

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH60496-MD-123 (05/15)

Short Title: Access to Higher Education. (Public)

Sponsors: Representatives Harrison, Luebke, Glazier, and Blue (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO PREVENT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF
3 NORTH CAROLINA AND THE STATE BOARD OF COMMUNITY COLLEGES
4 FROM SOLICITING INFORMATION REGARDING THE IMMIGRATION
5 STATUS OF PROSPECTIVE STUDENTS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 15D-5(a) reads as rewritten:

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

14 The State Board of Community Colleges shall establish standards and scales for
15 salaries and allotments paid from funds administered by the State Board, and all
16 employees of the institutions shall be exempt from the provisions of the State Personnel
17 Act. The State Board shall have authority with respect to individual institutions: to
18 approve sites, capital improvement projects, budgets; to approve the selection of the
19 chief administrative officer; to establish and administer standards for professional
20 personnel, curricula, admissions, and graduation; to regulate the awarding of degrees,
21 diplomas, and certificates; to establish and regulate student tuition and fees within
22 policies for tuition and fees established by the General Assembly; and to establish and
23 regulate financial accounting procedures.

24 The State Board of Community Colleges shall require all community colleges to
25 meet the faculty credential requirements of the Southern Association of Colleges and
26 Schools for all community college programs.

1 The State Board of Community Colleges shall not adopt any admissions requirement
2 for any community college relating to a person's immigration status, except as otherwise
3 required by federal law. Nothing in this section prohibits a community college from
4 requiring noncitizen students to pay out-of-state tuition."

5 **SECTION 2.** G.S. 115D-20(4) reads as rewritten:

6 "(4) To apply the standards and requirements for admission and graduation
7 of students and other standards established by the State Board of
8 Community Colleges. Provided, notwithstanding any law or
9 administrative rule to the contrary, local administrative boards and
10 local school boards may establish cooperative programs in the areas
11 they serve to provide for college courses to be offered to qualified high
12 school students with college credits to be awarded to those high school
13 students upon the successful completion of the courses. Provided,
14 further, that during the summer quarter, persons less than 16 years old
15 may be permitted to take noncredit courses on a self-supporting basis,
16 subject to rules of the State Board of Community Colleges. A local
17 administrative board shall not adopt any admissions requirement for
18 any community college relating to a person's immigration status,
19 except as otherwise required by federal law. Nothing in this section
20 prohibits a community college from requiring noncitizen students to
21 pay out-of-state tuition."

22 **SECTION 3.** G.S. 116-11 is amended by adding a new subdivision to read:

23 "(8b) The Board of Governors shall not adopt any admissions requirement
24 for any constituent institution in The University of North Carolina
25 relating to a person's immigration status, except as otherwise required
26 by federal law. Nothing in this section prohibits the Board of
27 Governors from requiring noncitizen students to pay out-of-state
28 tuition."

29 **SECTION 4.** This act becomes effective October 1, 2008.