Selective Service Registration of Applicants for Employment

The 1989 Session of the North Carolina General Assembly enacted legislation requiring applicants for state jobs and certain benefits to prove that they are in compliance with the registration requirements of 50 United States Code Appx. Section 453 (Military Selective Service Act). The statute also obligates all state employers to adopt rules and regulations for enforcing this requirement. Pursuant to that mandate, the following regulations are hereby adopted.

1. Each application form to be used for university employment shall contain a set of questions which is consistent with the model provided at Appendix A.

2. If an application does not answer affirmatively either of the questions specified in Appendix A, he or she shall be notified that a proposed finding of ineligibility for the position will be finalized, unless, within 30 days, he or she provides information which establishes that he or she is in fact in compliance with the registration requirements of the Military Selective Service Act.

3. The applicant may present documentary or oral evidence to prove that he or she is in fact registered or to show that compliance is not required. University officials in charge of employment may allow the applicant an opportunity for a hearing to challenge the proposed finding of ineligibility.

4. To prove eligibility an applicant may show one of the following bases:

   a. that he is registered with the Selective Service;

   b. that he is not required to be registered with the Selective Service; or

   c. that the requirement to register has terminated or become inapplicable and that the failure to register was not a knowing and willful failure to register.

5. In determining whether the applicant has established eligibility under these rules, the level of proof required shall be a preponderance of the evidence.

Appendix A

Statement of Selective Service Registration Compliance

(Check A or B)

A. _____ I certify that I am not required to be registered with the Selective Service because (check one):

____ I am a female.

____ I am in the armed services on active duty. (Note: Members of the Reserves and National Guard are not considered on active duty.)

____ I am under the age of eighteen years.

____ I was born before 1960.

____ I am a permanent resident of the Trust Territory of the Pacific Islands or the Northern Mariana Islands.

B. _____ I certify that I am registered with the Selective Service.

Name (Print) _____

Signature _____ Date _____