

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1303

Short Title: Comm. Coll. Educ. Improve. Act.

(Public)

Sponsors: Representatives Warner; Arnold, Barnes, Black, Church, Fox, Grady, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Justus, Luebke, McAllister, Oldham, Preston, J. Robinson, Wainwright, Wilkins, and Yongue.

Referred to: Appropriations.

May 23, 1996

A BILL TO BE ENTITLED

AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS ATTENDING COMMUNITY COLLEGES AND TO MAKE AN APPROPRIATION.

The General Assembly of North Carolina enacts:

Section 1. Article 1 of Chapter 115D of the General Statues is amended by adding a new section to read:

"§ 115D-9. The Education Improvement Program.

(a) Grants. – The State Board shall develop and implement the Education Improvement Program to provide grants for tuition and fees for eligible persons who enroll in a community college and pursue an associate degree. The State Board shall make determinations of eligibility to receive grants. In no event shall a grant exceed the total cost of tuition and fees charged by a community college. The State Education Assistance Authority shall administer the funding of the grants.

(b) Eligibility. – To be eligible to receive an Education Improvement Program grant, an applicant shall meet all of the following qualifications:

- (1) Be a resident for tuition purposes under G.S. 116-143.1;

1 (2) Be a graduate of an accredited high school or hold a recognized
2 equivalent diploma or certificate;

3 (3) Have not been convicted of a Class A through E felony or a felony
4 under G.S. 90-95 or under Article 3 of Chapter 18B of the General
5 Statutes or adjudicated delinquent for acts that would constitute a
6 violation of those offenses if committed by an adult, if the offense
7 occurred before the person reached the age of 16; and

8 (4) Be found to be in financial need.

9 Notwithstanding subdivision (3) of this subsection the State Board may
10 determine that an applicant is eligible to receive a grant if the State Board determines that
11 the applicant has demonstrated full remediation and is otherwise eligible. The State
12 Board is an authorized agency under G.S. 7A-675 to have access to juvenile records for
13 the purpose of making determinations of eligibility. The State Board shall develop and
14 implement guidelines to determine whether a student is eligible to continue to receive
15 Education Improvement Program grants.

16 (c) Financial Need. – All applicants must apply for Federal Title IV student
17 financial assistance. If the applicant is eligible for a Pell Grant of an amount less than the
18 total of tuition and fees, the amount of an Education Improvement Program grant shall be
19 equal to the difference between the amount of tuition and fees and the Pell Grant amount.
20 An applicant who is under 21 years of age and who is found to be ineligible for a Pell
21 Grant shall be found to be in financial need for purposes of an Education Improvement
22 Program grant if:

23 (1) The applicant's custodial parent or guardian has one dependent child
24 under the age of 21 and the adjusted gross income of the family for the
25 tax year immediately preceding the determination of financial need is
26 less than thirty thousand dollars (\$30,000);

27 (2) The applicant's custodial parent or guardian has two dependent children
28 under the age of 21 and the annual adjusted gross income of the family
29 for the tax year immediately preceding the determination of financial
30 need is less than thirty-five thousand dollars (\$35,000); or

31 (3) The applicant's custodial parent or guardian has three or more dependent
32 children under the age of 21 and the annual adjusted gross income of the
33 family for the tax year immediately preceding the determination of
34 financial need is less than forty thousand dollars (\$40,000).

35 Notwithstanding subdivisions (1) through (3) of this subsection, the State Board
36 shall have the authority to determine special circumstances under which an applicant who
37 is under 21 years of age may be deemed to have demonstrated financial need. The State
38 Board shall develop and implement guidelines for determining the financial need of an
39 applicant who is over 21 years of age and who is not eligible to receive a Pell Grant."

40 Sec. 2. Article 23 of Chapter 116 of the General Statutes is amended by
41 adding a new section to read:

42 **"§ 116-209.25. Education Improvement Grants.**

1 In addition to all other powers and duties vested or imposed under this Article, the
2 Authority shall administer the funding for the Education Improvement Grants awarded by
3 the State Board of Community Colleges under G.S. 115D-9. In order to accomplish the
4 purposes of this section, the Authority may:

- 5 (1) In consultation with the State Board of Community Colleges, adopt
6 rules to implement the funding of the Education Improvement Grants;
7 (2) Receive from the General Fund or other sources those funds the General
8 Assembly may authorize to cover, in addition to any other available
9 funds, the costs of tuition and fees required to be paid to eligible
10 students under G.S. 115D-9, both initial and continuing, for the coming
11 academic year; and
12 (3) Seek, accept, and expend funds from any source, including private
13 business, industry, foundations, and other groups as well as any federal
14 or other governmental funding available for this purpose."

15 Sec. 3. There is appropriated from the General Fund to the State Board of
16 Community Colleges the sum of four million three hundred fifty thousand eighty-two
17 dollars (\$4,350,082) for the 1996-97 fiscal year, to implement this act. The State Board
18 of Community Colleges shall allocate funds to the Education Assistance Authority
19 according to a schedule of allocation it establishes.

20 Sec. 4. This act becomes effective July 1, 1996, and applies to payments made
21 for academic years beginning with the 1996-97 academic year.