



## Agency Legislative Proposal - 2019 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):  
101718\_OHE\_NonParticipating\_OOS\_IHE\_SARA.docx

(If submitting electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

State Agency: Office of Higher Education

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Lead agency division requesting this proposal: [Click here to enter text.](#)

Agency Analyst/Drafter of Proposal: Sean Seepersad

**Title of Proposal:** Non-Participating Out of State Institutions of Higher Education in nation-wide state authorization reciprocity agreement. Application Process.

**Statutory Reference:** Section 10a-57f

**Proposal Summary:**

The proposal seeks to create an application process for out of state institutions that are not participating in the state authorization reciprocity agreement (SARA). This application process would require these institutions to abide by standards similar to those of SARA and to charge application and renewal fees for these out of state institutions.

### PROPOSAL BACKGROUND

#### ◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

In 2016, the Senate and House of Representatives enacted the Public Act 16-120 - An Act Concerning Participation In The Standard Authorization Reciprocity Agreement Regarding Distance Learning Programs (now statute 10a-57f). This Act gave the Office of Higher Education the authority to enter into the nation-wide State Authorization Reciprocity Agreement (SARA). This agreement provided standards by which participating out of state institutions of higher education had to abide by in order to offer educational programs to Connecticut students. It also allowed for participating Connecticut institutions of higher education to offer educational programs to other participating SARA states. Each state also charges application and renewal fees to their participating institutions of higher education in which they are domiciled. The



current statute, however, does not address out of state institutions which are not participating in SARA. This proposal would create an addition to the existing statute governing these non-participating institutions of higher education, requiring them to abide by standards similar to those in SARA and to charge application and renewal fees, as is done for participating institutions of higher education in SARA. Currently Rhode Island has effectively implemented a similar process.

**Origin of Proposal**       **New Proposal**       **Resubmission**

*If this is a resubmission, please share:*

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

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**PROPOSAL IMPACT**

**AGENCIES AFFECTED** *(please list for each affected agency)*

<p><b>Agency Name:</b> <a href="#">Click here to enter text.</a></p> <p><b>Agency Contact (name, title, phone):</b> <a href="#">Click here to enter text.</a></p> <p><b>Date Contacted:</b> <a href="#">Click here to enter text.</a></p> <p>Approve of Proposal    <input type="checkbox"/> <b>YES</b>    <input type="checkbox"/> <b>NO</b>    <input type="checkbox"/> <b>Talks Ongoing</b></p>
<p><b>Summary of Affected Agency's Comments</b></p> <p><a href="#">Click here to enter text.</a></p>
<p>Will there need to be further negotiation?    <input type="checkbox"/> <b>YES</b>    <input type="checkbox"/> <b>NO</b></p>

**FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

<p><b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i></p> <p><a href="#">Click here to enter text.</a></p>
<p><b>State</b></p>



With the ability to charge fees, this would help increase revenue for the Office of Higher Education.

**Federal**

Click here to enter text.

**Additional notes on fiscal impact**

Click here to enter text.

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

Click here to enter text.

**Insert fully drafted bill here**

Section 1. Section 10a-57f of the general statutes is repealed and the following is substituted in lieu thereof *(Effective 1/1/2020)*:

(a) Not later than January 1, 2017, the Office of Higher Education shall enter into a multistate or regional reciprocity agreement for purposes of enabling the state and Connecticut institutions of higher education to participate in a nation-wide state authorization reciprocity agreement (1) establishing uniform standards for distance learning programs across states, and (2) eliminating the need for a state participating in the state authorization reciprocity agreement to assess the quality of a distance learning program offered by an out-of-state institution of higher education through the participating state's authorization, licensing and accreditation process. Notwithstanding the provisions of part III of this chapter and upon the Office of Higher Education entering into the multistate or regional reciprocity agreement, an out-of-state institution of higher education that participates in the state authorization reciprocity agreement may operate a distance learning program in the state in accordance with the uniform standards.

(b) Any Connecticut institution of higher education that seeks to participate in the nation-wide state authorization reciprocity agreement under subsection (a) of this section shall submit an application with the Office of Higher Education on a form prescribed by the office. The office shall approve or reject the institution's application in accordance with the terms of such agreement. Authorization by the office to participate in such agreement shall be valid for a period of one year and may be renewed by the office for additional one-year periods. The office shall establish a schedule of application and renewal fees for all Connecticut institutions of higher education that participate in such agreement. The fee schedule shall be graduated based on the number of full-time equivalent students at each Connecticut institution of higher education.

(c) Any out-of-state institution of higher education that does not participate in the state authorization reciprocity agreement and seeks to operate a distance learning program in the state shall submit an



application with the Office of Higher Education on a form prescribed by the office. Institutions will agree to abide by standards put forward by the Office of Higher Education and are similar to those in the state authorization reciprocity agreement. The office shall approve or reject the institution's application in accordance with the standards established by the Office. Authorization by the office to operate a distance learning program in the state shall be valid for a period of one year and may be renewed by the office for additional one-year periods. The office shall establish a schedule of application and renewal fees for all out-of-state institutions of higher education not participating in the state authorization reciprocity agreement that are approved. The fee schedule shall be graduated based on the number of full-time equivalent students at each institution of higher education.

[(c)] (d) Nothing in subsection (a) of this section shall be construed to affect the authority of the Attorney General to enforce the provisions of chapter 735a or Title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act, P.L. 111-203, as amended from time to time.