

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE BILL 1679

Short Title: Disapprove Comm. College Rule/Illegal Aliens. (Public)

Sponsors: Representatives Cleveland, Burris-Floyd, Neumann, Moore (Primary Sponsors); Avila, Blackwell, Blackwood, Brown, Burr, Current, Dockham, Dollar, Folwell, Frye, Grady, Guice, Gully, Hilton, Holloway, Hurley, Iler, Ingle, Johnson, Justice, Killian, Langdon, McElraft, McGee, Randleman, Setzer, Spear, Starnes, Steen, Tillis, West, and Wiley.

Referred to: Judiciary I, if favorable, Education, if favorable, Appropriations.

May 13, 2010

A BILL TO BE ENTITLED
AN ACT TO DISAPPROVE A RULE ADOPTED BY THE STATE BOARD OF
COMMUNITY COLLEGES AND TO PROHIBIT FUTURE ADOPTION OF SIMILAR
RULES.

The General Assembly of North Carolina enacts:

SECTION 1. Pursuant to G.S. 150B-21.3(b1), 23 NCAC 02C .0301 (Admission to Colleges) as adopted by the State Board of Community Colleges on March 19, 2010, and approved by the Rules Review Commission on April 15, 2010, is disapproved.

SECTION 2. G.S. 115D-1 reads as rewritten:

"§ 115D-1. Statement of purpose.

The purposes of this Chapter are to provide for the establishment, organization, and administration of a system of educational institutions throughout the State offering courses of instruction in one or more of the general areas of two-year college parallel, technical, vocational, and adult education programs, to serve as a legislative charter for such institutions, and to authorize the levying of local taxes and the issuing of local bonds for the support thereof. The major purpose of each and every institution operating under the provisions of this Chapter shall be and shall continue to be the offering of vocational and technical education and training, and of basic, high school level, academic education needed in order to profit from vocational and technical education, for students who are lawfully present in the United States and who are high school graduates or who are beyond the compulsory age limit of the public school system and who have left the public schools, provided, juveniles of any age committed to the Department of Juvenile Justice and Delinquency Prevention by a court of competent jurisdiction may, if approved by the director of the youth development center to which they are assigned, take courses offered by institutions of the system if they are otherwise qualified for admission.

The Community Colleges System Office is designated as the primary lead agency for delivering workforce development training, adult literacy training, and adult education programs in the State."

SECTION 3. G.S. 115D-5 is amended by adding a new subsection to read:

"(u) The admissions standards of the State Board of Community Colleges and the admissions standards of all local community colleges shall prohibit the admission of persons who are not lawfully present in the United States, except as otherwise required by federal law. Admissions standards that do not expressly address the admission of persons who are not



1 lawfully present in the United States shall be interpreted so that they comply with this
2 requirement."

3 **SECTION 4.** This act is effective when it becomes law.