

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE DRH30459-MD-125 (04/12)

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

Sponsors: Representatives Cleveland; Neumann and Burris-Floyd.

Referred to:

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

5 The General Assembly of North Carolina enacts:

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

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

10 "**§ 115D-1. Statement of purpose.**

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

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

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

30 "(u) The admissions standards of the State Board of Community Colleges and the
31 admissions standards of all local community colleges shall prohibit the admission of persons
32 who are not lawfully present in the United States, except as otherwise required by federal law.
33 Admissions standards that do not expressly address the admission of persons who are not
34 lawfully present in the United States shall be interpreted so that they comply with this
35 requirement."



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