

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2175

Short Title: Higher Education Opportunity Act.

(Public)

Sponsors: Representative Rhyne.

Referred to: Education.

May 30, 1990

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THE OPPORTUNITY FOR HIGHER EDUCATION FOR
3 NORTH CAROLINIANS.

4 Whereas, The North Carolina Constitution mandates that the benefits of The
5 University of North Carolina, as well as other public institutions of higher education, be
6 extended to the people of the State free of expense, as far as practicable; and

7 Whereas, many students who are residents of North Carolina and who can
8 prove their ability to benefit from university education by meeting high academic
9 standards are unable to attend a university because of a lack of economic resources; and

10 Whereas, attendance at the constituent universities should be based on the
11 ability to learn, not the ability to pay; and

12 Whereas, State action that guarantees that North Carolina students with
13 proven ability to learn can attend a public university will result in far greater long-range
14 savings to the State than it would cost in terms of these students' increased earning
15 capacity and increased contributions these students would be able to make to their
16 society; Now, therefore,

17 The General Assembly of North Carolina enacts:

18 Section 1. This act shall be known and cited as "The Higher Education
19 Opportunity Act of 1990."

20 Sec. 2. Chapter 116 of the General Assembly is amended by adding a new
21 Article to read:

22 **“ARTICLE 5B.**
23 **"HIGHER EDUCATION OPPORTUNITY ACT OF 1990.**

24

1 **"§ 116-174.9. Tuition, fees; guarantee; eligibility; administration.**

2 (a) The tuition and fees at any constituent institution of The University of North
3 Carolina shall be paid by the State on behalf of any student who enrolls in such an
4 institution to pursue a baccalaureate degree, who applies therefor, and who meets all of
5 the following qualifications:

- 6 (1) Is a resident for tuition purposes pursuant to G.S. 116-143.1.
7 (2) Has a parent or guardian who is a resident of North Carolina.
8 (3) Has graduated from high school within the two years preceding the
9 application with a minimum cumulative grade point average of 2.5
10 calculated on a 4.0 scale.
11 (4) Has successfully completed 17 1/2 units of high school coursework
12 (ninth grade level or higher), which constitutes a core curriculum and
13 meets standards for admission to the desired college or university. The
14 core curriculum shall be defined as follows:
15 a. Four course units in college preparatory English,
16 b. Three course units in mathematics, including geometry, Algebra
17 I, and II,
18 c. Three course units in science, including at least one unit in life
19 science or biology, at least one unit in physical science, and at
20 least one laboratory course,
21 d. Two course units in social studies, including one in government
22 and economics and one in United States history,
23 e. Two course units in a single foreign language,
24 f. Three and one-half course units, as electives, selected from the
25 course units described in sub-subdivisions a. through e. of this
26 subdivision.
27 (5) Has a composite score on the Scholastic Aptitude Test of at least 900.
28 (6) Has no criminal record.
29 (7) Is found to be in financial need.

30 (b) In each academic year, a constituent institution may provide payment of
31 tuition and fees as provided in this Article for students who fail to meet the
32 requirements enumerated in subdivision (5) of subsection (a) of this section by an
33 amount equal to ten percent (10%) or less. The total number of these students shall not
34 exceed ten percent (10%) of the total number of students admitted the previous year
35 who received tuition and fees as provided in this Article.

36 (c) To continue to receive State payment of tuition and fees once enrolled in a
37 constituent institution, a student shall meet all of the following:

- 38 (1) Make steady academic progress toward a degree, earning not less than
39 the minimum number of hours of credit required for full-time standing
40 in each academic period requiring this enrollment.
41 (2) Maintain full-time enrollment standing for not less than two semesters
42 or three quarters in any academic year.
43 (3) Have no criminal record.

1 (d) The provisions of this Article shall be administered by the Board of
2 Governors of The University of North Carolina, or its successor. The Board shall adopt
3 rules to administer this Article. These rules shall include:

4 a. A mechanism for informing all students of the availability of
5 the assistance provided pursuant to this section early enough in
6 their schooling that a salutary motivational effect is possible.

7 b. Applications, forms, financial audit procedures, eligibility and
8 other program audit procedures, and other matters related to
9 efficient operation.

10 (e) An applicant shall be found to be in financial need if:

11 (1) The applicant's custodial parent or guardian has one dependent child
12 under the age of 21 and the four-year average adjusted gross income of
13 the family is less than thirty thousand dollars (\$30,000).

14 (2) The applicant's custodial parent or guardian has two dependent
15 children under the age of 21 and the four-year average annual adjusted
16 gross income of the family is less than thirty-five thousand dollars
17 (\$35,000).

18 (3) The applicant's custodial parent or guardian has three or more
19 dependent children under the age of 21 and the four-year average
20 annual adjusted gross income of the family is less than forty thousand
21 dollars (\$40,000).

22 The four-year average annual adjusted gross income of the family
23 shall be verified by Internal Revenue Service returns.

24 (f) An appropriation of funds may annually be made to the Board of Governors
25 sufficient to cover, in addition to any other available funds, the costs of tuition and fees
26 required to be paid, both initial and continuing, for the coming academic year. All these
27 payments shall be made directly to the institution to which the tuition is due after notice
28 to the institution that the State shall pay the tuition of a student and after notice from the
29 institution that the student has actually enrolled.

30 (g) The Board of Governors may seek, accept, and expend funds from any
31 source, including private business, industry, foundations, and other groups as well as
32 any federal or other governmental funding available for this purpose.

33 (h) No student shall receive a grant pursuant to this Article in an amount greater
34 than the tuition and fees charged by the institution. The student shall apply for a federal
35 grant prior to receiving State aid pursuant to this Article and any federal grant received
36 shall reduce the amount of State aid received. If the federal grant covers the student's
37 tuition and fees, the student shall not receive State aid pursuant to this Article."

38 Sec. 3. There is appropriated from the General Fund to the Board of
39 Governors of The University of North Carolina the sum of \$100,000 for the 1990-91
40 fiscal year to implement this act.

41 Sec. 4. This act shall become effective July 1, 1990, and applies to payments
42 made for academic years beginning with the 1991-92 academic year.