



HOUSE BILL 158: Stanly CC/Contract Date & MCC Status.

2023-2024 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	March 21, 2023
Introduced by:	Rep. Sasser	Prepared by:	Kara McCraw
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *HB 158 would (i) extend authorization of Stanly Community College to enter into certain agreements with Stanly County and (ii) authorize a multicampus center for Stanly Community Center.*

PART I: EXTEND STANLY COMMUNITY COLLEGE AND STANLY COUNTY CONTRACTING DATE

CURRENT LAW: G.S. 115D-15.1 provides for the disposition, acquisition, and construction of property by a community college.

G.S. 115D-15.1(b) provides that a board of trustees of a community college may, in connection with additions and renovations to all or part of its property, transfer the property to the county in which the property is located in order to finance any additions or renovations. The county must then transfer the property back to the board of trustees of the community college when any financing agreement entered into by the county to finance the additions or renovations has been satisfied. G.S. 143-129 (public contracts) and G.S. 143-341 (state construction) applies to capital improvement projects transferred to the county under this provision. G.S. 115D-15.1(d) provides that the actions a board of trustees of a community college takes under this provision are subject to the approval of the State Board of Community Colleges.

S.L. 2019-31, as amended by S.L. 2014-82, authorizes Stanly Community College to enter into agreements with Stanly County to jointly erect buildings on property owned by Stanly Community College without the approval of the State Board of Community Colleges. Any agreements entered into must (i) require Stanly Community College to transfer property to Stanly County to construct facilities for the operation of the college, (ii) require Stanly County to lease the facilities to Stanly Community College, and (iii) at the end of the lease term, require Stanly County to transfer title to the property and improvements back to Stanly Community College. G.S. 143-129 (public contracts) and G.S. 143-341 (state construction) do not apply to the transfer of property or capital improvements of transferred property by Stanly Community College to Stanly County under this session law. This authorization expires June 30, 2024.

BILL ANALYSIS: Part I of HB 158 would extend the authorization for Stanly Community College to enter into agreements with Stanly County under this provision until June 30, 2029.

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Director



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PART II. DIRECT THE STATE BOARD OF COMMUNITY COLLEGES TO MAINTAIN MULTICAMPUS STATUS FOR STANLY COMMUNITY COLLEGE

CURRENT LAW: The State Board of Community Colleges (SBCC) in 1B SBCCC 200.3, defines a multicampus center as a convenience location in the community college service area to provide appropriate population and geographic access for community outreach, testing, faculty and staff offices, as well as literacy, continuing education, and curriculum instruction. A college must satisfy the following criteria to establish and maintain a multicampus center (MCC) designation:

1. The MCC must be at least ten miles from the main campus or other MCC locations or the college must provide evidence that the MCC is established in a location where the main campus or other MCC locations cannot adequately provide community college programs and services.
2. Colleges must provide programs and services based on evidence of student demand and needs.
3. Colleges shall obtain prior approval and maintain approval of the MCC from the Southern Association of Colleges and Schools Commission on Colleges.
4. County government provides support for maintenance and operation of the MCC physical plant.
5. The college has developed an instructional program and services plan.
6. The SBCC determines that the MCC is unlikely to have a significant negative impact on institutions contiguous to the MCC.
7. Students enrolled at an MCC must be able to complete at least one associate degree at the MCC.
8. Evidence that the duplication of instructional support and other cost expenses are justifiable from cost effectiveness and quality of support services perspectives.
9. The MCC must enroll a minimum of 300 (curriculum, occupational extension, or basic skills) budget FTE via traditional, blended, or hybrid instruction originating from and delivered at that MCC location. If an MCC drops and remains below the minimum budget FTE, the budget allocation for the MCC is initially reduced and if it remains below that level, the budget allocation will be eliminated.
10. The physical facility or facilities for the MCC must either be owned or leased on a long-term basis by the college.

A community college must apply to the SBCC for approval of a new MCC. If an application meets all criteria and is recommended by the SBCC for approval, the System Office must include the State Board's recommendation in the budget request to the General Assembly. The MCC is approved if the General Assembly appropriates recurring funds to support the MCC.

The SBCC may waive provisions to address unforeseen circumstances where notice and hearing would be contrary to the interest of community college stakeholders. Since 2020, the SBCC has waived the minimum enrollment requirement of 300 in response to COVID-related enrollment decreases, to allow colleges to maintain the same level of MCC funding for the 2020-2021, 2021-2022, and 2022-2023 fiscal years.

BILL ANALYSIS: Part II of HB 158 would require the State Board of Community Colleges to maintain a designation of the Western Stanly Campus of Stanly Community College as a multicampus center.

EFFECTIVE DATE: This act would become effective when it becomes law.