



Agency Legislative Proposal – 2025 Session

Document Name: OHE – Defining Physical Presence in CGS

Document Name	OHE – Defining Physical Presence in Connecticut’s Higher Education Statutes
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Legislative Liaison	Noele R. Kidney – 860-305-7927 Noele.kidney@ct.gov
Division Requesting This Proposal	Academic Affairs – Institutional Oversight
Drafter	Noele R. Kidney and Sean Seepersad, PhD.

Title of Proposal	Defining physical presence in Connecticut’s higher education statutes
Statutory Reference, if any	10a-34
Brief Summary and Statement of Purpose	The Office of Higher Education requests that the term and definition “physical presence” be added Connecticut’s statutes that govern institutions of higher learning.
How does this proposal relate to the agency’s mission?	There is no clear definition in either the statutes or the regulations that clear define physical presence and can be used as a standard to determine if an institution has physical presence in the state. This can be problematic for OHE if there is a question about if an institution has established physical presence or not in the state, for example: does an institution have physical presence by having an administrative building but no in-person classes? The lack of a standard in either the statute or regulation hinders OHEs ability to determine how an institution should be authorized.



SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

This is a practical and clarifying adjustment to the current statute to define Connecticut's institutions of higher learning given the increase of online learning opportunities over recent years.

BACKGROUND

Origin of Proposal ☒ New Proposal ☐ Resubmission

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	N.A.
Has this proposal or a similar proposal been implemented in other states? If yes, to what result?	Other states, such as California, Texas, Florida, and New York provide a definition of physical presence in their statutes/regulations.



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Have certain constituencies called for this proposal?	N.A.
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INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

[x] Check here if this proposal does NOT impact other agencies

1. Agency Name	
Agency Contact (name, title)	
Date Contacted	
Status	[] Approved [] Talks Ongoing
Open Issues, if any	

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[x] Check here if this proposal does NOT have a fiscal impact

State	
Municipal (Include any municipal mandate that can be	



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found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[X] Check here if this proposal does NOT lead to any measurable outcomes

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ANYTHING ELSE WE SHOULD KNOW?

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INSERT FULLY DRAFTED BILL HERE

Sec. 10a-34. (Formerly Sec. 10-330). Authorization of programs of higher learning or institutions of higher education. Authority to confer degrees. Review of requests and applications. Appeal of denials.

(a) for the purposes of this section, (1) “program of higher learning” means any course of instruction for which it is stated or implied that college or university-level credit may be given or may be received by transfer, including any course offered by dual enrollment; (2) “degree” means any letters or words, diploma, certificate or other symbol or document which signifies satisfactory completion of the requirements of a program of higher learning; (3) “institution of higher education” means any person, school, board, association, limited liability company or corporation which is authorized to offer one or more programs of higher learning leading to one or more degrees; (4) “authorization” means the approval by the office of higher education to operate or continue operating a program of higher learning or institution of higher education for subsequent periods, and in such periods to confer specified degrees; (5) “program modification” means (a) a change in a program of higher learning that does not clearly qualify as a new program of higher learning or a non-substantive change, including, but not limited to, a new program of higher learning consisting primarily of course work for a previously approved program of higher learning, (b) an approved program of higher learning to be offered at an off-campus location, (c) a change in the title of a degree, or (d) a change in the title of a program of higher learning;[and] (6) “non-substantive change” means (a) a new undergraduate certificate program, within an existing program of higher learning, of not more than thirty semester credit hours that falls under an approved program of higher learning, (b) a new baccalaureate minor of not more than eighteen semester credit hours, (c) a new undergraduate option or certificate program of not more than fifteen semester credit hours, or (d) a new graduate option or certificate program of not more than twelve semester credit hours[.]; and (7) “INSTITUTION WITH A PHYSICAL PRESENCE” MEANS ANY INSTITUTION OF HIGHER EDUCATION THAT (A) FACILITATES ANY INSTRUCTIONAL ACTIVITIES AT A PHYSICAL LOCATION IN THE STATE OR (B) OPERATES AN ADMINISTRATIVE OFFICE LOCATED IN THE STATE.

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(d) the office of higher education shall review all requests and applications for program modifications, non-substantive changes and authorizations submitted by institutions WITH A PHYSICAL PRESENCE. the office shall review each application in consideration of the academic standards set forth in the regulations for authorization adopted by said office in accordance with the provisions of subsection (b) of this section notwithstanding the provisions of section 10a-34e, any application that is determined by the office to be for (1) a program modification that meets all such academic standards, (2) a non-substantive change, or (3) authorization shall be deemed approved, and the office shall notify the institution of such approval, not later than forty-five days from the date the office receives such application without requiring any further action from the applicant.



Agency Legislative Proposal – 2025 Session

Document Name: OHE – Enrolled Students

Document Name	OHE – Enrolled Students
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Legislative Liaison	Noele R. Kidney – 860-305-7927 Noele.kidney@ct.gov
Division Requesting This Proposal	Academic Affairs – Postsecondary School Authorization (POSA)
Drafter	Noele R. Kidney and Sean Seepersad, PhD.

Title of Proposal	Renewing institutions that are actively teaching students
Statutory Reference, if any	10a-22c
Brief Summary and Statement of Purpose	Schools must have had actively enrolled students within the past 24 months to apply for reauthorization by the Office of Higher Education. Limited staff resources are expended when authorizing a school that is not currently training students and requesting reauthorization.
How does this proposal relate to the agency's mission?	Connecticut has a handful of schools that currently do not have any actively enrolled students and are authorized by OHE. Given the lack of students, the student protection component of the agency's mission is minimized, and the resources required keep the school authorized could be expended elsewhere, such as new schools seeking authorization. When such schools are ready to enroll students, they can apply for initial authorization.



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Document Name: OHE – Enrolled Students

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

The Office of Higher Education requests that CGS stipulate that a requirement of requesting a career school authorization be that the requesting institution have actively enrolled students within the past 24 months. On average, OHE staff dedicate an average of 40-60 hours on the renewal application process from working with school owners on their renewal application submissions, traveling to schools to inspect the physical space, and recruiting curriculum specialists to review applications. Limiting renewals for schools that are actively training students will save agency resources and increase staff efficiency.

BACKGROUND

Origin of Proposal

☒ New Proposal

☐ Resubmission

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Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	N.A.
Has this proposal or a similar proposal been	Georgia requires that schools be enrolling students within the last two years to apply for reauthorization.



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Document Name: OHE – Enrolled Students

implemented in other states? If yes, to what result?	
Have certain constituencies called for this proposal?	N.A.

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

☒ Check here if this proposal does NOT impact other agencies

1. Agency Name	
Agency Contact (name, title)	
Date Contacted	
Status	<input type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing
Open Issues, if any	

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

☐ Check here if this proposal does NOT have a fiscal impact

State	Potential loss of a \$200 annual fee per inactive school. Currently there are less than five schools that fall within this category. Given that these schools have no enrolled students, they are not making quarterly payments to the Student Protection Account.
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Municipal (Include any municipal mandate that can be found within legislation)	N.A.
Federal	N.A.
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[X] Check here if this proposal does NOT lead to any measurable outcomes

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ANYTHING ELSE WE SHOULD KNOW?

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INSERT FULLY DRAFTED BILL HERE

Sec. 10a-22c. of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2025): When certificate to operate shall not be authorized or may be denied. Requirements for issuance of certificate. Seizure of letter of credit. Notice of decision.

(E) NO CERTIFICATE TO OPERATE A PRIVATE CAREER SCHOOL SHALL BE ISSUED BY THE COMMISSIONER PURSUANT TO SECTION 10A-22D IF SUCH PRIVATE CAREER SCHOOL SEEKING AUTHORIZATION HAS NOT ENROLLED ANY STUDENTS CONTINUOUSLY WITHIN THE LAST TWO YEARS THAT AUTHORIZATION IS SOUGHT. SUCH SCHOOLS SHALL FOLLOW SCHOOL CLOSURE PURSUANT TO SECTION 10A-22M SIXTY DAYS PRIOR TO THE EXPIRATION OF AUTHORIZATION.



Agency Legislative Proposal – 2025 Session

Document Name: OHE – 90 Day Extensions for Renewals

Document Name	OHE – 90 Day Extensions for Renewals
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Legislative Liaison	Noele R. Kidney – 860-305-7927 Noele.kidney@ct.gov
Division Requesting This Proposal	Academic Affairs
Drafter	Noele R. Kidney and Sean Seepersad, PhD.

Title of Proposal	Increasing extensions for career school authorizations from 60 to 90 days
Statutory Reference, if any	CGS Sec 10a-22d
Brief Summary and Statement of Purpose	OHE requests that the current 60-day period for reviewing a renewal application for an institution of higher learning be increased by 30 days to accommodate the numerous steps that its agency staff must complete while reviewing renewal applications while they are also responsible for processing new school applications, fulfilling transcript requests and responding to student questions and complaints.
How does this proposal relate to the agency's mission?	The Office of Higher Education's mission states that it seeks to advance the promise of postsecondary education for all state residents and to advocate on behalf of students. The additional 30 days will provide the limited agency staff the time necessary to thoroughly review renewal applications, engage independent subject matter experts and perform site visits. With sufficient time to thoroughly review pending applications, the process can get rushed resulting in student experience being negatively impacted.



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Document Name: OHE – 90 Day Extensions for Renewals

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Current statute allows for a 60-day extension when an institution is undergoing renewal of its authorization. We are proposing that the extension period be increased to 90 days to allow OHE staff adequate time to complete investigations and evaluations to determine whether a school should be reauthorized.

BACKGROUND

Origin of Proposal

☒ New Proposal

☐ Resubmission

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	N.A.
Has this proposal or a similar proposal been implemented in other states? If	N.A.



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Document Name: OHE – 90 Day Extensions for Renewals

yes, to what result?	
Have certain constituencies called for this proposal?	N.A.

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

☒ Check here if this proposal does NOT impact other agencies

1. Agency Name	
Agency Contact (name, title)	
Date Contacted	
Status	<input type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing
Open Issues, if any	



Agency Legislative Proposal – 2025 Session

Document Name: OHE – 90 Day Extensions for Renewals

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[X] Check here if this proposal does NOT have a fiscal impact

State	
Municipal (Include any municipal mandate that can be found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[X] Check here if this proposal does NOT lead to any measurable outcomes

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ANYTHING ELSE WE SHOULD KNOW?

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INSERT FULLY DRAFTED BILL HERE

Sec. 10a-22d. of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2025): (Formerly Sec. 10-7d). Authorization: Conditions for renewal, fees, probation, extension. (a) After the initial year of approval and for the next three years of operation as a private career school, renewal of the certificate of authorization shall be required annually.

[...]

(e) Notwithstanding the provisions of sections 10a-22a to 10a-22o, inclusive, the executive director may authorize the extension of the most recent certificate of authorization for a period not to exceed **[sixty]** ninety days for good cause shown, provided such extension shall not change the date of the original certificate's issuance or the date for each renewal.



Agency Legislative Proposal – 2025 Session

Document Name: OHE – Change of Ownership

Document Name	OHE7 – Change of Ownership
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Legislative Liaison	Noele R. Kidney – 860-305-7927 Noele.kidney@ct.gov
Division Requesting This Proposal	Academic Affairs
Drafter	Noele R. Kidney and Sean Seepersad, PhD.

Title of Proposal	Change of Ownership Legislation for Institutions of Higher Education
Statutory Reference, if any	10a-34
Brief Summary and Statement of Purpose	Currently there are no statutes governing the change of ownership or control of institutions of higher education. The current regulations have insufficient minimal guidance in 10a-34-6 (g). This statute language will provide the explicit legislative authority and outline the process for change of ownership.
How does this proposal relate to the agency's mission?	Within the last 3 years OHE has already received 3 requests from different institutions for change of ownership. Our authority relies on the guidance in the regulations (10a-34-6). As stated above, this proposal would provide explicit legislative authority and allow OHE to develop a change of ownership process.



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Document Name: OHE – Change of Ownership

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 10a-34 (d) adds language “change of ownership,” prior to “program modifications, non-substantive changes and authorizations.” This additional text will authorize OHE to establish a change of ownership process for institutions of higher learning.

BACKGROUND

Origin of Proposal

☒ New Proposal

☐ Resubmission

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	N.A.
Has this proposal or a similar proposal been implemented in other states? If	



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Document Name: OHE – Change of Ownership

yes, to what result?	
Have certain constituencies called for this proposal?	N.A.

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

☒ Check here if this proposal does NOT impact other agencies

1. Agency Name	
Agency Contact (name, title)	
Date Contacted	
Status	<input type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing
Open Issues, if any	

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

☒ Check here if this proposal does NOT lead to any measurable outcomes

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ANYTHING ELSE WE SHOULD KNOW?

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INSERT FULLY DRAFTED BILL HERE

Sec. 10a-34. (Formerly Sec. 10-330). Authorization of programs of higher learning or institutions of higher education. Authority to confer degrees. Review of requests and applications. Appeal of denials is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) For the purposes of this section, (1) “program of higher learning” means any course of instruction for which it is stated or implied that college or university-level credit may be given or may be received by transfer, including any course offered by dual enrollment; (2) “degree” means any letters or words, diploma, certificate or other symbol or document which signifies satisfactory completion of the requirements of a program of higher learning; (3) “institution of higher education” means any person, school, board, association, limited liability company or corporation which is authorized to offer one or more programs of higher learning leading to one or more degrees; (4) “authorization” means the approval by the Office of Higher Education to operate or continue operating a program of higher learning or institution of higher education for subsequent periods, and in such periods to confer specified degrees; (5) “program modification” means (A) a change in a program of higher learning that does not clearly qualify as a new program of higher learning or a nonsubstantive change, including, but not limited to, a new program of higher learning consisting primarily of course work for a previously approved program of higher learning, (B) an approved program of higher learning to be offered at an off-campus location, (C) a change in the title of a degree, or (D) a change in the title of a program of higher learning; **[and]** (6) “nonsubstantive change” means (A) a new undergraduate certificate program, within an existing program of higher learning, of not more than thirty semester credit hours that falls under an approved program of higher learning, (B) a new baccalaureate minor of not more than eighteen semester credit hours, (C) a new undergraduate option or certificate program of not more than fifteen semester credit hours, or (D) a new graduate option or certificate program of not more than twelve semester credit hours, and (7) “Change in ownership” means an event involving an institution that results in a change of control, including, but not limited to: (1) The sale of the institution;

(2) The transfer of the controlling interest of stock of the institution or its parent corporation;
(3) The merger of two or more eligible institutions; (4) The division of one institution into two



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Document Name: OHE – Change of Ownership

or more institutions; (5) The transfer of the liabilities of an institution to its parent corporation; (6) A transfer of assets that comprise a substantial portion of the educational business of the institution, except where the transfer consists exclusively in the granting of a security interest in those assets;

(7) A change whereby the institution's ownership changes from an entity that is for-profit, nonprofit, or public to another one of those statuses. However, when an institution's ownership changes from a for-profit entity to a nonprofit entity or becomes affiliated with a public system, the institution remains a proprietary institution until the Department approves the change of status for the institution; or

(8) The acquisition of an institution to become an additional location of another institution unless the acquired institution closed or ceased to provide educational instruction.

(d) The Office of Higher Education shall review all requests and applications for change of ownership, program modifications, non-substantive changes and authorizations. The office shall review each application in consideration of the academic standards set forth in the regulations for authorization adopted by said office in accordance with the provisions of subsection (b) of this section. Notwithstanding the provisions of section 10a-34e, any application that is determined by the office to be for (1) a program modification that meets all such academic standards, (2) a non-substantive change, or (3) authorization shall be deemed approved, and the office shall notify the institution of such approval, not later than forty-five days from the date the office receives such application without requiring any further action from the applicant.