

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 294

Short Title: No Postsecondary Education/Illegal Aliens. (Public)

Sponsors: Representatives Cleveland, Neumann, Burris-Floyd (Primary Sponsors);
Blackwood, Blust, Brubaker, Burr, Current, Dockham, Folwell, Frye, Gillespie,
Guice, Hilton, Holloway, Hurley, Langdon, McGee, Moore, Randleman, Sager,
Setzer, Starnes, Stevens, Tillis, and West.

Referred to: Education, if favorable, Judiciary I.

February 26, 2009

A BILL TO BE ENTITLED

AN ACT PROHIBITING ILLEGAL ALIENS FROM ATTENDING NORTH CAROLINA
COMMUNITY COLLEGES AND UNIVERSITIES.

The General Assembly of North Carolina enacts:

SECTION 1. 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 2. G.S. 115D-5(a) reads as rewritten:

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

The State Board of Community Colleges shall establish standards and scales for salaries and allotments paid from funds administered by the State Board, and all employees of the institutions shall be exempt from the provisions of the State Personnel Act. The State Board shall have authority with respect to individual institutions: to approve sites, capital



1 improvement projects, budgets; to approve the selection of the chief administrative officer; to
2 establish and administer standards for professional personnel, curricula, admissions, and
3 graduation; to regulate the awarding of degrees, diplomas, and certificates; to establish and
4 regulate student tuition and fees within policies for tuition and fees established by the General
5 Assembly; and to establish and regulate financial accounting procedures.

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

9 The admissions standards of the State Board of Community Colleges and the admissions
10 standards of all local community colleges shall prohibit the admission of persons who are not
11 lawfully present in the United States, except as otherwise required by federal law."

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

13 "(8b) The Board of Governors shall adopt an admissions policy that prohibits the
14 admission of any person who is not lawfully present in the United States to
15 any constituent institution in The University of North Carolina, except as
16 otherwise required by federal law."

17 **SECTION 4.** This act becomes effective October 1, 2009.