

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2015**

**SESSION LAW 2016-57**  
**SENATE BILL 536**

AN ACT TO PROVIDE ACCURATE AND COMPLETE DATA TO STUDENTS ON POSTSECONDARY STUDENT COMPLETION, GRADUATION, AND EARNINGS OUTCOMES AT NORTH CAROLINA POSTSECONDARY INSTITUTIONS AND TO PROVIDE FOR A COORDINATED AND CENTRALIZED RESIDENCY DETERMINATION PROCESS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 23 of Chapter 116 of the General Statutes is amended by adding a new section to read:

**"§ 116-209.16A. Information on career and major options.**

(a) Know Before You Go. – The Authority shall provide information on a Web site, under a section entitled "Know Before You Go," to students and parents to assist in selection of major and career options as provided in this section. The information shall be updated annually.

(b) Career Options. – The Authority shall, as data is available, provide information on projected employment needs in the labor economy and associated salary ranges for those areas of employment, college majors which may fulfill those needs, and institutions of higher education that may provide those majors. The Authority may use existing sources of public information, such as the employment projections produced by the federal Department of Labor, Bureau of Labor Statistics, to develop this information.

(c) Major Options. – The Authority shall, as data is available, provide information based on aggregate data for outcomes of public and private institutions of higher education in North Carolina. Outcome information for each public and private institution of higher education shall include, but is not limited to, the following:

- (1) Completion rates within the expected number of semesters for the degree sought.
- (2) Transfer rates of students to other institutions.
- (3) Percentage of students receiving financial aid, by type of aid.
- (4) Average and median amount of loan debt upon student graduation, by major.
- (5) Average and median salary, by major.
- (6) Percentage of graduates employed within six months of graduation, by major.
- (7) Percentage of graduates enrolled in graduate school within six months of graduation, by major.

(d) Public and Private Institutions of Higher Education. – For the purposes of this section, "public institutions of higher education" shall include the constituent institutions of The University of North Carolina and the community colleges under the jurisdiction of the State Board of Community Colleges and "private institutions of higher education" shall include postsecondary institutions that award postsecondary degrees, as defined in G.S. 116-15(a2)(1)."

**SECTION 2.(a)** G.S. 116-143.1 reads as rewritten:

**"§ 116-143.1. Provisions for determining resident status for tuition purposes.**

(a) As defined under this section:

- (1) A "legal resident" or "resident" is a person who qualifies as a domiciliary of North Carolina; a "nonresident" is a person who does not qualify as a domiciliary of North Carolina.
- (2) A "resident for tuition purposes" is a person who qualifies for the in-State tuition rate; a "nonresident for tuition purposes" is a person who does not qualify for the in-State tuition rate.



- (3) "Institution of higher education" means any of the constituent institutions of the University of North Carolina and the community colleges under the jurisdiction of the State Board of Community Colleges.
- (4) "Authority" means the State Education Assistance Authority created by and authorized to act under Article 23 of Chapter 116 of the General Statutes.

...

(d) An individual shall not be classified as a resident for tuition purposes and, thus, not rendered eligible to receive the in-State tuition rate, until he or she has provided such evidence related to legal residence and its duration as may be required by the coordinated and centralized residency determination process administered by the Authority in accordance with this Article acting on behalf of officials of the institution of higher education from which the individual seeks the in-State tuition rate.

(e) When an individual presents evidence that the individual has living parent(s) or court-appointed guardian of the person, the legal residence of such parent(s) or guardian shall be prima facie evidence of the individual's legal residence, which may be reinforced or rebutted relative to the age and general circumstances of the individual by the other evidence of legal residence required of or presented by the individual; provided, that the legal residence of an individual whose parents are domiciled outside this State shall not be prima facie evidence of the individual's legal residence if the individual has lived in this State the five consecutive years prior to enrolling or reregistering at ~~the an~~ institution of higher education ~~at which resident status for tuition purposes is sought.~~ education.

...

(i) A person who, having acquired bona fide legal residence in North Carolina, has been classified as a resident for tuition purposes but who, while enrolled in a ~~State an~~ institution of higher education, loses North Carolina legal residence, shall continue to enjoy the in-State tuition rate for a statutory grace period. This grace period shall be measured from the date on which the culminating circumstances arose that caused loss of legal residence and shall continue for 12 months; provided, that a resident's marriage to a person domiciled outside of North Carolina shall not be deemed a culminating circumstance even when said resident's spouse continues to be domiciled outside of North Carolina; and provided, further, that if the 12-month period ends during a semester or academic term in which such a former resident is enrolled at a ~~State an~~ institution of higher education, such grace period shall extend, in addition, to the end of that semester or academic term.

...."

**SECTION 2.(b)** G.S. 116-201(b) reads as rewritten:

"(b) As used in this Article, the following terms shall have the following meanings unless the context indicates a contrary intent:

- ...
- (11) "Student," with respect to scholarships, grants, and work-study programs, means a resident of the ~~State,~~ State for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with any definitions of residency that may from time to time be prescribed by the Board of Governors of The University of North Carolina and published in the residency manual of the Board, ~~Carolina,~~ who, under regulations adopted by the Authority, has enrolled or will enroll in an eligible institution for the purpose of pursuing his education beyond the high school level, who is making suitable progress in his education in accordance with standards acceptable to the Authority and, for the purposes of G.S. 116-209.19, who has not received a bachelor's degree, or qualified for it and who is otherwise classified as an undergraduate under those regulations that the Authority may promulgate;

...."

**SECTION 2.(c)** G.S. 116-204 is amended by adding a new subdivision to read:

- "(12) To administer the coordinated and centralized process for determining residency for tuition and State-funded financial aid purposes that is jointly developed and implemented by The University of North Carolina, the North Carolina Community College System, and the Authority, in consultation with the North Carolina Independent Colleges and Universities."

**SECTION 2.(d)** G.S. 116-281 reads as rewritten:

**"§ 116-281. Eligibility requirements for scholarships.**

In order to be eligible to receive a scholarship under this Article, a student seeking a degree, diploma, or certificate at an eligible private postsecondary institution must meet all of the following requirements:

- ...
- (3) The student must qualify as a legal resident of North Carolina and as a resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with definitions of residency that may from time to time be adopted by the Board of Governors and published in the residency manual of the Board of Governors of The University of North Carolina.

...."

**SECTION 2.(e)** G.S. 115C-499.2 reads as rewritten:

**"§ 115C-499.2. Eligibility requirements for a scholarship.**

In order to be eligible to receive a scholarship under this Article, a student seeking a degree, diploma, or certificate at an eligible postsecondary institution must meet all of the following requirements:

- ...
- (3) The student must qualify as a legal resident of North Carolina and as a resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with definitions of residency that may from time to time be adopted by the Board of Governors and published in the residency manual of the Board of Governors of The University of North Carolina.

...."

**SECTION 2.(f)** G.S. 105-259(b) is amended by adding a new subdivision to read:

"(b) Disclosure Prohibited. – An officer, an employee, or an agent of the State who has access to tax information in the course of service to or employment by the State may not disclose the information to any other person except as provided in this subsection. Standards used or to be used for the selection of returns for examination and data used or to be used for determining the standards may not be disclosed for any purpose. All other tax information may be disclosed only if the disclosure is made for one of the following purposes:

- ...
- (52) To furnish tax information to the State Education Assistance Authority as necessary for administering the coordinated and centralized residency determination process in accordance with Article 14 of Chapter 116 of the General Statutes."

**SECTION 2.(g)** The State Board of Community Colleges shall adopt a policy that requires the community colleges within the North Carolina Community College System to accept only the residency classification jointly developed by The University of North Carolina, the North Carolina Community College System, and the State Education Assistance Authority in consultation with the North Carolina Independent Colleges and Universities as required by this act under the coordinated and centralized process for determining residency for tuition purposes.

**SECTION 2.(h)** The State Education Assistance Authority shall establish a council comprised of representatives of The University of North Carolina, the North Carolina Community College System, and the North Carolina Independent Colleges and Universities to guide and assist the Authority in formulating, developing, and implementing any policies necessary for the proper administration and maintenance of the coordinated and centralized process for determining residency for tuition and State-funded financial aid as required by this act.

**SECTION 3.** Section 1 of this act becomes effective April 1, 2017. Section 2 of this act becomes effective September 1, 2016, and applies to all undergraduate enrollments for academic quarters, terms, or semesters that begin on or after January 1, 2017, and to all graduate enrollments for academic quarters, terms, or semesters that begin on or after January 1, 2018. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 21<sup>st</sup> day of June, 2016.

s/ Daniel J. Forest  
President of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Pat McCrory  
Governor

Approved 9:27 a.m. this 30<sup>th</sup> day of June, 2016