceptance by the Board of the educational programs and facilities of each  
26                  school approved.
- 27                  (b)   If a proprietary school has physical locations and offers classes in more than one  
28                  county in the State, the school's operation in each county shall constitute a separate proprietary  
29                  school for the purposes of licensure under this Chapter.
- 30                  (c)   Application for a license shall be filed in the manner and upon the forms prescribed  
31                  and furnished by the Board for that purpose. The application shall be signed by the applicant and  
32                  properly verified and shall contain the following information as may apply to the particular  
33                  proprietary school for which a license is sought:
- 34                          (1)   The title or name of the school or classes and the names and addresses of the  
35                          owners and of the controlling officers of the school.
- 36                          (2)   The general field of instruction.
- 37                          (3)   The place or places where the instruction shall be given.
- 38                          (4)   A specific listing of the equipment available for instruction in each field.
- 39                          (5)   The qualifications of instructors and supervisors.
- 40                          (6)   Financial resources available to equip and to maintain the school or classes.
- 41                          (7)   A copy of the current bulletin or catalog of the school, which shall be in  
42                          published form and certified by an authorized official of the school as being  
43                          current, true, and correct in content and policy. The school bulletin shall  
44                          contain the following information:
- 45                                  a.   Identifying data, such as volume number and date of publication.
- 46                                  b.   Names of the school and its governing body, officials, and faculty.
- 47                                  c.   A calendar of the school showing legal holidays, beginning and ending  
48                                  dates of each quarter, term, or semester, and other important dates.
- 49                                  d.   Policy and regulations relative to leave, absences, class cuts, make-up  
50                                  work, tardiness, and interruptions for unsatisfactory attendance.

- 1 e. Policy and regulations on enrollment with respect to enrollment dates  
2 and specific entrance requirements for each course.
- 3 f. Policy and regulations relative to standards of progress required of the  
4 student by the school. A statement shall be made regarding progress  
5 records kept by the school and furnished to the student. The policy  
6 must define the following:
- 7 1. The grading system of the school.  
8 2. The minimum grades considered satisfactory.  
9 3. Conditions for interruption for unsatisfactory grades or  
10 progress.  
11 4. Description of the probationary period, if any, allowed by the  
12 school.  
13 5. Conditions of reentrance for those students dismissed for  
14 unsatisfactory progress.
- 15 g. Policy and regulations relating to student conduct and conditions for  
16 dismissal for unsatisfactory conduct.
- 17 h. Detailed schedule of fees; charges for tuition, books, supplies, tools,  
18 student activities, laboratory fees, service charges, rentals, and  
19 deposits; and all other charges.
- 20 i. Policy and regulations relative to the refund of the unused portion of  
21 tuition, fees, and other charges in the event the student does not enter  
22 or withdraws from a course or a course is discontinued. The policy and  
23 regulations shall provide for, at a minimum, a full refund if a student  
24 withdraws before the first day of class or the school cancels the class  
25 and a seventy-five percent (75%) refund if the student withdraws  
26 within the first twenty-five percent (25%) of the period of enrollment  
27 for which the student was charged.
- 28 j. A description of the available space, facilities, and equipment.
- 29 k. A course outline for each course for which approval is requested,  
30 showing:
- 31 1. Subjects or units in the course.  
32 2. Type of skill to be learned.  
33 3. Approximate time in clock hours, credit hours, or credit hours  
34 equivalent, as appropriate, to be spent on each subject or unit.
- 35 l. Policy and regulations for granting credit for previous educational  
36 training.
- 37 (8) Any additional information as the Board may deem necessary to enable it to  
38 determine the adequacy of the program of instruction and whether the  
39 standards for licensure adopted by the Board have been met.
- 40 (d) After reasonable investigation and consideration on the part of the Board, a license  
41 shall be granted to the proprietary school when it is shown to the satisfaction of the Board that  
42 the applicant, school, and programs of study or courses are found to have met at least the  
43 following criteria:
- 44 (1) Courses, curriculum, and instruction are consistent in quality, content, and  
45 length with similar courses in public schools and other private schools in the  
46 State, with recognized accepted standards.
- 47 (2) Adequate space, equipment, instructional material, and instructor personnel  
48 are available to students to provide training of good quality.
- 49 (3) Education and experience qualifications of the director, administrators, and  
50 instructors are adequate.



- (4) The school maintains a written record of the previous education and training of the student.
- (5) A copy of the course outline, schedule of tuition, fees, and other charges, regulations pertaining to absences, grading policy, and the rules of operation and conduct shall be furnished to the student upon enrollment.
- (6) Upon completion of training, the student is given a certificate or diploma by the school for work in the approved course or subjects that indicates the training was satisfactorily completed.
- (7) Adequate records, as prescribed by the Board, are kept to show student attendance, progress, or grades, and that satisfactory standards relating to attendance, progress, and conduct are enforced.
- (8) The school complies with all local, city, county, municipal, State, and federal laws and regulations, including fire codes and building and sanitation codes. The Board may require evidence of compliance as is deemed necessary.
- (9) The school is financially sound and capable of fulfilling its commitments for training.
- (10) The school does not exceed its enrollment limitation, as established by the Board.
- (11) The school does not utilize advertising of any type which is erroneous or misleading, either by actual statement, omission, or intimation.
- (12) The school's administrators, directors, owners, and instructors are of good reputation and character.
- (13) Any additional criteria as may be deemed necessary by the Board.
- (e) Any license issued to a proprietary school shall be restricted to the programs of instruction or courses or subjects specifically indicated in the application for a license. The holder of a license shall present a supplementary application, as may be directed by the Board, for approval of additional programs of instruction, courses, or subjects in which it seeks to offer instruction during the effective period of the license.
- "§ 115F-45. Duration and renewal of licenses; notice of changes, including ownership and administration; license not transferable.**
- (a) All licenses issued to a proprietary school by the Board shall expire on June 30 each year.
- (b) Unless otherwise prescribed by the Board, licenses shall be renewable annually on July 1 of each year if all of the following conditions are met:
- (1) An application for the renewal of the license has been filed in the form and manner prescribed by the Board.
- (2) The renewal fee has been paid in full.
- (3) The school and its courses, facilities, faculty, and all other operations are found to meet the criteria set forth in the requirements for a school to secure an initial license under this Chapter.
- (c) After a license is granted to any proprietary school by the Board on the basis of its application, the school shall notify the Board immediately of any material changes to the operation of the school or its courses or programs as set forth in the application, including changes in the ownership, administration, location, faculty, or the instructional program, or other changes as may affect significantly the course of instruction offered.
- (d) In the event of the sale or transfer of a proprietary school, a license granted to the original owner or operators of a proprietary school shall not be transferable to subsequent owners or operators. The Board may issue a 90-day temporary operating license to a proprietary school upon its sale or transfer if the school held a valid, current license prior to the sale or transfer and if the Board finds that the school is likely to qualify after the sale or transfer for a license under this Chapter.



**"§ 115F-50. Suspension, revocation, or refusal of license; notice and hearing; judicial review; grounds.**

(a) A refusal to issue, refusal to renew, suspension of, or revocation of a license by the Board for a proprietary school under this section shall be subject to the provisions of Article 3 of Chapter 150B of the General Statutes.

(b) A decision by the Board under this section to refuse to grant, refuse to renew, suspend, or revoke a license for a proprietary school shall be subject to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes.

(c) The Board shall have the power to refuse to issue or renew any license and to suspend or revoke any license issued to a proprietary school if the Board finds that an applicant for a proprietary school or the holder of a proprietary school license has done one or more of the following:

- (1) Violated any of the provisions of this Chapter or any of the rules promulgated by the Board for the administration of this Chapter.
- (2) Knowingly presented to the Board false or misleading information relating to approval or renewal of a license.
- (3) Failed or refused to permit authorized representatives of the Board to inspect the school or refused to make available to them at any time upon request full information pertaining to matters within the purview of the Board under the provisions of this Chapter.
- (4) Perpetrated or committed fraud or deceit in advertising the school or in presenting to the prospective students written or oral information relating to the school, to employment opportunities, or to opportunities for enrollment in other schools upon completion of the instruction offered in the school.
- (5) Pled guilty, entered a plea of nolo contendere, or been found guilty of a crime involving moral turpitude by a judge or jury in any state or federal court.
- (6) Failed to provide or maintain premises, equipment, or conditions in a safe and sanitary manner in accordance with such standards of the State or any of its political subdivisions as are applicable to the premises and equipment.
- (7) During the licensure period, employed teachers, supervisors, or administrators who had not been approved by the Board.
- (8) During the licensure period, failed to provide and maintain adequate premises, equipment, materials, or supplies or exceeded the maximum enrollment for which the school or class was licensed.
- (9) During the licensure period, failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative, supervisory, or teaching staff.
- (10) Failed to pay license or renewal fees.
- (11) Failed to provide a required bond or bond alternative.
- (12) Failed to pay assessments into the Student Protection Fund.

**"§ 115F-55. Bonds required.**

(a) An applicant for a proprietary school license shall comply with the bond requirements set forth in this section. The bond shall cover the potential loss by students of the proprietary school of prepaid tuition and other payments made by them to a school licensed under this Chapter by reason of the school ceasing to operate for any reason, including bankruptcy, foreclosure, or the suspension, revocation, or nonrenewal of a school's license.

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

(c) The application for a proprietary school initial license or renewal shall set forth the calculations made by the applicant to determine the amount of bond required with the application. The required amount shall be determined as follows:

- (1) Initial licensure. – For an applicant for initial licensure of a school, the bond amount shall be the amount determined by the Board that is adequate to provide indemnification to any student or 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 five license renewals. – For the first five license renewal applications 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 any time during the prior fiscal year. The bond amount shall be evaluated by the school quarterly and reported to the Board. 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.
- (3) Renewal for schools licensed at least six continuous years. – A guaranty bond shall be required for license renewal for a school that has been continuously licensed to operate for at least six years in the State, as follows:
  - a. If the balance of the Student Protection Fund 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 of the amount the fund is deficient.
  - b. If the school held prepaid tuition in excess of the 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 catastrophic loss amount.

Notwithstanding the amounts set forth in this subsection, the Board may require any licensed school to increase its bond if it determines the increase is necessary to provide indemnification to any student or a student's parent or legal guardian who may suffer a loss of tuition, fees, or any other instructional-related expenses paid to the school.

(d) An applicant for a proprietary school license who is unable to secure a bond may seek a waiver of the guaranty bond from the Board and approval of one of the guaranty bond alternatives set forth in this subsection. With the approval of the Board, an applicant may obtain in lieu of a bond any of the following:

- (1) An assignment of a savings account in an amount equal to the bond required (i) that is in a form acceptable to the Board, (ii) that is executed by the applicant, (iii) that is executed by a state or federal savings and loan association, state bank, or national bank that is doing business in North Carolina and whose accounts are insured by a federal depositors corporation, and (iv) for which access to the account in favor of the State is subject to the same conditions as for a bond in subsection (c) of this section.
- (2) A certificate of deposit (i) that is executed by a state or federal savings and loan association, state bank, or national bank that is doing business in North Carolina and whose accounts are insured by a federal depositors corporation, (ii) that is payable to North Carolina, (iii) that, if a negotiable certificate of deposit, is unrestrictedly endorsed to the Board or, if a nonnegotiable certificate of deposit, is assigned to the Board in a form satisfactory to the Board, and (iv) for which access to the certificate of deposit in favor of the



State is subject to the same conditions as for a bond in subsection (c) of this section.

**"§ 115F-60. Student Protection Fund; payments; assessments.**

(a) The Student Protection Fund is established in the Department of State Treasurer as a statewide fee-supported fund collected pursuant to this section. Interest accruing to the Student Protection Fund shall be credited to the Fund. The Board shall administer the Student Protection Fund in accordance with this section. The purpose of the Student Protection Fund is to compensate students enrolled in a proprietary school licensed under this Chapter who have suffered a loss of tuition, fees, or any other instructional-related expenses paid to the school by reason of the failure of the school to offer or complete student instruction, academic services, or other goods and services related to course enrollment if the school ceases to operate for any reason, including bankruptcy, foreclosure, or the suspension, revocation, or nonrenewal of a school's license.

(b) Prior to its first year of operation in the State, each proprietary school shall pay an initial amount of one thousand two hundred fifty dollars (\$1,250) into the Student Protection Fund.

(c) Each proprietary school operating in the State shall pay annually into the Student Protection Fund an amount based on its annual gross tuition revenue generated in the State as follows:

<u>Annual Gross Tuition Revenue</u>	<u>Amount of Assessment</u>
<u>\$1.00 – \$25,000</u>	<u>\$200.00</u>
<u>\$25,001 – \$50,000</u>	<u>\$250.00</u>
<u>\$50,001 – \$100,000</u>	<u>\$300.00</u>
<u>\$100,001 – \$200,000</u>	<u>\$400.00</u>
<u>\$200,001 – \$300,000</u>	<u>\$500.00</u>
<u>\$300,001 – \$400,000</u>	<u>\$600.00</u>
<u>\$400,001 – \$500,000</u>	<u>\$700.00</u>
<u>\$500,001 – \$750,000</u>	<u>\$1,000</u>
<u>\$750,001 – \$1,000,000</u>	<u>\$1,250</u>
<u>\$1,000,001 – \$1,500,000</u>	<u>\$1,500</u>
<u>\$1,500,001 – \$2,000,000</u>	<u>\$2,000</u>
<u>Greater than \$2,000,000</u>	<u>\$2,000 plus one-twentieth of one percent</u> <u>(.05%) of annual gross tuition revenue over</u> <u>\$2,000,000.</u>

(d) If the Student Protection Fund balance is equal to or exceeds the fund cap amount, the Board shall suspend payments into the Fund for schools that have been continuously licensed in the State for more than eight years. The Board shall require schools to resume payments into the Student Protection Fund if the balance of the Fund is less than the catastrophic loss amount.

(e) If claims against the Student Protection Fund exceed the catastrophic loss amount, the Board may assess additional fees to the extent necessary to compensate students qualified for repayment under the Fund. The amount of the catastrophic assessment shall not exceed one-half of the amount of the annual revenue payment required by subsection (c) of this section. If the amount of the catastrophic assessment is insufficient to cover qualified claims, the Board shall develop a method of allocating funds among claims.

(f) The full and timely payment into the Student Protection Fund pursuant to this section is a condition of licensure.

(g) No payment to the Student Protection Fund shall be refunded in the event that a school's license application is rejected or a school's license is suspended or revoked.

(h) A student or the student's parent or guardian who has suffered a loss of tuition, fees, or any other instructional-related expenses paid to a proprietary school licensed under this Chapter by reason of the school ceasing to operate for any reason, including bankruptcy,

1 foreclosure, or the suspension, revocation, or nonrenewal of a school's license may qualify for  
2 repayments under the Student Protection Fund. The Board first must issue repayment from the  
3 bonds issued under G.S. 115F-55. If the Student Protection Fund is insufficient to cover the  
4 qualified claims, the Board shall develop a method of allocating funds among claims.

5 (i) The Board shall adopt rules for the implementation of this section.

6 **"§ 115F-65. Contracts with unlicensed schools and evidences of indebtedness made null**  
7 **and void.**

8 All contracts entered into by a proprietary school with students or prospective students and  
9 all promissory notes or other evidence of indebtedness taken in lieu of cash payments by a  
10 proprietary school shall be null and void unless the school is duly licensed as required by this  
11 Chapter.

12 **"§ 115F-70. Operating school without license or bond; misdemeanor.**

13 Any person, or a member of any association of persons or an officer of any corporation, who  
14 opens and operates a proprietary school without first obtaining the license required by this  
15 Chapter, executing the bond required under G.S. 115F-55, and paying the assessments into the  
16 Student Protection Fund under G.S. 115F-60, shall be guilty of a Class 3 misdemeanor. Each day  
17 the school continues to be open and operated shall constitute a separate offense.

18 **"§ 115F-75. Enforcement; injunctive relief; civil penalties; disciplinary costs.**

19 (a) The Board or the Board's authorized representatives may make application to superior  
20 court for an order enjoining a violation of this Chapter. Upon a showing by the Board that a  
21 person has violated or is about to violate this Chapter, the court may grant an injunction or  
22 restraining order or take any further action it deems appropriate. The court is empowered to grant  
23 the requested relief regardless of whether criminal prosecution or other actions have been or may  
24 be instituted as a result of the violation. Actions under this section shall be brought in the county  
25 where the defendant resides or maintains his or her principal place of business or where the  
26 alleged acts occurred.

27 (b) The Board may assess a civil penalty not in excess of one thousand dollars (\$1,000)  
28 for the violation of any section of this Chapter or the violation of any rules adopted by the Board  
29 to implement this Chapter. The continuation of the same act for which the penalty is imposed  
30 shall not be the basis for an additional penalty unless the penalty is imposed against the same  
31 party who has repeated the same act for which the discipline has previously been imposed. The  
32 clear proceeds of any civil penalty assessed under this section shall be remitted to the Civil  
33 Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. The Board shall establish a  
34 schedule of civil penalties for violations of this Chapter. The assessment of civil penalties shall  
35 be subject to the provisions of Article 3 of Chapter 150B of the General Statutes.

36 (c) Before imposing and assessing a civil penalty under this section, the Board shall  
37 consider at least the following factors:

38 (1) The nature, gravity, and persistence of the particular violation.

39 (2) The appropriateness of the imposition of a civil penalty when considered alone  
40 or in combination with other punishment.

41 (3) Whether the violation was willful and malicious.

42 (4) Any other factors that would tend to mitigate or aggravate the violations found  
43 to exist.

44 (d) The Board may assess the costs of enforcement actions taken under this Chapter,  
45 including reasonable attorneys' fees, and transcriptions of a disciplinary hearing held by the  
46 Board or the Office of Administrative Hearings, to include the recording of the hearing by a court  
47 reporter and transcription of the proceeding against any person found to be in violation of this  
48 Chapter or rules adopted by the Board."

49 **SECTION 3. G.S. 86A-22(7)a. reads as rewritten:**

"(7) a. Each school shall provide a guaranty bond unless the school has already provided a bond or an alternative to a bond under ~~G.S. 115D-95~~. G.S. 115F-55.

The North Carolina State Board of Barber Examiners may revoke the approval of a school that fails to maintain a bond or an alternative to a bond pursuant to this subdivision or ~~G.S. 115D-95~~. G.S. 115F-55."

**SECTION 4.** G.S. 88B-17(a) reads as rewritten:

"(a) Each private cosmetic art school shall provide a guaranty bond unless the school has already provided a bond or an alternative to a bond under ~~G.S. 115D-95~~. G.S. 115F-55. The Board may restrict, suspend, revoke, or refuse to renew or reinstate the license of a school that fails to maintain a bond or an alternative to a bond pursuant to this section or ~~G.S. 115D-95~~. G.S. 115F-55."

**SECTION 5.** G.S. 90-171.55(b)(1) reads as rewritten:

"(b) (1) Each nurses aide training program, except for those operated by (i) institutions under the Board of Governors of The University of North Carolina, (ii) institutions of the North Carolina Community College System, (iii) public high schools, and (iv) hospital authorities acting pursuant to G.S. 131E-23(31), shall provide a guaranty bond unless the program has already provided a bond or an alternative to a bond under ~~G.S. 115D-95~~. G.S. 115F-55. The Board of Nursing may revoke the approval of a program that fails to maintain a bond or an alternative to a bond pursuant to this subsection or ~~G.S. 115D-95~~. G.S. 115F-55."

**SECTION 6.** G.S. 93A-32(2) reads as rewritten:

"(2) "Private real estate school" means any real estate educational entity which is privately owned and operated by an individual, partnership, corporation, limited liability company, or association, and which conducts, for a profit or tuition charge, real estate broker prelicensing or postlicensing courses prescribed by G.S. 93A-4(a) or (a1), provided that a proprietary business or trade school licensed by the ~~State~~ North Carolina Board of ~~Community Colleges-Proprietary Schools~~ under ~~G.S. 115D-90~~ G.S. 115F-40 to conduct courses other than those real estate courses described herein shall not be considered to be a private real estate school."

**SECTION 7.** G.S. 116-15 reads as rewritten:

**"§ 116-15. Licensing of certain nonpublic post-secondary educational institutions.**

(a1) The General Assembly of North Carolina in recognition of the importance of higher education and of the particular significance attached to the personal credentials accessible through higher education and in consonance with statutory law of this State making unlawful any "unfair or deceptive acts or practices in the conduct of any trade or commerce," hereby declares it the policy of this State that all institutions conducting post-secondary degree activity in this State that are not subject to Chapter ~~115 or 115D-115C, 115D, or 115F~~ of the General Statutes, nor some other section of Chapter 116 of the General Statutes shall be subject to licensure under this section except as the institution or a particular activity of the institution may be exempt from licensure by one or another provision of this section.

...

(f1) (1) A guaranty bond is required for each institution that is licensed. The Board may revoke the license of an institution that fails to maintain a bond pursuant to this subsection.

If the institution has provided a bond pursuant to ~~G.S. 115D-95~~, G.S. 115F-55, the Board may waive the bond requirement under this subsection. The Board may not waive the bond requirement under this



subsection if the applicant has provided an alternative to a guaranty bond under ~~G.S. 115D-95(e)~~. G.S. 115F-55(d).

...."

**SECTION 8.** G.S. 126-5(c2)(4) reads as rewritten:

"(4) Employees of the Office of Proprietary Schools whose salaries are fixed by the ~~State North Carolina~~ Board of Proprietary Schools in accordance with the provisions of ~~G.S. 115D-89.2~~. G.S. 115F-30."

**SECTION 9.** G.S. 135-1.1 is amended by adding a new subsection to read:

"(c) Notwithstanding any other provision of this Chapter, a State board charged with the duty of administering any law relating to the licensing of proprietary schools which is subject to the provisions of the State Budget Act, Chapter 143C of the General Statutes, may make an irrevocable election by October 1, 2019, to become an employer in the Teachers' and State Employees' Retirement System. Retirement System coverage shall be conditioned on the board's payment of all of the employer's contributions or matching funds from funds of the board and on the board's collecting from its employees the employees' contributions, at such rates as may be fixed by law and by the rules of the Board of Trustees of the Retirement System, all of such funds to be paid to the Retirement System and placed in the appropriate funds."

**SECTION 10.** G.S. 135-48.1(11) reads as rewritten:

"(11) Employing Unit. – A North Carolina School System; Community College; State Department, Agency, or Institution; Administrative Office of the Courts; or ~~Association or Examining Association, Examining, or Licensing Board~~ whose employees are eligible for membership in a State-Supported Retirement System. An employing unit also shall mean (i) a charter school in accordance with Article 14A of Chapter 115C of the General Statutes whose board of directors elects to become a participating employer in the Plan under G.S. 135-48.54 or (ii) a local government unit that participates in the Plan under G.S. 135-48.47 or under any other law. Bona fide fire departments, rescue or emergency medical service squads, and National Guard units are deemed to be employing units for the purpose of providing benefits under this Article."

**SECTION 11.** Notwithstanding G.S. 115F-20, as enacted by this act, and Article 8 of Chapter 115D of the General Statutes, the members serving on the State Board of Proprietary Schools as of the date this section becomes law who were appointed pursuant to G.S. 115D-89.1 shall (i) beginning September 1, 2019, serve in a dual capacity as members of the State Board of Proprietary Schools, pursuant to Article 8 of Chapter 115D of the General Statutes, and as members of the North Carolina Board of Proprietary Schools pursuant to Chapter 115F of the General Statutes, as enacted by this act, until September 30, 2019, (ii) beginning October 1, 2019, serve the remainder of their terms as members of the North Carolina Board of Proprietary Schools established pursuant to Chapter 115F of the General Statutes, as enacted by this act, and (iii) beginning October 1, 2019, assume the advisory duties and responsibilities of the State Board of Proprietary Schools under Article 8 of Chapter 115D of the General Statutes in regard to any proprietary school operating in this State under a license approved on or before October 1, 2019. As the terms of the members serving on the North Carolina Board of Proprietary Schools in accordance with this section expire, or when a vacancy occurs prior to the expiration of a term, members on the Board shall be appointed in accordance with G.S. 115F-20, as enacted by this act.

**SECTION 12.** The North Carolina Board of Proprietary Schools may enter into an agreement with the State Board of Community Colleges to provide that the Community Colleges System Office act as the fiscal agent for the North Carolina Board of Proprietary Schools and for the Office of Proprietary Schools for the purpose of administering the Commercial Education Fund established under G.S. 115F-35, formerly administered under G.S. 115D-92, and the

1 Student Protection Fund established under G.S. 115F-60, formerly administered under  
2 G.S. 115D-95.1, until such time those funds may be established in accounts with the Department  
3 of State Treasurer under the sole supervision and direction of the North Carolina Board of  
4 Proprietary Schools in accordance with Chapter 115F of the General Statutes.

5 **SECTION 13.** Notwithstanding G.S. 115F-35, as enacted by this act, the fees for  
6 applications, initial licensure, license renewal, and inspections performed of proprietary schools  
7 pursuant to this Chapter for the North Carolina Board of Proprietary Schools shall be as follows,  
8 until fees are established under G.S. 115F-35 in accordance with Article 2A of Chapter 150B of  
9 the General Statutes:

- 10 (1) Initial license. – Three thousand two hundred dollars (\$3,200), plus fifty  
11 dollars (\$50.00) per program submitted for licensure.
- 12 (2) Annual license renewal. – One thousand seven hundred dollars (\$1,700), plus  
13 fifty dollars (\$50.00) per licensed program renewed and two hundred dollars  
14 (\$200.00) for each new program submitted for licensure. A late fee of five  
15 hundred dollars (\$500.00) may be assessed for any license renewal application  
16 postmarked after March 15.
- 17 (3) Program additions submitted outside of the annual license renewal period. –  
18 Two hundred dollars (\$200.00).
- 19 (4) Program revisions. – Two hundred dollars (\$200.00).
- 20 (5) School relocations. – Five hundred dollars (\$500.00).
- 21 (6) Remote sites. – One thousand dollars (\$1,000) initial site fee, plus an annual  
22 renewal fee of seven hundred fifty dollars (\$750.00).
- 23 (7) Site assessments to verify compliance with statutes or rules or to approve  
24 program additions of changes. – Five hundred dollars (\$500.00).

25 **SECTION 14.** Chapter 115F of the General Statutes, as enacted by this act, applies  
26 to any person applying for an initial license or the renewal of a license for a proprietary school  
27 on or after October 1, 2019.

28 **SECTION 15.** Section 1 of this act is effective October 1, 2019. The remainder of  
29 this act is effective September 1, 2019.







## HOUSE BILL 467: Establish State Board of Prop.

2019-2020 General Assembly

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<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to Pensions and Retirement. If favorable, re-refer to Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 9, 2019
<b>Introduced by:</b>	Reps. R. Turner, Fraley, Blackwell	<b>Prepared by:</b>	Kara McCraw
<b>Analysis of:</b>	PCS to First Edition H467-CSTC-10		Committee Counsel

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**OVERVIEW:** *HB 467 would establish the North Carolina Board of Proprietary Schools as an independent licensing board, recodify existing statutes currently controlling proprietary schools, establish fees that may be charged by the new Board, and make additional changes to those statutes.*

*The PCS would remove the President of the Community College System Office as a member of the North Carolina Board of Proprietary Schools and instead make the Executive Director of the State Approving Agency a member of the Board.*

**CURRENT LAW:** Article 8 of Chapter 115D provides for licensure of education institutions with a physical presence in the State that educate or train students in vocational programs leading towards professional licensure, employment, or a postsecondary degree below the associate level (proprietary schools) under the authority of the State Board of Community Colleges (SBCC), acting by and through the State Board of Proprietary Schools (SBPS).

The State Board of Proprietary Schools has the following members:

- The President of the North Carolina Community College System or the President's designee.
- Two members appointed by the Governor.
- Two members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate.
  - One appointee must be the owner or director of a proprietary school licensed in the State with annual enrollment of less than 100 total students.
  - One appointee must be the owner or director of a proprietary school or group of proprietary schools licensed in the State with annual enrollment of more than 750 total students.
- Two members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives.
  - One appointee must be the owner or director of a proprietary school licensed in the State with total annual enrollment of between 100 and 750 students.
  - One appointee must be the owner or director of a proprietary school licensed in the State.

Licensed proprietary schools must file bonds that meet certain criteria payable to the State Board of Community Colleges when initially licensed and with each of the first 4 renewals. Schools in operation for more than 5 years must file guaranty bonds meeting certain criteria.

Karen Cochran-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

# House PCS 467

Page 2

Proprietary schools must also pay assessments to the Student Protection Fund to compensate students enrolled in proprietary schools that have suffered losses of certain education expenses due to the failure of the school. The Fund is required to maintain a "catastrophic loss amount" of \$1 million to protect prepaid student tuition in case of a large-scale event drawing against the Fund.

**BILL ANALYSIS:** The PCS for HB 467 would make the following changes:

- Repeal current statutes regulating proprietary schools in Chapter 115D (Community Colleges).
- Recodify the contents of those statutes, with the following substantive modifications:
  - Establish the North Carolina Board of Proprietary Schools (NCBPS) as an independent Board. The Board would have a similar membership composition as the former State Board of Proprietary Schools, but instead of the President of the Community College System, would include the Executive Director of the State Approving Agency.
  - Make the NCBPS subject to the State Budget Act to qualify its employees for membership in the Teachers' and State Employees' Retirement System and State Health Plan.
  - Set specific limits on future fees established by the NCBPS, and authorize the NCBPS to continue charging current fees without reestablishing those fees through the rulemaking process.
  - Require proprietary schools to file bonds meeting certain criteria with each of the first 5 (rather than 4) renewals, and guaranty bonds for schools licensed more than 6 (rather than 5) years.
  - Raise the catastrophic loss amount for the Student Protection Fund to \$1.5 million.
  - Authorize the NCBPS to enforce the requirements for proprietary schools as follows:
    - Seek an injunction or restraining order in superior court for a violation.
    - Assess a civil penalty not in excess of \$1,000 for a statutory or rule violation, as well as costs of enforcement.
- Make conforming changes in other statutes.
- Provide that current members of the SBPS will become the new members of the NCBPS until the conclusion of their terms of office, and that the members of the SBPS and NCBPS may serve in a dual capacity for one month to transition between the advisory board and new independent board.
- Permit the NCBPS to enter into an agreement with the SBCC to provide that the Community College System Office continue to serve as the fiscal agent for the NCBPS during the transition to independent control of those funds by the NCBPS.

**EFFECTIVE DATE:** Section 1 of the act would become effective October 1, 2019, and the remainder of the act would become effective September 1, 2019. Chapter 115F, as enacted by the act, would apply to applications for initial licensure or license renewals on or after October 1, 2019.

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

**H**

**1**

**HOUSE BILL 487**

Short Title: CC Short-Term Workforce Training Funds. (Public)

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Sponsors: Representatives Dobson, Howard, McElraft, and Carney (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

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Referred to: Education - Community Colleges, if favorable, Appropriations, Education, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

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March 28, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO THE COMMUNITY COLLEGES  
3 SYSTEM OFFICE FOR SHORT-TERM WORKFORCE TRAINING CONTINUING  
4 EDUCATION PROGRAMS THAT LEAD TO A STATE OR INDUSTRY-RECOGNIZED  
5 CREDENTIAL.  
6 The General Assembly of North Carolina enacts:  
7 **SECTION 1.** There is appropriated from the General Fund to the Community  
8 Colleges System Office the sum of twelve million fifty-one thousand four hundred seventy-seven  
9 dollars (\$12,051,477) in additional recurring funds for the 2019-2020 fiscal year for short-term  
10 workforce training continuing education programs that lead to a State or industry-recognized  
11 credential. These funds shall be used to eliminate the full-time equivalent (FTE) determination  
12 disparity between short-term workforce training programs and curriculum programs.  
13 **SECTION 2.** This act becomes effective July 1, 2019.







## HOUSE BILL 487: CC Short-Term Workforce Training Funds.

2019-2020 General Assembly

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<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 9, 2019
<b>Introduced by:</b>	Reps. Dobson, Howard, McElraft, Carney	<b>Prepared by:</b>	Drupti Chauhan
<b>Analysis of:</b>	First Edition		Committee Counsel

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**OVERVIEW:** *House Bill 487 would appropriate funds to the Community College System Office (System Office) for short-term workforce training continuing education programs that lead to a State or industry-recognized credential.*

**BILL ANALYSIS:** House Bill 487 appropriates \$12,051,477 in additional recurring funds for the 2019-2020 fiscal year for short-term workforce training continuing education programs that lead to a State or industry-recognized credential. The funds are to be used to eliminate the full-time equivalent (FTE) determination disparity between short-term workforce training programs and curriculum programs.

**EFFECTIVE DATE:** The bill would become effective July 1, 2019.

**BACKGROUND: SECTION 9.14.(a)** Section 9.14 of S.L. 2017-57 (2017 Appropriations Act) directed the System Office to allocate funds for the 2017-2018 fiscal year to community colleges to support short-term workforce training courses leading to industry credentials. The State Board of Community Colleges had to adopt an application process for community colleges to apply to receive these funds which were to be allocated at the same FTE value as curriculum courses.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*





**HOUSE EDUCATION  
COMMUNITY COLLEGES COMMITTEE  
2019 - 2020**

April 10, 2019

**MEMORANDUM**

**TO:** Members of the House of Representatives

**FROM:** Representative Pat Hurley and Representative John Sauls, Co-Chairs, House Education/Community Colleges

**RE:** Report of Community Colleges Committee on the State Board of Community Colleges Election and Vacancy Election

Pursuant to G.S. 115D-2.1(b)(4)f., the House Education/Community Colleges Committee met on April 9, 2019, the majority of members being present, and submits the following nominees, in alphabetical order, to be considered by the House of Representatives for election to the State Board of Community Colleges for membership to a six-year term, beginning July 1, 2019.

Mr. Jeffrey Atkinson  
Mr. Ronald Lingle  
Mr. Hari Nath  
Ms. Tammy Simmons  
Mr. David Willis

Pursuant to G.S. 115D-2.1(b)(4)e., the House Education/Community Colleges Committee met on April 9, 2019, the majority of members being present, and submits the following nominees, in alphabetical order, to be considered by the House of Representatives for election to the State Board of Community Colleges for membership to a vacant seat, expiring June 30, 2021.

Mr. Jeffrey Atkinson  
Mr. Thomas Keigher  
Ms. C. Neill McLeod  
Mr. Robert Welch  
Mr. David Willis

No additional nominees shall be received from the floor. The above nominees are legally qualified to serve and are willing to serve if elected.

Representative Pat Hurley and Representative John Sauls, Co-Chairs  
House Education/Community Colleges Committee





# JEFFREY R. ATKINSON

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8509 Whitehawk Hill Rd.

Waxhaw, NC 28173

Phone (Mobile) 704-641-4491

Email [jeff.atkinson@windstream.net](mailto:jeff.atkinson@windstream.net)

## QUALIFICATIONS, SKILLS, EXPERIENCE

- Experienced assistant vice president with a demonstrated history of working in the higher education industry.
- 27-year career in broadcast journalism.
- Skilled in crisis communications, news and promotional writing, videography, breaking news and editing.
- Strong communicator, skilled motivator and team builder.
- Newsperson of the Year, Lee Enterprises, Inc.
- College instructor, University of Missouri-Columbia TV news producing.
- Student lobbyist, Associated Students of the University of Missouri.
- Extensive travel abroad, foreign exchange student in Germany.

## EMPLOYMENT

2018- **Wingate University** Asst. Vice President of Strategic Partnerships

2016-2018 **Wingate University** Asst. VP, Wingate U. Ballantyne, Charlotte, NC

2012-2016 **Wingate University** Director of Marketing and Communications

1996-2012 **WBTV, Charlotte, NC** Television news anchor, reporter, producer

1988-1996 **WSAZ-TV, Huntington, WV** TV news anchor, reporter, producer

1980-1988 **TV and Radio stations in Missouri**

## EDUCATION

1985 Bachelor of Journalism, University of Missouri, Columbia, MO

1985 Bachelor of Arts-German, University of Missouri, Columbia, MO

## CIVIC INVOLVEMENT

- Union County Education Foundation, Board of Directors Vice Chair
- Union County Chamber, Leadership Union
- Rotary Club of Charlotte, Program Committee
- Charlotte Regional Business Alliance, Board of Advisors
- Charlotte-Mecklenburg Schools Classroom Central
- Society of Professional Journalists
- Outstanding Young Men of America

**REFERENCES** Available upon request



# JEFFREY R. ATKINSON

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8509 Whitehawk Hill Rd.

Waxhaw, NC 28173

Phone (Mobile) 704-641-4491

Email [jeff.atkinson@windstream.net](mailto:jeff.atkinson@windstream.net)



**Hometown:** Raised on a farm in Kingdom City, MO (between St. Louis and Kansas City)

**Family:** Wife Victoria. Daughter Tori (age 14, ninth grader)

**Education:** Bachelor of Journalism, University of Missouri, Columbia, MO  
Bachelor of Arts-German Studies, University of Missouri, Columbia, MO

**Career:** (Presently) Asst. Vice President of Strategic Partnerships, Wingate University  
(2016-2018) Assistant Vice President, Wingate University Ballantyne  
(2012-2016) Director of Marketing and Communications, Wingate University  
(1984-2012) TV news anchor/reporter at stations in Midwest, Southeast U.S.  
Cities: Charlotte, NC | Huntington/Charleston, WV | Columbia, MO

**Honors:** Newsperson of the Year, Lee Enterprises, Inc.  
Charlotte Chamber Leadership School  
Society of Professional Journalists  
Outstanding Young Men of America

**Memorable News Stories as a TV Reporter:**

Covering the U.S. presidential campaigns  
Homecoming for Navy crew member of a U.S. spy plane trapped in China 11 days  
Covering US Airways plane crash in Charlotte and NTSB investigation

**Hobbies:** Running, racquetball, spending time with wife and daughter, part-time radio news announcer

**Favorite Foods:** Wife's cooking, pizza, steak (what would you expect from a farmer's son?)

**LinkedIn Profile:** [linkedin.com/in/jeff-atkinson-98510528](https://www.linkedin.com/in/jeff-atkinson-98510528)





## STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

### Via Email

April 1, 2019

The Honorable Tim Moore  
Speaker of the House of Representatives  
16 West Jones Street, Room 2304  
Raleigh, North Carolina 27601-1096

**Re: Evaluation of Statement of Economic Interest Filed by Mr. Jeffrey R. Atkinson**  
**State Board of Community Colleges**

Dear Speaker Moore:

Our office has received **Mr. Jeffrey R. Atkinson's** 2019 Statement of Economic Interest as a prospective appointee to the **State Board of Community Colleges (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

**We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.**

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems 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.



By law, no member of the General Assembly, or officer or employee of the State or of any constituent institution, or spouse of any such member, officer, or employee, may be a member of the Board. Any member of the Board who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution, or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee, shall be deemed to resign from his membership on the Board.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Atkinson would fill the role of a House appointee on the Board. He is the Assistant Vice President of Wingate University. In addition, he is a governing board member for Union County Education Foundation, a non-profit organization that provides scholarship opportunities for students. Because this entity could seek to conduct business with the Board or one of its constituent colleges, Mr. Atkinson may have the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should Union County Education Foundation or any entity with which he is associated come before the Board for official action or otherwise seek to conduct business with the Board.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Nora Harrison, SEI Unit  
State Ethics Commission

cc: Mr. Jeffrey R. Atkinson  
Attachment: Ethics Education Guide







**Ronald K. Lingle, Ph.D.  
President Emeritus,  
Coastal Carolina Community College**



Dr. Ronald K. Lingle, President Emeritus, served as the President of Coastal Carolina Community College from 1988 to 2016. From 1981-1988, he served as President of Danville Area Community College in Danville, Illinois. He earned his Bachelor of Science in Psychology, his Master of Science in Psychological Counseling, and his Doctor of Philosophy in Higher Education Administration at the University of Southern Mississippi.

From 1965-1969, Dr. Lingle served in the U.S. Army Medical Service Corps. He was a medical evacuation helicopter pilot and Education and Training Officer and served in the Vietnam Conflict during 1967-1968. He was awarded two Distinguished Flying Crosses, the Bronze Star, twenty-two Air Medals, the Vietnamese Cross of Gallantry, and the Combat Medic Badge.

Dr. Lingle is a former member of the National Board of Directors of the American Association of Community Colleges (AACC) as well as the Presidential Advisory Panel of the American Association of Community College Trustees. In 1988, he was selected as one of the country's fifty most outstanding community college presidents in a national study by the University of Texas. Dr. Lingle served as the National Chairperson of the AACC President's Academy for 1995-1996.

Dr. Lingle was appointed by the Secretary of the Navy to the Board of Visitors of Marine Corps University in 2001. At that time, he was the only public community college president ever nominated by the Commandant of the Marine Corps for appointment to the Board of Visitors, and the only U.S. Army veteran ever elected to serve as its Chairman.

He served as Chairman of the Military Affairs Committee of the Jacksonville-Onslow Chamber in 1991-92 and as Chairman of the Board of Directors of the Chamber in 1992 and again in 2002. He served as Chairman of the Onslow County Economic Development Commission from 1998-2000, and he is currently serving on the Executive Committee.

Dr. Lingle has received a number of awards for his work with the leadership of the U.S. Marine Corps, on behalf of Marines, sailors, and their families. In 2001, he received the SgtMaj "Mack" McKinney Award from the Non-Commissioned Officers Association. In 2005, he was presented the Spirit of Bob Hope Award by the U.S. Marine Corps. In 2007, he was made an Honorary Marine by Gen James T. Conway, Commandant of the U.S. Marine Corps, and at that time was the only public community college president ever to receive this honor.





## STATE ETHICS COMMISSION

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RALEIGH, NC 27611

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### Via Email

April 1, 2019

The Honorable Tim Moore  
Speaker of the House of Representatives  
16 West Jones Street, Room 2304  
Raleigh, North Carolina 27601-1096

**Re: Evaluation of Statement of Economic Interest Filed by Dr. Ronald K. Lingle**  
**State Board of Community Colleges**

Dear Speaker Moore:

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Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

**We did not find an actual conflict of interest or the likelihood of a conflict of interest.**

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems 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 Honorable Tim Moore  
April 1, 2019  
Page 2 of 2

By law, no member of the General Assembly, or officer or employee of the State or of any constituent institution, or spouse of any such member, officer, or employee, may be a member of the Board. Any member of the Board who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution, or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee, shall be deemed to resign from his membership on the Board.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Dr. Lingle would fill the role of a House appointee on the Board. He is the President Emeritus of Coastal Carolina University.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Nora Harrison, SEI Unit  
State Ethics Commission

cc: Dr. Ronald K. Lingle  
Attachment: Ethics Education Guide



## Hari H Nath Vitae

### Summary:

2015 - Now	Member, UNC Chapel Hill Board of Trustees
2011 - 2015	Member, UNC System Board of Governors
2013 - 2014	Volunteer in the Office of the Governor McCrory's Office
2003 - 2011	Member, Board of Directors, The Caring Place, a wake county non profit
2012 - Now	Co-chair, Board of Advisors, The Caring Place

Hari Nath, a retired entrepreneur since 2001 has been serving on the UNC-CH Board of Trustees for past four years. As a member of the UNC System Board of Governors (2011 – 2015) he served as Vice Chair of the Policy, Planning and Programs Committee. Mr. Nath served on the Governor McCrory's Transition Advisory Committee for the Economic Development. Mr. Nath served as a volunteer in Governor McCrory's office for one year. Mr. Nath also served on the Board of Center for International Understanding a UNC organization created to promote business, educational and cultural collaboration with emerging market countries and NC

Since 1987, Mr. Nath was Founder and CEO of an IT management consulting firm *Technology Planning and Management Corp (TPMC)* with its Headquarter in RTP and offices on the east coast. Mr. Nath was selected by the US Small Business Administration as the Small Business Person of the Year (1994) for the South East Region.

Prior to founding TPMC Mr. Nath served in various technical and managerial capacity at UNISYS corporation, *Ernst and Young* and the *Commonwealth of Virginia*,

Since the acquisition of TPMC by a large business in 2001, Mr. Nath has been serving the Cary community and children's basic education and vocational education organizations in India and USA. For past 18 years Mr. Nath has been involved with several non-profit organizations and the Boards and Commissions of the Town of Cary. He served on the Town of Cary Planning and Zoning Board, Economic Development Commission and Board of Adjustments.

He has been associated for past 16 years with The Caring Place Inc. (TCP) as a member of the Board and currently serves as Co- Chairman of the Board of Advisors. TCP is a non-profit organization that provides transitional housing in Cary for low income citizens of Wake County.

In 1998 Mr. Nath cofounded RTP chapter of the TIE (The Indus Entrepreneur) an international organization that promotes entrepreneurship worldwide. Mr. Nath was cofounder of the RTP chapter of the EKAL VIDYALAY USA Inc. a nonprofit that develops and manages private elementary schools in tribal and remote villages of India. Later Mr. Nath created the South East Region of EKAL and served as President of the Region.

Mr. Nath received his Master of Science degree in Industrial Engineering (Operations Research) from the **University of Missouri, Columbia** in 1971. Mr. Nath received BE (Mining Eng.) from the **University of Jodhpur**, Rajasthan India, He is married to Kalpana and has two married children Juhi in Singapore and Neil in Washington DC area.







## STATE ETHICS COMMISSION

POST OFFICE BOX 27685  
RALEIGH, NC 27611  
PHONE: 919-814-3600

### Via Email

April 1, 2019

The Honorable Tim Moore  
Speaker of the House of Representatives  
16 West Jones Street, Room 2304  
Raleigh, North Carolina 27601-1096

**Re: Evaluation of Statement of Economic Interest Filed by Mr. Hari H. Nath  
Prospective Appointee to the State Board of Community Colleges**

Dear Speaker Moore:

Our office has received **Mr. Hari H. Nath's** 2019 Statement of Economic Interest as a prospective appointee to the **State Board of Community Colleges (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

**We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.**

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems 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 Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Nath would fill the role of a House appointee on the Board. He serves on the UNC-Chapel Hill Board of Trustees. He owns financial interests in a number of publicly traded companies, including Apple, Microsoft Corporation, Target Corporation and Nike, Inc. Mr. Nath also owns a financial interest in the real estate investment company, Cornwallis RTP LLC and financial interests in a number of real estate investment trusts, including InvenTrust Properties, Piedmont Office Realty Trust and Highlands REIT. Therefore, Mr. Nath has the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should any of these entities or interests come before the Board for official action.

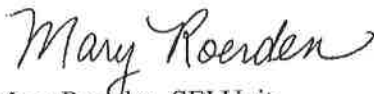
In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Mary Roerden, SEI Unit  
State Ethics Commission

cc: Hari H. Nath  
Attachment: Ethics Education Guide



# Tammy Simmons

Machine Specialties, Inc.

336-603-1919

[Tammy@machspec.com](mailto:Tammy@machspec.com)

## WORK EXPERIENCE

### **Machine Specialties Inc. (MSI)**

2002 - Present

Machine Specialties Inc. is an advanced manufacture of high precision metal parts for Aerospace, Medical, Satellite, US Government, and Energy Sectors. The company has been in business since 1969, located outside of Greensboro in Whitsett, NC with 150 employees.

- Led MSI to recruit youth (high school juniors and seniors) to become registered apprentices.
- Currently MSI has 38 registered youth apprentices.
- MSI is expanding its use of apprentice footprint to recruit in other counties for youth apprentices and to start an MSI veteran apprentice program.

### ***Vice President, Sales & Marketing***

- Marketing both parts and service to customers such as Bell Helicopter, Lord Corporation, Curtiss Wright, Honda Jet, Sierra Nevada, Weck, Hill Airforce Base, Kidde - Hamilton Industries.
- Successfully brought in the company's largest part contract to produce parts that hold new technical fire extinguishers in Tanks, Humvees and other military vehicles.

### ***Vice President- Human Resources & Culture***

- Managing the Recruiting and training of advanced skilled machinists, technicians, welders and tool and die journeyman.
- Maintain workforce capacity of skilled employees to meet needs of production.

### **Key Resources Inc., Greensboro, NC**

1997-2002

- Recruited companies that needed assistance in finding employees to fill their current positions.
- Provided staff for short term needs and temp to hire positions.

### **Cone Mills, Vita Olympic Division, Greensboro, NC**

1992-1997

- Assisted President of the division as an Executive Assistant.
- Promoted, a year later, into Automotive Sales Department and worked as Project Manager.

## **EDUCATION**

**Bachelors of Science, Business Management, Specializing in Human Resources Management**  
University of North Carolina at Asheville, Asheville, NC

## **COMMUNITY**

**Triad Workforce Solutions Collaborative (TWSC), Committee Chair, Guilford County, NC 2014 – 2019**  
A National Fund for Workforce Solution site.

- Chair of this industry led collaborative that joins business leaders, educators, workforce development service providers and funders to support and accelerate skills and talent development in our region.
- Creating the pipeline of skilled workers to fill jobs needed today and in the future.

**Guilford Apprenticeship Partners (GAP), Founding Member, Guilford County, NC 2015-2019**

**Rockingham Apprenticeship (RockAtop), Founding Member, Rockingham County, NC 2017-2019**

**Greensboro Chamber Board of Directors, Guilford County, NC 2017-2019**

**Guilford County Schools Blue Ribbon Task Force, 2018 CTE Advisory Committee 2019**





## STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

### Via Email

April 1, 2019

The Honorable Tim Moore  
Speaker of the House of Representatives  
16 West Jones Street, Room 2304  
Raleigh, North Carolina 27601-1096

**Re: Evaluation of Statement of Economic Interest Filed by Mrs. Tammy Simmons**  
**State Board of Community Colleges**

Dear Speaker Moore:

Our office has received **Mrs. Tammy Simmons's** 2019 Statement of Economic Interest as a prospective appointee to the **State Board of Community Colleges (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

**We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.**

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems 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 Honorable Tim Moore  
April 1, 2019  
Page 2 of 2

By law, no member of the General Assembly, or officer or employee of the State or of any constituent institution, or spouse of any such member, officer, or employee, may be a member of the Board. Any member of the Board who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution, or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee, shall be deemed to resign from his membership on the Board.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mrs. Simmons would fill the role of a House appointee on the Board. She is the Vice President of Marketing & Culture for Machine Specialties Inc., a machining and metal finishing business which could seek to market their products or services to the Board or its constituent colleges. As such, Mrs. Simmons may have the potential for a conflict of interest and should exercise appropriate caution in the performance of her public duties should Machine Specialties Inc., come before the Board for official action or otherwise seek to conduct business with the Board.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Nora Harrison, SEI Unit  
State Ethics Commission

cc: Mrs. Tammy Simmons  
Attachment: Ethics Education Guide





## David Willis

1004 Shinnecock Ln Marvin, NC 28173

Home: 704-438-8655 email: kiddieacademyofcharlotte@gmail.com

### WORK EXPERIENCE

**Kiddie Academy of Charlotte - Blakeney**  
Owner & Operator

Charlotte, NC  
8/11 - Present

#### Key Accomplishments

- Managed the design and construction of private school in south Charlotte in 2011.
- Manage the day to day operations of private Preschool, Kindergarten, and After School and Summer Camp program.
- Manage a staff of 35 teachers, administrators, and kitchen staff who are responsible for 185 children ranging from 8 weeks to 12 years of age.
- Led the successful accreditation process to achieve national accreditation by the National Association for the Education of Young Children (NAEYC) and consecutive 5 Star ratings by the North Carolina Department of Child Development
- Board member for Stanly Community College's Early Childhood Education Advisory Board

**Bank of America Corporation, Preferred Services Sales Process**  
Process Design Manager, Senior Vice President

Charlotte, NC  
5/08 - 8/11

#### Key Accomplishments

- Responsible for design of Sales Process and integration with Desktop Applications and Financial Planning Tools
- Led work group to develop and implement Sales Process Analytics to measure effectiveness and quality of Sales Processes
- Led work group to develop and complete testing, associate training, and implementation of Financial Planning Tool Suite
- Led work group to develop and implement a secure customer communication process to deliver Financial Planning documents

**Bank of America Corporation, China Construction Bank Strategic Assistance**  
Senior Change Consultant, Vice President

Beijing, China  
11/05 - 5/08

#### VIP Customer Segment Project Accomplishments

- Responsible for leading a team of 6 associates to plan, gather and analyze VOC and VOA to define overall VIP project
- Responsible for leading Relationship Building and Sales work stream consisting of 12 associates charged with building Sales and Service processes and tools
- Led work group to define, build and implement Client Management Process including Sales Processes, Relationship Maintenance, New Client Acquisition and Customer Seminars/ Special Events
- Led work group to identify, build and implement Client Manager tools including customer Scripting, standardized Letters, VIP Customer Welcome Kit, and Customer tools including Customer Risk Profile and Budget Analysis
- Successfully manage relationship between BAC and CCB teams eliminating road blocks, reducing inefficiencies, and ensuring strong communication

#### Branch Transformation Deployment Project Accomplishments

- Responsible for leading a team of 10 Field Coaches to plan, implement and analyze branch performance and associate behavior adoption of all project design solutions across 40 Beijing branches
- Designed Branch Observation Checklist and Scorecard tools to measure branch performance and identify branches with additional training needs
- Coached CCB Project Team on comprehension and implementation of Six Sigma tools and templates which resulted in successful completion of DMAIC project

#### Personal Loan Center Transformation Project Accomplishments

- Launched a redesigned Personal Loan Center utilizing LEAN Tools to increase capacity and reduce processing cycle time
- Implemented Visual Management tools and created Scorecards to improve operational and associate performance
- Led team of 6 associates responsible for the redesign of the customer mortgage application process which resulted in reduction of required documents decreasing from 42 to 29 documents

**Bank of America Corporation, Sales and Service Execution**  
Credit Sales Leader, Vice President

Charlotte, NC  
2/05 - 11/05

#### Key Accomplishments

- Responsible for \$4.2B Mortgage and Home Equity sales in the Southeast Division across 16 Markets and 600 Branches
- Drove increases in Mortgage and Home Equity applications resulting in sales growth that exceeded target from Q1 to Q3
- Coached Consumer Market Executives and Market Managers to more effectively coach banking center associates on Quality Mortgage Sales Process, Product Set, and LoanSolutions sales platform
- Designed and managed delivery of a Product Set and Sales Play program targeting Branch Managers and Personal Bankers whose branches were not meeting sales goals

**Bank of America Corporation, Consumer Real Estate**  
Process Design Engineer, Vice President

Charlotte, NC  
11/03 - 3/05

#### Key Accomplishments

- Leveraged Process Improvement and Cross-Functional Leadership to deliver improved Credit Card Sales process and system design for Retail and LoanLine Mortgage Channels with Visual Mortgage 3.0
- Drove improved quality of Mortgage Applications submitted from Consumer Channel by utilizing the Mortgage Application Quality Checklist and provided data reporting and measurements



Bank of America Corporation, Consumer Real Estate  
Process Design Consultant, Vice President

Charlotte, NC  
5/03 – 11/03

**Key Accomplishments**

- Coached Relationship Deepening Organization in use of Six Sigma tools and methodology for all related projects, including 2004 Retail Sales Incentive Compensation Plan and Retail Sales to Premier Referral Project
- Created MBFs to monitor performance and drive process improvements for Relationship Deepening product sales through Banking Center, Retail, LoanLine, and Premier channels

General Electric Corporation, GE Plastics Division  
Southeast Region Account Manager

Atlanta, GA  
10/01 – 5/03

**Key Accomplishments**

- Increased sales revenue by 21% in 2002 and 43% in 2003 year to date by delivering innovative business solutions to maximize customer revenue
- Completed two "At the Customer for the Customer" Six Sigma projects resulting in \$1M of incremental revenue for GE and over \$250,000 of direct savings for each of the customers
- Created customer scorecards for strategic customers to measure inventory and on-time delivery driving increased client satisfaction

General Electric Corporation, GE Plastics Division  
Asia Pacific Marketing & Technical Solutions Center Manager

Shanghai  
11/00 – 10/01

**Key Accomplishments**

- Led design, implementation, and management of startup call center operations covering 8 countries in the Asia Pacific region
- Hired and managed a team of 12 associates tasked with building brand awareness, advising customers on product development, and providing engineering and overall customer support
- Generated sales in excess of \$17M in 2001 through new customer development and support
- Drove multi-channel integration across manufacturing, sales, marketing, and IT departments to exceed startup and growth projections

General Electric Corporation, GE Plastics Division  
Market Development Manager

Pittsfield, MA  
5/99 – 11/00

**Key Accomplishments**

- Drove industry innovation by leading DFSS Project creating an eMarketing Organization that delivered unparalleled speed and service to our customers
- Built partnerships across organization aligning Engineering, Sales, Marketing and IT to create a simplified customer facing environment
- Generated \$6M worth of new business revenue in 2000 and created an opportunity portfolio of \$45M for 2001 by creating customer focused sales environment

General Electric Corporation, GE Plastics Division  
Supply Chain Materials Manager

Charlotte, NC  
3/98 – 5/99

**Key Accomplishments**

- Managed \$90M material buy across multiple facilities in North America
- Completed Six Sigma DMAIC Inventory consolidation project reducing standard stock inventory over 25% resulting in direct savings of \$1.2M

General Electric Corporation, GE Plastics Division  
Regional Account Specialist

Charlotte, NC  
9/96 – 3/98

**Key Accomplishments**

- Provided Customer Service and Issue Resolution support to West Coast Sales Region
- Managed JIT Inventory Control Systems for three strategic accounts resulting in customer satisfaction score of 98%

**EDUCATION**

Appalachian State University  
Boone, NC

May 1996  
Bachelor of Science Degree in Business Management  
Bachelor of Science Degree in Marketing

Stanly Community College  
Albemarle, NC

May 2017  
Associate's Degree in Early Childhood Education

**CERTIFICATIONS/ TRAINING**

Six Sigma Training  
Helix Facilitation Training  
Infant & Toddler Initiative  
Rotary Leadership Program

Greenbelt Certification  
LEAN Training  
Playground Safety Training

Blackbelt Certification  
Global Leadership Training  
Emergency Preparedness and Disaster Training





## STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

### Via Email

April 4, 2019

The Honorable Tim Moore  
Speaker of the House of Representatives  
16 West Jones Street, Room 2304  
Raleigh, North Carolina 27601-1096

**Re: Evaluation of Statement of Economic Interest Filed by Mr. David Willis**  
**State Board of Community Colleges**

Dear Speaker Moore:

Our office has received **Mr. David Willis's** 2019 Statement of Economic Interest as a prospective appointee to the **State Board of Community Colleges (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

**We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.**

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems 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 Honorable Tim Moore  
April 4, 2019  
Page 2 of 2

By law, no member of the General Assembly, or officer or employee of the State or of any constituent institution, or spouse of any such member, officer, or employee, may be a member of the Board. Any member of the Board who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution, or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee, shall be deemed to resign from his membership on the Board.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Willis would fill the role of a House appointee on the Board. He is an owner and operator of Future Scholars of Blakeney, LLC, which is a private preschool. He disclosed that he and his spouse have a financial interest in Bank of America. Because this entity could seek to conduct business with the Board, Mr. Willis may have the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should Bank of America or any entity with which he is associated come before the Board for official action or otherwise seek to conduct business with the Board.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

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Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Nora Harrison, SEI Unit  
State Ethics Commission

cc: Mr. David Willis  
Attachment: Ethics Education Guide





NORTH CAROLINA GENERAL ASSEMBLY  
Legislative Services Office

Paul Y. Coble, Legislative Services Officer

Legislative Analysis Division  
300 N. Salisbury Street, Suite 545  
Raleigh, NC 27603-5925  
Tel. 919-733-2578 Fax 919-715-5460

Karen Cochran-Brown  
Director

To: Representative Pat Hurley and Representative John Sauls, Co-Chairs, House Education–Community Colleges Committee

From: Samantha Yarborough, Staff Attorney

Date: April 5, 2019

Re: Legal Qualifications of the Candidates for Nomination to the State Board of Community Colleges  
**VACANCY ELECTION**

The following names are the House nominees for the State Board of Community Colleges. I have reviewed the applications that were submitted and indicated where the nominees have any statutory disabilities. My opinion as to each of the nominee's statutory disabilities is based solely upon the information provided in the nominee's application. The nominees have certified that the information provided in the application is accurate. The nominees are listed in alphabetical order by their last name.

Nominee	Sponsor	SEI Submitted	CV Submitted	Statutory Disability
Atkinson, Jeffrey	Rep. Horn	Yes.	Yes.	None.
Keigher, Thomas	Rep. Fraley	Yes.	Yes.	Yes. Mr. Keigher is currently on the Board of Trustees of Gaston College. However, he has indicated that he would resign that position if he is elected to the SBCC. Mr. Keigher is currently a Gaston County Commissioner, but G.S. 128.1-1 allows a person to hold one appointive office and one elective office in either State or local government.
McLeod, C. Neill	Rep. Ball	Yes.	Yes.	None.
Welch, Robert	Rep. Fraley	Yes.	Yes.	None.
Willis, David	Rep. Brody	Yes.	Yes.	None. Mr. Willis is a member of an advisory board for Stanly Community College. While this does not create a statutory conflict, he may wish to consider resignation if elected to avoid the appearance of a conflict of interest.



## **STATUTORY REQUIREMENTS FOR COMMITTEE SELECTION OF NOMINEES FOR THE STATE BOARD OF COMMUNITY COLLEGES**

- **List all candidates.**
- **Separately vote "aye" or "no" on each candidate to determine if that person should be listed as a nominee. A verbal vote of those present and voting shall constitute one nominee of the committee.**
- **Nominate at least two people for each seat if there are sufficient candidates. Otherwise, nominate at least one person for each seat.**

## **MEMBERSHIP ON THE STATE BOARD OF COMMUNITY COLLEGES**

- **Vacancy term of office expires on June 30, 2021.**
- **No member may serve more than two consecutive six year terms.**

## **INDIVIDUALS STATUTORILY BARRED FROM SERVING**

- **A member of the General Assembly.**
- **An officer or employee of the State.**
- **An officer or employee of any institution under the jurisdiction of the State Board.**
- **A spouse of any of the above.**
- **Any person who within the prior 5 years has been an employee of the Community College System Office.**



# JEFFREY R. ATKINSON

---

8509 Whitehawk Hill Rd.

Waxhaw, NC 28173

Phone (Mobile) 704-641-4491

Email [jeff.atkinson@windstream.net](mailto:jeff.atkinson@windstream.net)

## QUALIFICATIONS, SKILLS, EXPERIENCE

- Experienced assistant vice president with a demonstrated history of working in the higher education industry.
- 27-year career in broadcast journalism.
- Skilled in crisis communications, news and promotional writing, videography, breaking news and editing.
- Strong communicator, skilled motivator and team builder.
- Newsperson of the Year, Lee Enterprises, Inc.
- College instructor, University of Missouri-Columbia TV news producing.
- Student lobbyist, Associated Students of the University of Missouri.
- Extensive travel abroad, foreign exchange student in Germany.

## EMPLOYMENT

2018- **Wingate University** Asst. Vice President of Strategic Partnerships

2016-2018 **Wingate University** Asst. VP, Wingate U. Ballantyne, Charlotte, NC

2012-2016 **Wingate University** Director of Marketing and Communications

1996-2012 **WBTV, Charlotte, NC** Television news anchor, reporter, producer

1988-1996 **WSAZ-TV, Huntington, WV** TV news anchor, reporter, producer

1980-1988 **TV and Radio stations in Missouri**

## EDUCATION

1985 Bachelor of Journalism, University of Missouri, Columbia, MO

1985 Bachelor of Arts-German, University of Missouri, Columbia, MO

## CIVIC INVOLVEMENT

- Union County Education Foundation, Board of Directors Vice Chair
- Union County Chamber, Leadership Union
- Rotary Club of Charlotte, Program Committee
- Charlotte Regional Business Alliance, Board of Advisors
- Charlotte-Mecklenburg Schools Classroom Central
- Society of Professional Journalists
- Outstanding Young Men of America

**REFERENCES** Available upon request





# JEFFREY R. ATKINSON

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8509 Whitehawk Hill Rd.

Waxhaw, NC 28173

Phone (Mobile) 704-641-4491

Email [jeff.atkinson@windstream.net](mailto:jeff.atkinson@windstream.net)



**Hometown:** Raised on a farm in Kingdom City, MO (between St. Louis and Kansas City)

**Family:** Wife Victoria. Daughter Tori (age 14, ninth grader)

**Education:** Bachelor of Journalism, University of Missouri, Columbia, MO  
Bachelor of Arts-German Studies, University of Missouri, Columbia, MO

**Career:** (Presently) Asst. Vice President of Strategic Partnerships, Wingate University  
(2016-2018) Assistant Vice President, Wingate University Ballantyne  
(2012-2016) Director of Marketing and Communications, Wingate University  
(1984-2012) TV news anchor/reporter at stations in Midwest, Southeast U.S.  
Cities: Charlotte, NC | Huntington/Charleston, WV | Columbia, MO

**Honors:** Newsperson of the Year, Lee Enterprises, Inc.  
Charlotte Chamber Leadership School  
Society of Professional Journalists  
Outstanding Young Men of America

**Memorable News Stories as a TV Reporter:**

Covering the U.S. presidential campaigns

Homecoming for Navy crew member of a U.S. spy plane trapped in China 11 days

Covering US Airways plane crash in Charlotte and NTSB investigation

**Hobbies:** Running, racquetball, spending time with wife and daughter, part-time radio news announcer

**Favorite Foods:** Wife's cooking, pizza, steak (what would you expect from a farmer's son?)

**LinkedIn Profile:** [linkedin.com/in/jeff-atkinson-98510528](https://www.linkedin.com/in/jeff-atkinson-98510528)





## STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

### Via Email

April 1, 2019

The Honorable Tim Moore  
Speaker of the House of Representatives  
16 West Jones Street, Room 2304  
Raleigh, North Carolina 27601-1096

**Re: Evaluation of Statement of Economic Interest Filed by Mr. Jeffrey R. Atkinson**  
**State Board of Community Colleges**

Dear Speaker Moore:

Our office has received **Mr. Jeffrey R. Atkinson's** 2019 Statement of Economic Interest as a prospective appointee to the **State Board of Community Colleges (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

**We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.**

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems 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.



By law, no member of the General Assembly, or officer or employee of the State or of any constituent institution, or spouse of any such member, officer, or employee, may be a member of the Board. Any member of the Board who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution, or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee, shall be deemed to resign from his membership on the Board.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Atkinson would fill the role of a House appointee on the Board. He is the Assistant Vice President of Wingate University. In addition, he is a governing board member for Union County Education Foundation, a non-profit organization that provides scholarship opportunities for students. Because this entity could seek to conduct business with the Board or one of its constituent colleges, Mr. Atkinson may have the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should Union County Education Foundation or any entity with which he is associated come before the Board for official action or otherwise seek to conduct business with the Board.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Nora Harrison, SEI Unit  
State Ethics Commission

cc: Mr. Jeffrey R. Atkinson  
Attachment: Ethics Education Guide



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# Tom Keigher

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BELMONT ABBEY COLLEGE  
CLASS OF 1974



A man of many passions, talents, and skills, Tom Keigher made several pivotal decisions throughout his career as he explored his interests in different fields including education, sales, nonprofit management, and insurance. Keigher spent an impressive 25 years with The Massey Company in Mt. Holly, NC, working his way up from inside sales to Vice President of the Industrial Supply Division. Under the mentorship of the company's CEO, he developed an enthusiasm for community affairs and service, and later followed in Mr. Massey's footsteps, becoming active on numerous volunteer boards.

Keigher's passion for community affairs soon became a calling. In 1998, he made his final career shift into public service. He ran for elected office and won a four-year term on the seven-member Gaston County Board of Commissioners. He was elected again in 2002 and has since served three terms with the North Carolina Association of County Commissioners and two terms on the North Carolina Board of Directors, where he represents an eight-county region and serves on the State Executive Board.

Over the past 20 years, he has served on 13 different state and county-appointed boards, acting as Chairman for many. He currently serves on the Gaston College Board of Trustees, the Gaston County Transportation Advisory Board, the Board for the Gaston County Museum of Art and History, and the Gaston County Economic Development Commission. Originally from New Jersey, Keigher graduated from Belmont Abbey in 1974 with a degree in education, and has since made Gaston County his home. He lives in Gastonia with his wife Donna, and has four children and three grandchildren, all living in the greater Charlotte area.

*Elected Commissioner in Gaston  
County in 1998, 2002, 2006,  
2010, 2014 and 2018.  
2018 O. Limited to Robert A. Ribber Wall & K. L. ...*







## STATE ETHICS COMMISSION

POST OFFICE BOX 27685  
RALEIGH, NC 27611  
PHONE: 919-814-3600

### Via Email

April 4, 2019

The Honorable Tim Moore  
Speaker of the House of Representatives  
16 West Jones Street, Room 2304  
Raleigh, North Carolina 27601-1096

**Re: Evaluation of Statement of Economic Interest Filed by Mr. Thomas C. Keigher**  
**State Board of Community Colleges**

Dear Speaker Moore:

Our office has received **Mr. Thomas C. Keigher's** 2018 Statement of Economic Interest and 2019 No-change form as a prospective appointee to the **State Board of Community Colleges (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

**We did not find an actual conflict of interest or the likelihood of a conflict of interest.**

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems 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 Honorable Tim Moore  
April 4, 2019  
Page 2 of 2

By law, no member of the General Assembly, or officer or employee of the State or of any constituent institution, or spouse of any such member, officer, or employee, may be a member of the Board. Any member of the Board who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution, or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee, shall be deemed to resign from his membership on the Board.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Keigher would fill the role of a House appointee on the Board. He is a County Commissioner on the Gaston County Board of Commissioners.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Nora Harrison, SEI Unit  
State Ethics Commission

cc: Mr. Thomas C. Keigher  
Attachment: Ethics Education Guide



## C. NEILL McLEOD

918 Vance Street  
Raleigh, NC 27608

Home: (919) 832-2625  
Work: ~~(919) 662-3305~~

### Work Experience

See  
Addendum  
Attached  
Page 2

- <sup>2003</sup>  
1999-~~Present~~: **Senior Vice President for Curriculum Education**, Wake Technical Community College, Raleigh, North Carolina
- 1997-1999: **Senior Vice President—Office of the President**, Wake Technical Community College, Raleigh, North Carolina
- 1995-1997: **Vice President for Continuing Education**, Wake Technical Community College, Raleigh, North Carolina
- 1987-1995: **Associate Executive Vice President**, North Carolina Community College System Office, Raleigh, North Carolina
- 1985-1987: **Vice President for Continuing Education**, Wake Technical Community College, Raleigh, North Carolina
- 1982-1985: **Dean of Evening Programs**, Wake Technical Community College, Raleigh, North Carolina
- 1979-1982: **President**, Martin Community College, Williamston, North Carolina
- 1977-1979: **Vice President for Instruction and Student Development**, Piedmont Community College, Roxboro, North Carolina
- 1974-1977: **Dean of Adult Continuing Education**, Piedmont Community College, Roxboro, North Carolina
- 1973-1974: **Director of Student Activities**, Rockingham Community College, Wentworth, North Carolina
- 1968-1969: **Acting Executive Director**, Pines of Carolina Girl Scouts Council, Raleigh, North Carolina
- 1967-1969: **Director of Personnel and Public Relations**, Pines of Carolina Girl Scouts Council, Raleigh, North Carolina
- 1964-1967: **Field Director**, Pines of Carolina Girl Scouts Council, Raleigh, North Carolina
- 1958-1962: **Field Advisor**, Girl Scouts Council of Greater New York, Brooklyn Field Office

### Education

North Carolina State University, Raleigh, North Carolina  
Ed.D. 1974: Major: Doctor of Education in Adult and Community College Education  
Minor: Political Science



C. Neill McLeod

Addendum to C.V.

### Employment

2003-2005

Sr. V.P. Student Services  
Wake Technical Community College

### Volunteer/Community Activities

2008-present

Steering Committee, Chair  
Wake County Human Services

2005-present

Women's Forum of NC  
Board of Directors, 2005-2011  
Historian, 2011-present  
Oral History Project Chair, 2017-18

### Honors/Awards

2005

Order of the Longleaf Pine





North Carolina State University, Raleigh, North Carolina  
Master of Science in Adult and Community College Education, 1972  
Minor in Sociology

University of North Carolina at Greensboro, Greensboro, North Carolina  
Bachelor of Arts in Sociology, 1957

### **Publication Activities**

*A Community College Brings College to the Community*, with Pamela Hilbert, The Catalyst, Fall 1998

*Commonalities in SACS Visiting Team Evaluations for Institutional Effectiveness Criteria—CCPRO—File. Journal of North Carolina Community College Planning and Research Organization*, II:1:15-17.

*Community College Review*, Editorial Board, 1978-82.

*The Educational Development Officer: A New Staff Development Concept in Community Colleges and Technical Institute*, with Curtis Trent, Kenansville, North Carolina, James Sprunt Press, 1975.

### **Awards**

North Carolina State University--Department of Adult and Community College Education, I. E. Ready Distinguished Graduate Award, 1995

American Association of Women in Community Colleges--North Carolina Chapter, Outstanding Woman of the Year, 1989

YWCA--Wake County, Academy of Women, 1989

North Carolina Adult Education Association, Service Award, 1982

University of North Carolina at Greensboro--Alumni Association, Service Award, 1982

Pines of Carolina Girl Scouts Council, Thanks Badge (highest award), 1971

### **Professional Services**

North Carolina State University, College of Education,  
1989-92, Community College Leadership Program Advisory Committee  
1989-92, Community College Leadership Institute Steering Committee  
1972-present, Education Foundation, contributor

North Carolina Adult Education Association  
1988-90, Executive Board  
1979, President  
1978, Vice President  
1977, Treasurer



North Carolina Humanities Committee  
1982-84, Executive Council

North Carolina Association of Public Community College Presidents  
1981-82, Executive Committee

North Carolina Conference on Aging  
1981, Delegate  
1980, Employment Task Force

Community College Consortium  
1977, Legislative Task Force

Region K Council of Governments  
1977, Consultant

### **Steering Committees**

Wake County Smart Start Executive Committee and Board Chair, 1999-present  
Wake County Human Services Work First Steering Committee Co-Facilitator, 1999 - present  
Capital Area Workforce Development Board—  
    Job Link Center Managing Partner, 1997-present,  
    Welfare-to-Work Committee Chair, 1999-present  
North Carolina State Post-Secondary Review Entity Steering Committee, 1992-94  
North Carolina Strategic Planning Committee for Community Education, 1987-92  
North Carolina Year 2000 Martin County Steering Committee, 1981-82  
North Carolina Galaxy Conference on Lifelong Learning Steering Committee Chair,  
    1978-80  
American Council on Education Steering Committee for Women Administrators in North  
    Carolina Higher Education, 1977-85

### **Accreditation Teams**

Southern Association of Colleges and Schools, Commission on Colleges, Reaffirmation  
    Committee Member, 1993, 1995, 1997, 1998, 1999, 2000  
State Department of Public Instruction Team of Examiners, 1981  
University of North Carolina Board of Governors Interim Visitation Team, Chair, 1979





## STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

### Via Email

April 5, 2019

The Honorable Tim Moore  
Speaker of the House of Representatives  
16 West Jones Street, Room 2304  
Raleigh, North Carolina 27601-1096

**Re: Evaluation of Statement of Economic Interest Filed by Ms. Christie Neill McLeod**  
**State Board of Community Colleges**

Dear Speaker Moore:

Our office has received Ms. Christie Neill McLeod's 2019 Statement of Economic Interest as a prospective appointee to the **State Board of Community Colleges (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

**We did not find an actual conflict of interest or the likelihood of a conflict of interest.**

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems 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 Honorable Tim Moore  
April 5, 2019  
Page 2 of 2

By law, no member of the General Assembly, or officer or employee of the State or of any constituent institution, or spouse of any such member, officer, or employee, may be a member of the Board. Any member of the Board who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution, or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee, shall be deemed to resign from his membership on the Board.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Ms. McLeod would fill the role of a House appointee on the Board.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Nora Harrison, SEI Unit  
State Ethics Commission

cc: Ms. Christie Neill McLeod  
Attachment: Ethics Education Guide





Rob Welch  
224 Plymouth Ave.  
Winston-Salem, NC 27104



## Professional Experience

I.L. Long Construction Co. Inc.  
Vice President

1996- Present

## Education

North Carolina State University  
B.S. Poole School of Management

## Community & State Involvement – Current and Previous

Higher Education Works  
Boys and Girls Club  
Salvation Army  
Summit School  
Winston-Salem Business Inc.  
Winston-Salem Chamber of Commerce  
WSFCS – Corporate Volunteer Tutor

Past Chair

American Heart Association  
Centenary United Methodist Church – Property Committee  
Exchange Club  
Stop Child Abuse Now (SCAN)  
United Way

Past Chair





## STATE ETHICS COMMISSION

POST OFFICE BOX 27685  
RALEIGH, NC 27611  
PHONE: 919-814-3600

### Via Email

April 4, 2019

The Honorable Tim Moore  
Speaker of the House of Representatives  
16 West Jones Street, Room 2304  
Raleigh, North Carolina 27601-1096

**Re: Evaluation of Statement of Economic Interest Filed by Mr. Robert E. Welch**  
**State Board of Community Colleges**

Dear Speaker Moore:

Our office has received **Mr. Robert E. Welch's** 2019 Statement of Economic Interest as a prospective appointee to the **State Board of Community Colleges (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

**We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.**

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems 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.



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Mr. Welch would fill the role of a House appointee on the Board. He is the Vice President of I.L. Long Construction Co., Inc., a general contracting business and he also has an ownership interest in Facilities Maintenance Consultants, Inc., which provides facility maintenance services. Because these entities could seek to market their services to the Board, Mr. Welch may have the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should I.L. Long Construction Co., Inc., Facilities Maintenance Consultants, Inc., or an entity with which he is associated come before the Board for official action or otherwise seek to conduct business with the Board.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Nora Harrison, SEI Unit  
State Ethics Commission

cc: Mr. Robert E. Welch  
Attachment: Ethics Education Guide



# David Willis

1004 Shinnecock Ln Marvin, NC 28173

Home: 704-438-8655 email: kiddieacademyofcharlotte@gmail.com

## WORK EXPERIENCE

### Kiddie Academy of Charlotte - Blakeney

Charlotte, NC  
8/11 - Present

Owner & Operator

#### Key Accomplishments

- Managed the design and construction of private school in south Charlotte in 2011.
- Manage the day to day operations of private Preschool, Kindergarten, and After School and Summer Camp program.
- Manage a staff of 35 teachers, administrators, and kitchen staff who are responsible for 185 children ranging from 8 weeks to 12 years of age.
- Led the successful accreditation process to achieve national accreditation by the National Association for the Education of Young Children (NAEYC) and consecutive 5 Star ratings by the North Carolina Department of Child Development
- Board member for Stanly Community College's Early Childhood Education Advisory Board

### Bank of America Corporation, Preferred Services Sales Process

Charlotte, NC  
5/08 - 8/11

Process Design Manager, Senior Vice President

#### Key Accomplishments

- Responsible for design of Sales Process and integration with Desktop Applications and Financial Planning Tools
- Led work group to develop and implement Sales Process Analytics to measure effectiveness and quality of Sales Processes
- Led work group to develop and complete testing, associate training, and implementation of Financial Planning Tool Suite
- Led work group to develop and implement a secure customer communication process to deliver Financial Planning documents

### Bank of America Corporation, China Construction Bank Strategic Assistance

Beijing, China  
11/05 - 5/08

Senior Change Consultant, Vice President

#### VIP Customer Segment Project Accomplishments

- Responsible for leading a team of 6 associates to plan, gather and analyze VOC and VOA to define overall VIP project
- Responsible for leading Relationship Building and Sales work stream consisting of 12 associates charged with building Sales and Service processes and tools
- Led work group to define, build and implement Client Management Process including Sales Processes, Relationship Maintenance, New Client Acquisition and Customer Seminars/ Special Events
- Led work group to identify, build and implement Client Manager tools including customer Scripting, standardized Letters, VIP Customer Welcome Kit, and Customer tools including Customer Risk Profile and Budget Analysis
- Successfully manage relationship between BAC and CCB teams eliminating road blocks, reducing inefficiencies, and ensuring strong communication

#### Branch Transformation Deployment Project Accomplishments

- Responsible for leading a team of 10 Field Coaches to plan, implement and analyze branch performance and associate behavior adoption of all project design solutions across 40 Beijing branches
- Designed Branch Observation Checklist and Scorecard tools to measure branch performance and identify branches with additional training needs
- Coached CCB Project Team on comprehension and implementation of Six Sigma tools and templates which resulted in successful completion of DMAIC project

#### Personal Loan Center Transformation Project Accomplishments

- Launched a redesigned Personal Loan Center utilizing LEAN Tools to increase capacity and reduce processing cycle time
- Implemented Visual Management tools and created Scorecards to improve operational and associate performance
- Led team of 6 associates responsible for the redesign of the customer mortgage application process which resulted in reduction of required documents decreasing from 42 to 29 documents

### Bank of America Corporation, Sales and Service Execution

Charlotte, NC  
2/05 - 11/05

Credit Sales Leader, Vice President

#### Key Accomplishments

- Responsible for \$4.2B Mortgage and Home Equity sales in the Southeast Division across 16 Markets and 600 Branches
- Drove increases in Mortgage and Home Equity applications resulting in sales growth that exceeded target from Q1 to Q3
- Coached Consumer Market Executives and Market Managers to more effectively coach banking center associates on Quality Mortgage Sales Process, Product Set, and LoanSolutions sales platform
- Designed and managed delivery of a Product Set and Sales Play program targeting Branch Managers and Personal Bankers whose branches were not meeting sales goals

### Bank of America Corporation, Consumer Real Estate

Charlotte, NC  
11/03 - 3/05

Process Design Engineer, Vice President

#### Key Accomplishments

- Leveraged Process Improvement and Cross-Functional Leadership to deliver improved Credit Card Sales process and system design for Retail and LoanLine Mortgage Channels with Visual Mortgage 3.0
- Drove improved quality of Mortgage Applications submitted from Consumer Channel by utilizing the Mortgage Application Quality Checklist and provided data reporting and measurements





**Bank of America Corporation, Consumer Real Estate**  
Process Design Consultant, Vice President

Charlotte, NC  
5/03 – 11/03

**Key Accomplishments**

- Coached Relationship Deepening Organization in use of Six Sigma tools and methodology for all related projects, including 2004 Retail Sales Incentive Compensation Plan and Retail Sales to Premier Referral Project
- Created MBFs to monitor performance and drive process improvements for Relationship Deepening product sales through Banking Center, Retail, LoanLine, and Premier channels

**General Electric Corporation, GE Plastics Division**  
Southeast Region Account Manager

Atlanta, GA  
10/01 – 5/03

**Key Accomplishments**

- Increased sales revenue by 21% in 2002 and 43% in 2003 year to date by delivering innovative business solutions to maximize customer revenue
- Completed two "At the Customer for the Customer" Six Sigma projects resulting in \$1M of incremental revenue for GE and over \$250,000 of direct savings for each of the customers
- Created customer scorecards for strategic customers to measure inventory and on-time delivery driving increased client satisfaction

**General Electric Corporation, GE Plastics Division**  
Asia Pacific Marketing & Technical Solutions Center Manager

Shanghai  
11/00 – 10/01

**Key Accomplishments**

- Led design, implementation, and management of startup call center operations covering 8 countries in the Asia Pacific region
- Hired and managed a team of 12 associates tasked with building brand awareness, advising customers on product development, and providing engineering and overall customer support
- Generated sales in excess of \$17M in 2001 through new customer development and support
- Drove multi-channel integration across manufacturing, sales, marketing, and IT departments to exceed startup and growth projections

**General Electric Corporation, GE Plastics Division**  
Market Development Manager

Pittsfield, MA  
5/99 – 11/00

**Key Accomplishments**

- Drove industry Innovation by leading DFSS Project creating an eMarketing Organization that delivered unparalleled speed and service to our customers
- Built partnerships across organization aligning Engineering, Sales, Marketing and IT to create a simplified customer facing environment
- Generated \$6M worth of new business revenue in 2000 and created an opportunity portfolio of \$45M for 2001 by creating customer focused sales environment

**General Electric Corporation, GE Plastics Division**  
Supply Chain Materials Manager

Charlotte, NC  
3/98 – 5/99

**Key Accomplishments**

- Managed \$90M material buy across multiple facilities in North America
- Completed Six Sigma DMAIC Inventory consolidation project reducing standard stock inventory over 25% resulting in direct savings of \$1.2M

**General Electric Corporation, GE Plastics Division**  
Regional Account Specialist

Charlotte, NC  
9/96 – 3/98

**Key Accomplishments**

- Provided Customer Service and Issue Resolution support to West Coast Sales Region
- Managed JIT Inventory Control Systems for three strategic accounts resulting in customer satisfaction score of 98%

**EDUCATION**

**Appalachian State University**  
Boone, NC

May 1996  
Bachelor of Science Degree in Business Management  
Bachelor of Science Degree in Marketing

**Stanly Community College**  
Albemarle, NC

May 2017  
Associate's Degree in Early Childhood Education

**CERTIFICATIONS/ TRAINING**

Six Sigma Training  
Helix Facilitation Training  
Infant & Toddler Initiative  
Rotary Leadership Program

Greenbelt Certification  
LEAN Training  
Playground Safety Training

Blackbelt Certification  
Global Leadership Training  
Emergency Preparedness and Disaster Training





## STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

### Via Email

April 4, 2019

The Honorable Tim Moore  
Speaker of the House of Representatives  
16 West Jones Street, Room 2304  
Raleigh, North Carolina 27601-1096

**Re: Evaluation of Statement of Economic Interest Filed by Mr. David Willis**  
**State Board of Community Colleges**

Dear Speaker Moore:

Our office has received **Mr. David Willis's** 2019 Statement of Economic Interest as a prospective appointee to the **State Board of Community Colleges (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

**We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.**

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems 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.



By law, no member of the General Assembly, or officer or employee of the State or of any constituent institution, or spouse of any such member, officer, or employee, may be a member of the Board. Any member of the Board who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution, or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee, shall be deemed to resign from his membership on the Board.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Willis would fill the role of a House appointee on the Board. He is an owner and operator of Future Scholars of Blakeney, LLC, which is a private preschool. He disclosed that he and his spouse have a financial interest in Bank of America. Because this entity could seek to conduct business with the Board, Mr. Willis may have the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should Bank of America or any entity with which he is associated come before the Board for official action or otherwise seek to conduct business with the Board.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Nora Harrison, SEI Unit  
State Ethics Commission

cc: Mr. David Willis  
Attachment: Ethics Education Guide



# VISITOR REGISTRATION SHEET

House Committee on Education-Community Colleges

4-09-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Alex Granados	Ed NC
Seth Riggins	NCCCS
Mary Shuping	NCCS
Al White	meredith college
Tom West	NCTCU
Hope Williams	NCTCU
Derrick Whittenburg	DW Foundation for Education
Paule Beaudin	Pfham





# VISITOR REGISTRATION SHEET

House Committee on Education-Community Colleges

4-09-2019



Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

DAVID WILLIS	SELF UNION COUNTY
	
fred Baggett	Police Chief Ann
Sallie James	Governor's office
Tina Schofield	Forsyth Co. Rep. Women
JACKIE BRAY	FORYTH Co. GOP
Ann Burko	KWC



Committee Sergeants at Arms

**NAME OF COMMITTEE** House Committee on Education-Community Colleges

**DATE:** 4-09-2019

**Room:** 421 LOB

House Sgt-At Arms:

1. **Name:** Bill Bass

2. **Name:** Joe Crook

3. **Name:** Glen Wall

4. **Name:** \_\_\_\_\_

5. **Name:** \_\_\_\_\_

Senate Sgt-At Arms:

1. **Name:** \_\_\_\_\_

2. **Name:** \_\_\_\_\_

3. **Name:** \_\_\_\_\_

4. **Name:** \_\_\_\_\_

5. **Name:** \_\_\_\_\_



**House Pages  
Assignments  
Monday, April 08, 2019  
Session: 4:45 PM**

Committee	Room	Time	Staff	Comments	Member
Health	643	10:00 AM	Erin Bembridge		Rep. Bobby Hanig
			Natalie Stone		Rep. Lisa Stone Barnes
Transportation	544	10:00 AM	Fabian Horton		Rep. Elmer Floyd
			Dalton Snipes		Rep. John A. Torbett
Education - Community Colleges	<del>1228 F327</del> 421 LOB	11:00 AM	Chloe Schubert		Rep. Bobby Hanig



**House Committee on Education - Community Colleges**  
**Tuesday, June 11, 2019 at 11:00 AM**  
**Room 421 of the Legislative Office Building**

**MINUTES**

The House Committee on Education - Community Colleges met at 11:00 AM on June 11, 2019 in Room 421 of the Legislative Office Building. Representatives Adams, Brody, Elmore, Gill, Hunt, Hurley, Pittman, Sauls, B. Turner, and von Haefen attended.

Representative Pat B. Hurley, Chair, presided and called the meeting to order at 11:03 AM.

Chair Hurley recognized the Sergeants At Arms and Pages.

The following bills were considered:

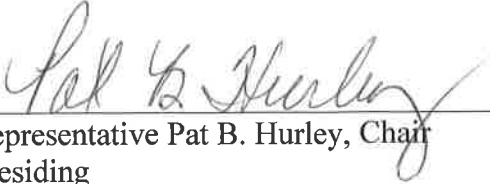
**SB 30 Stanly CC/Contracting Date Extension. (Senator Ford)**

Chair Hurley recognized Senator Ford to explain the bill. Rep. Pittman asked for an amendment, which changed the wording in the title and in an additional location in the bill. The amendment was presented and seconded by Rep. Adams. The amendment passed. Rep. Elmore made the motion for an unfavorable to the original bill and favorable to the amendment, which will be rolled into a PCS. The motion carried.

**HB 463 Education/Job Readiness in Prisons & Jails. (Representatives Rogers, Brody, Hardister, John)**

Chair Hurley recognized Representative Rogers to explain the bill. There was a PCS, with no objection. There were questions taken from the members and Allen Wachendorfer, Program Associate with Center on Sentencing and Corrections was recognized to speak on the bill. Rep. Pittman made a motion for an unfavorable to the original bill and favorable to the PCS, the motion carried.

The meeting adjourned at 11:30 AM.

  
\_\_\_\_\_  
Representative Pat B. Hurley, Chair  
Presiding

  
\_\_\_\_\_  
Deborah Holder, Committee Clerk





**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Community Colleges** will meet as follows:

**DAY & DATE:** Tuesday, June 11, 2019  
**TIME:** 11:00 AM  
**LOCATION:** 421 LOB  
**COMMENTS:** Chair Hurley, Presiding

**Meeting from 11:00 AM to 11:30 AM**

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
<u>SB 30</u>	Stanly CC/Contracting Date Extension.	Senator Ford
<u>HB 463</u>	Education/Job Readiness in Prisons & Jails.	Representative Rogers Representative Brody Representative Hardister Representative John

Respectfully,

Representative Pat B. Hurley, Co-Chair  
Representative John Sauls, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 9:57 AM on Thursday, June 06, 2019.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Deborah Holder (Committee Assistant)



**House Committee on Education - Community Colleges**  
**Tuesday, June 11, 2019, 11:00 AM**  
**421 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks**

**Introduction of Sergeants at Arms and Pages**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
SB 30	Stanly CC/Contracting Date Extension.	Senator Ford
HB 463	Education/Job Readiness in Prisons & Jails.	Representative Rogers Representative Brody Representative Hardister Representative John

**Adjournment**



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - COMMUNITY COLLEGES COMMITTEE REPORT**

**Representative Pat B. Hurley, Co-Chair**

**Representative John Sauls, Co-Chair**

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED**

**HB 463**

Education/Job Readiness in Prisons & Jails.

Draft Number: H463-PCS30473-BN-23

**Serial Referral: EDUCATION - UNIVERSITIES**

Recommended Referral: None

Long Title Amended: No

Floor Manager: Rogers

**FAVORABLE HOUSE COM SUB, UNFAVORABLE SENATE COM SUB AND RE-REFERRED**

**SB 30 (CS#1)**

Stanly CC/Contracting Date Extension.

Draft Number: S30-PCS35293-RQ-15

**Serial Referral: RULES, CALENDAR, AND  
OPERATIONS OF THE HOUSE**

Recommended Referral: None

Long Title Amended: Yes

Floor Manager: Sasser

**TOTAL REPORTED: 2**



\* C M R 5 4 0 - V - 1 \*



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

1

HOUSE BILL 463

Short Title: Education/Job Readiness in Prisons & Jails. (Public)

Sponsors: Representatives Rogers, Brody, Hardister, and John (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Education - Community Colleges, if favorable, Education - Universities, if favorable, Appropriations, Education, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 27, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE ACCESS TO EDUCATION AND JOB READINESS SKILLS FOR  
3 INDIVIDUALS INCARCERATED IN STATE PRISONS AND LOCAL JAILS.  
4 The General Assembly of North Carolina enacts:  
5 **SECTION 1.** G.S. 115C-499.2 reads as rewritten:  
6 "(2) The student must meet all other eligibility requirements for the federal Pell  
7 Grant, with the exception of the expected family ~~contribution~~ contribution and  
8 any eligibility requirements related to whether an individual is incarcerated in  
9 a State penal institution."  
10 **SECTION 2.** G.S. 115D-40.1(c) reads as rewritten:  
11 "(c) Administration of Program. – The State Board shall adopt rules and policies for the  
12 disbursement of the financial assistance provided in subsections (a) and (b) of this section.  
13 Degree, diploma, and certificate students must complete a Free Application for Federal Student  
14 Aid (FAFSA) to be eligible for financial assistance. An incarcerated individual who is not eligible  
15 for federal assistance on the basis of the incarceration shall not be disqualified from receiving  
16 financial assistance pursuant to this section. The State Board may contract with the State  
17 Education Assistance Authority for administration of these financial assistance funds. These  
18 funds shall not revert at the end of each fiscal year but shall remain available until expended for  
19 need-based financial assistance. The interest earned on the funds provided in subsections (a) and  
20 (b) of this section may be used to support the costs of administering the Community College  
21 Grant Program. If the interest earnings are not adequate to support the administrative costs, up to  
22 one percent (1%) of funds provided in subsection (a) of this section may be used to support the  
23 costs of administering the Community College Grant Program."  
24 **SECTION 3.** G.S. 116-25.1 reads as rewritten:  
25 "**§ 116-25.1. ~~Semester limitation on eligibility for~~ The University of North Carolina**  
26 **need-based financial aid grants.**  
27 (a) Except as otherwise provided by this section, a student shall not receive a grant from  
28 The University of North Carolina Need-Based Financial Aid Program for more than 10 full-time  
29 academic semesters, or its equivalent if enrolled part-time, unless the student is enrolled in a  
30 program officially designated by the Board of Governors as a five-year degree program. If a  
31 student is enrolled in such a five-year degree program, then the student shall not receive a  
32 need-based grant from The University of North Carolina Need-Based Financial Aid Program for  
33 more than 12 full-time academic semesters or its equivalent if enrolled part-time.



(b) Upon application by a student, the constituent institution may grant a waiver to the student who may then receive a grant for the equivalent of one additional full-time academic semester if the student demonstrates that any of the following have substantially disrupted or interrupted the student's pursuit of a degree: (i) a military service obligation, (ii) serious medical debilitation, (iii) a short-term or long-term disability, or (iv) other extraordinary hardship. The Board of Governors shall establish policies and procedures to implement the waiver provided by this subsection.

(c) An incarcerated individual who is not eligible for federal assistance on the basis of the incarceration shall not be disqualified from receiving financial assistance under The University of North Carolina Need-Based Financial Aid Program if the individual otherwise meets the requirements of the program."

**SECTION 4.** G.S. 116-143.1 is amended by adding a new subsection to read:

"(e1) Notwithstanding any other provision of this section, an individual's incarceration in a State penal institution located in North Carolina shall be prima facie evidence of the individual's legal residence in North Carolina, which may be reinforced or rebutted by other evidence of legal residence requested of the individual. The individual qualifying as a legal resident under this subsection shall be (i) permitted to enroll in an institution of higher education and receive State financial assistance as a resident without necessity of meeting the 12-month durational requirement of this section and (ii) classified as a resident for the purposes of receiving the in-State tuition rate. Nothing in this subsection shall be deemed to confer legal residency on an individual for any other purpose."

**SECTION 5.** G.S. 116-281 reads as rewritten:

"(2) The student must meet all other eligibility requirements for the federal Pell Grant, with the exception of the expected family ~~contribution~~-contribution and any eligibility requirements related to whether an individual is incarcerated in a State penal institution."

**SECTION 6.(a)** Section 8.3 of S.L. 2010-31 reads as rewritten:

"**SECTION 8.3.(a)** Funds appropriated for community college courses for prison inmates shall be used only for inmates in State prisons. The first priority for the use of these funds shall be to restore the FTE for basic skills courses to the FY 2008-2009 level. Funds not needed for this purpose may be used for continuing education and curriculum courses related to job skills training. ~~These funds shall not be used for Associate of Arts, Associate of Science, or Associate of General Education degrees.~~

"**SECTION 8.3.(b)** Courses in federal prisons ~~or local jails~~ shall not earn regular budget full-time equivalents, but may be offered on a self-supporting basis.

...."

**SECTION 6.(b)** G.S. 115D-5(c) reads as rewritten:

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

**SECTION 6.(c)** Beginning with the 2019-2020 academic year, community college courses offered in local jails shall earn regular budget full-time equivalents.

**SECTION 7.** This act becomes effective July 1, 2019. Sections 1 through 5 of this act apply to the award of State financial assistance beginning with the 2020-2021 academic year.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

D

HOUSE BILL 463  
PROPOSED COMMITTEE SUBSTITUTE H463-CSBN-23 [v.1]

06/05/2019 03:32:47 PM

Short Title: Education/Job Readiness in Prisons & Jails.

(Public)

Sponsors:

Referred to:

March 27, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE ACCESS TO EDUCATION AND JOB READINESS SKILLS FOR  
3 INDIVIDUALS INCARCERATED IN STATE PRISONS AND LOCAL JAILS.  
4 The General Assembly of North Carolina enacts:  
5 **SECTION 1.(a)** Section 8.3 of S.L. 2010-31 reads as rewritten:  
6 **"SECTION 8.3.(a)** Funds appropriated for community college courses for prison inmates  
7 shall be used only for inmates in State prisons. The first priority for the use of these funds shall  
8 be to restore the FTE for basic skills courses to the FY 2008-2009 level. Funds not needed for  
9 this purpose may be used for continuing education and curriculum courses related to job skills  
10 training. ~~These funds shall not be used for Associate of Arts, Associate of Science, or Associate~~  
11 ~~of General Education degrees.~~  
12 **"SECTION 8.3.(b)** Courses in federal prisons ~~or local jails~~ shall not earn regular budget  
13 full-time equivalents, but may be offered on a self-supporting basis.  
14 ...."  
15 **SECTION 1.(b)** G.S. 115D-5(c) reads as rewritten:  
16 **"(c)** No course of instruction shall be offered by any community college at State expense  
17 or partial State expense to any captive or co-opted group of students, as defined by the State  
18 Board of Community Colleges, without prior approval of the State Board of Community  
19 Colleges. All course offerings approved for State prison inmates or prisoners in local jails must  
20 be tied to clearly identified job skills, transition needs, or both. Approval by the State Board of  
21 Community Colleges shall be presumed to constitute approval of both the course and the group  
22 served by that institution. The State Board of Community Colleges may delegate to the President  
23 the power to make an initial approval, with final approval to be made by the State Board of  
24 Community Colleges. A course taught without such approval will not yield any full-time  
25 equivalent students, as defined by the State Board of Community Colleges."  
26 **SECTION 1.(c)** Beginning with the 2019-2020 academic year, community college  
27 courses offered in local jails shall earn regular budget full-time equivalents.  
28 **SECTION 2.** This act becomes effective July 1, 2019.



\* H 4 6 3 - C S B N - 2 3 \*





## HOUSE BILL 463: Education/Job Readiness in Prisons & Jails.

2019-2020 General Assembly

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Committee:	House Education - Community Colleges. If favorable, re-refer to Education - Universities. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 11, 2019
Introduced by:	Reps. Rogers, Brody, Hardister, John	Prepared by:	Samantha Yarborough
Analysis of:	PCS to First Edition H463-CSBN-23		Staff Attorney

---

**OVERVIEW:** *House Bill 463 would do the following:*

- *Allow incarcerated individuals to be eligible for scholarships under the following: (i) Article 35A of Chapter 115C (lottery scholarships), (ii) the Community College Grant Program, (iii) The University of North Carolina Need-Based Financial Aid Program, and (iv) Article 34 of Chapter 115D (need-based aid for private colleges and universities).*
- *Make it prima facie evidence that the individual's legal residence is North Carolina if the individual is incarcerated in a State penal institution located in North Carolina.*
- *Allow community colleges to earn FTE for courses taught in local jails.*

***The PCS to HB 463 would remove Sections 1-5 of the bill and would only allow community colleges to earn FTE for courses taught in local jails.***

**CURRENT LAW:** Section 8.3 of Session Law 2010-31 provides that funds appropriated for community college courses for prison inmates must be used only for inmates in State prisons, not federal prisons or local jails. These funds cannot be used for Associate of Arts, Associate of Science, or Associate of General Education degrees. Courses taught in federal prisons and local jails cannot earn regular budget full-time equivalencies (FTE), but can be offered on a self-supporting basis.

G.S. 115D-5(c) requires that courses provided at State expense to any captive group of students must be approved by the State Board of Community Colleges. All courses approved for State prison inmates must be tied to clearly identified job skills, transition needs, or both. A course taught without this approval will not yield any FTE.

**BILL ANALYSIS:** The PCS to HB 463 would remove the restriction that prohibits funds from being used for Associate of Arts, Associate of Science, and Associate of General Education degrees. The PCS would also allow courses taught in local jails to earn regular budget FTE, if the courses are approved by the State Board, beginning with the 2019-2020 academic year.

**EFFECTIVE DATE:** The bill would become effective July 1, 2019.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

S

2

SENATE BILL 30  
Education/Higher Education Committee Substitute Adopted 5/6/19

Short Title: Stanly CC/Contracting Date Extension.

(Local)

Sponsors:

Referred to:

February 7, 2019

A BILL TO BE ENTITLED

AN ACT EXTENDING THE CONTRACTING DATE FOR AGREEMENTS BETWEEN  
STANLY COMMUNITY COLLEGE AND STANLY COUNTY TO JOINTLY ERECT  
BUILDINGS ON PROPERTY OWNED BY STANLY COMMUNITY COLLEGE.

The General Assembly of North Carolina enacts:

**SECTION 1.** Sections 1 and 2 of Session Law 2014-82 read as rewritten:

**"SECTION 1.(a)** Notwithstanding the provisions of G.S. 115D-15.1(b) and (d), Stanly Community College may enter into agreements with Stanly County to jointly erect buildings on property owned by Stanly Community College without the approval of the State Board of Community Colleges if such agreements meet the requirements of subsection (b) of this section. G.S. 143-129 and G.S. 143-341 shall not apply to transfers of property or capital improvements to property transferred under this section.

**"SECTION 1.(b)** An agreement under subsection (a) of this section shall require Stanly Community College to transfer property to Stanly County to construct facilities consisting of college classrooms, office space, laboratories, or any other space necessary for the operation of a community college. Upon completion of facilities constructed pursuant to this section, Stanly County shall lease the facilities to Stanly Community College. At the end of the lease term, Stanly County shall transfer title to the property and improvements back to Stanly Community College.

**"SECTION 2.** This act is effective when it becomes law and applies to contracts awarded on or before ~~June 30, 2019.~~ June 30, 2024."

**SECTION 2.** This act is effective when it becomes law.







## SENATE BILL 30: Stanly CC/Contracting Date Extension.

2019-2020 General Assembly

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Committee:	House Education - Community Colleges. If Date:	June 11, 2019
	favorable, re-refer to Rules, Calendar, and	
	Operations of the House	
Introduced by:	Sen. Ford	Prepared by: Drupti Chauhan*
Analysis of:	Second Edition	Committee Counsel

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**OVERVIEW:** *Senate Bill 30 would extend the contracting deadline for agreements between Stanly Community College and Stanly County to jointly erect buildings on property owned by Stanly Community college.*

**CURRENT LAW:** Session Law 2014-82 allows Stanly Community College to enter into agreements with Stanly County to jointly erect buildings on property owned by Stanly Community College without the approval of the State board of Community Colleges. These agreements must require Stanly Community College to transfer property to Stanly County for the purpose of constructing college classrooms, office space, laboratories, or any other space necessary for the operation of a community college. When the facilities are completed, Stanly County must lease the facilities to Stanly Community College. At the end of the lease term, Stanly County must transfer title to the property and improvements back to Stanly Community College. Session Law 2014-82 applies to contracts awarded on or before June 30, 2019.

**BILL ANALYSIS:** SB 30 would extend the contracting deadline from June 30, 2019, to June 30, 2024.

**EFFECTIVE DATE:** SB 30 would become effective when it becomes law.

*\*Samantha Yarborough, Committee Counsel, substantially contributed to this summary.*

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*





## VISITOR REGISTRATION SHEET

Community College Education

Name of Committee

6-11-2019

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Christian Villages	EdNC
Chrissy Hayden	Intern
Tom BEAN	EDF, NCSEA, NCWF
Mary Shuping	NCCCS
Tom West	NCJCH
Seth Hayden	Wake Forest University
Gabby Milando	Wake Forest University
Virginia Thornhill	WFU
Tara Kosobucki	WFO
Ryan Levi	Wake Forest University
Emily Barber	WFU





## VISITOR REGISTRATION SHEET

Community College Education  
Name of Committee

6-11-2019  
Date

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME

FIRM OR AGENCY AND ADDRESS

Finis Suggs	Ed Consultant
Amos Wachendorf	Vera Institute of Justice
Austen Howell	UNE system
Whitney Christensen	Ward & Smith, P.A.
Matthew Bohrer	PPAB
Tyler Ford	McGuire Woods
Felix Eak	Rep. William Brissin's Intern
Isaac Ridgeway	BEST NC
Andrew Meehan	NC Chamber
Leah Baldasare	Governor's office
Clare Kilmartin	Governor's Office



## VISITOR REGISTRATION SHEET

Community College Education  
Name of Committee

6-11-2019  
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Mark Chrisinger	WFU
Susannah Pittman	WFU
Tanika Jackson	WFU
Hannah McGrath	WFU
Quiriah Sineater	Wake Forest University
Logan King	WFU
Samantha Daniels	WFU
Anna Taylor	WFU
Tammy Cashwell	WFU



**House Pages  
Assignments  
Tuesday, June 11, 2019  
Session: 10:00 AM**

Committee	Room	Time	Staff	Comments	Member
Education – Community Colleges	421	11:00 AM	Spencer Barnwell	}	Rep. Chuck McGrady
			Steven Evans		Rep. Darren G. Jackson
			Emerson Maggio		Rep. Darren G. Jackson
			Haidyn Warren		Rep. Stephen M. Ross
Education- Universities	421	11:30 AM	David Andrews		Rep. Mary Belk
			Tyler Morgan		Rep. Kandie D. Smith
			Lara Wood		Rep. Lisa Stone Barnes
			Zach Wood		Rep. Jimmy Dixon
Education - K-12	643	1:00 PM	Graham Costner		Speaker Tim Moore
			Reese Layh		Rep. Joe John
			Caroline Richardson		Rep. Frank Iler
			Tate Smart		Rep. Kelly E. Hastings





Committee Sergeants at Arms

*Will not any  
objections,  
the PC & for  
AB 463 is  
before us.*

NAME OF COMMITTEE House Committee on Education-Community Colleges

DATE: 6-11-2019 Room: 421 LOB

House Sgt-At Arms:

1. Name: Bill Bass
2. Name: Joe Crook
- ☐ Name: William Moore
4. Name: Glen Wall
5. Name: \_\_\_\_\_

Senate Sgt-At Arms:

1. Name: \_\_\_\_\_
2. Name: \_\_\_\_\_
3. Name: \_\_\_\_\_
4. Name: \_\_\_\_\_
- Name: \_\_\_\_\_





**North Carolina General Assembly**

**Education-Community Colleges**

**2019-2020 Session**

**Chair(s)**

**Representative Pat Hurley  
Representative John Sauls**

**Committee Clerk(s)**

**Debbie Holder  
Karen Rosser**

**The Committee did not meet during the 2020 short session.**

**Signed Committee Chairman\_**

*Pat R. Hurley*



## EDUCATION - COMMUNITY COLLEGES

### House Standing Committee

#### Chairs



Rep. Hurley



Rep. Sauls

#### Vice Chair



Rep. Brody

#### Members



Rep. Adams



Rep. Elmore



Rep. Gill



Rep. Hunt



Rep. Pittman



Rep. Reives



Rep. B. Turner



Rep. von Haefen



Rep. Zachary

Pursuant to House Rules 26(e) and 26(f), the Chair of the Committee on Rules, Calendar and Operations of the House, the Speaker Pro Tempore, the Majority Leader, and the Deputy Majority Leader are ex officio members of each standing committee and permanent subcommittee with the right to vote. The previous

sentence does not apply to the Standing Committee on Ethics. For the purposes of determining a quorum, when serving only as ex officio members, these members shall be counted among the membership of the committee or subcommittee only when present.

**HOUSE COMMITTEE ON EDUCATION  
COMMUNITY COLLEGE 2019-20**

Rep. Pat Hurley	CHAIR	Debbie Holder	733-5865	532
Rep. John Sauls	CHAIR	Karen Rosser	715-3026	408

Rep. Mark Brody	VICE Chair	Neva Helms	715-3029	416B
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**MEMBERS**

Rep. Jay Adams	Susan Phillips	733-5988	301N
Rep. Jeffrey Elmore	Sarah Bush	733-5935	306A3
Rep. Rosa Gill	Lisa Ray	733-5880	1303
Rep. Rachel Hunt	Sarah Shaefer	733-5800	1111
Rep. Larry Pittman	Tammy Pittman	715-2009	1010
Rep. Robert Reives	Veronica Green	733-0057	1323
Rep. Brian Turner	Austen High	715-3012	1217
Rep. Julie Von Haefen	Hudson McCormick	715-0795	1311
Rep. Lee Zachary	Martha Jenkins	715-8361	420

**Ex-Officio**

Rep. David Lewis	Grace Rogers	715-3015	2301
Rep. Sarah Stevens	Lisa Brown	715-1883	419
Rep. John Bell	Susan Horne	715-3017	301F
Rep. Brenden Jones	Jacob Hardesty	733-5821	1227

Staff   Kara McCraw   Samantha Yarborough   Brian Gwyn   Drupti Chauhan





## ATTENDANCE

## EDUCATION COMMUNITY COLLEGES

## EDUCATION COMMUNITY COLLEGES

Did not meet									
<b>MEMBERS</b>									
Rep. Pat Hurley	Chair								
Rep. John Sauls	Chair								
Rep. Mark Brody	Vice Chair								
Rep. Jay Adams									
Rep. Jeffrey Elmore									
Rep. Rosa Gill									
Rep. Rachel Hunt									
Rep. Larry Pittman									
Rep. Robert Reives									
Rep. Brian Turner									
Rep. Julie Von Haefen									
Rep. Lee Zachary									
<b>Rep. John Bell</b>	<b>Ex Officio</b>								
<b>Rep. Brenden Jones</b>	<b>Ex Officio</b>								
<b>Rep. David Lewis</b>	<b>Ex Officio</b>								
<b>Rep. Sarah Stevens</b>	<b>Ex Officio</b>								
<b>STAFF</b>									
Virginia Barlow									
Lisa Fox									
Shelby Armentrout									
Brian Gwyn									
Drupti Chauhan									
Samantha Yarborough									
Kara McCraw									

