

BP 4.18 Admission of Undocumented Immigrants

Legal Authority NCGS 115D-20

Approvals 06/21/17
Revision

Policy

In compliance with the North Carolina Administrative Code: 1D SBCCC 400.2 related to undocumented immigrants McDowell Technical Community College has established the following policy:

While the Administrative Code does not impose any specific verification obligations on community colleges for the purpose of admitting undocumented immigrants, colleges should continue to follow the admissions application review process prescribed.

Any undocumented student registered into a class is required to pay the out-of-state tuition rate. In implementing the priority provision in 1D SBCCC 400.2 (b)(6), community colleges are responsible for ensuring that a student who is lawfully present in the United States will always have priority for a space in a class or program of study over a student who is not lawfully present in the United States, if there are space limitations. As such, colleges should neither enroll undocumented students into a class or program of study for which there are waiting lists, nor should colleges register undocumented students for classes until the conclusion of the last published registration period.

For the purposes of 1D SBCCC 400.2 (b)(1), undocumented immigrants with a General Education Development (GED) Diploma are not considered to have “graduated from a United States public high school, private high school, or home school” and therefore are not eligible to be admitted to a community college. Colleges cannot add school accreditation as an additional criterion for undocumented immigrants’ admission to the college. The Administrative Code provides that “community colleges shall admit an undocumented immigrant only if he or she attended and graduated from a United States public high school, private high school, or home school that operates in compliance with the State or local law.” 1D SBCCC 400.2 (b)(1). Thus, because the Administrative Code does not require that the high school from which an undocumented immigrant attends and graduates be accredited, colleges are not permitted to add school accreditation as an additional requirement.

An undocumented immigrant with a diploma from an Adult High School that is located in the United States and operates or operated in compliance with State or local law is eligible to be admitted to a community college.

Deferred Action Childhood Arrival (DACA) Students

Current North Carolina Community College System policy allows DACA applicants to enroll at McDowell Technical Community College at the out-of-state tuition cost. However, acceptance to the college does not guarantee acceptance to a specific program. Neither federal law, nor North Carolina law permits individuals with DACA classification to receive professional licenses. For these reasons, McDowell Technical Community College is unable to admit DACA students into licensure programs.