



## Agency Legislative Proposal - 2021 Session

**Document Name:** 09.30.20\_OHE\_OutOfStateStudentPaymentsFromStudentProtectionAccount

(If submitting electronically, please label with date, agency, and title of proposal – 092621\_SDE\_TechRevisions)

State Agency: Office of Higher Education

**Liaison:** Noele R Kidney

**Phone:** 860-305-7927

**E-mail:** Noele.kidney@ct.gov

Lead agency division requesting this proposal: Academic Affairs

Agency Analyst/Drafter of Proposal: Noele Kidney/Sean Seepersad

**Title of Proposal:** Remove restriction for payments to the student protection account

**Statutory Reference:** Section 10a-22u

**Proposal Summary:**

We would like to delete the restriction on payments to the student protection account to only Connecticut residents and expand it to all students enrolled at the school. Currently CT schools do not need to pay student protection fees for their out of state students.

### 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)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

Given the global educational climate and private postsecondary occupational schools push to move their programs online, we would like to delete the restriction on payments to the student protection account to only Connecticut residents and expand it to all students enrolled at the school. Adding is provision will ensure that all students, including those who live out of state, who attend Connecticut postsecondary occupational schools are covered by the Student Protection Account.

◇ **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?

### **PROPOSAL IMPACT**

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

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

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

<b>Municipal</b> (please include any municipal mandate that can be found within legislation) No fiscal impact
<b>State</b> Possible increase in revenue
<b>Federal</b> No fiscal impact
<b>Additional notes on fiscal impact</b>

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



10a-22u

◇ **EVIDENCE BASE**

*What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.*

**Insert fully drafted bill here**

**Sec. 10a-22u. (Formerly Sec. 10-14i). Establishment of private occupational school student protection account. Treatment of overpayments and underpayments.** (a) There shall be an account to be known as the private occupational school student protection account within the General Fund. Each private occupational school authorized in accordance with the provisions of sections 10a-22a to 10a-22o, inclusive, shall pay to the State Treasurer an amount equal to four-tenths of one per cent of the tuition received by such school per calendar quarter exclusive of any refunds paid. ~~except that distance learning and correspondence schools authorized in accordance with the provisions of sections 10a-22a to 10a-22o, inclusive, shall contribute to said account only for Connecticut residents enrolled in such schools.~~ Payments shall be made by January thirtieth, April thirtieth, July thirtieth and October thirtieth in each year for tuition received during the three months next preceding the month of payment. In addition to amounts received based on tuition, the account shall also contain any amount required to be deposited into the account pursuant to sections 10a-22a to 10a-22o, inclusive. Said account shall be used for the purposes of section 10a-22v. Any interest, income and dividends derived from the investment of the account shall be credited to the account. All direct expenses for the maintenance of the account may be charged to the account upon the order of the State Comptroller. The executive director may assess the account for all direct expenses incurred in the implementation of the purposes of this section which are in excess of the normal expenditures of the Office of Higher Education.



## Agency Legislative Proposal - 2021 Session

**Document Name:** 09.30.20\_OHE\_POSARenewalApp

(If submitting electronically, please label with date, agency, and title of proposal – 092621\_SDE\_TechRevisions)

State Agency: Office of Higher Education

**Liaison:** Noele R Kidney

**Phone:** 860-305-7927

**E-mail:** Noele.kidney@ct.gov

Lead agency division requesting this proposal: Academic Affairs

Agency Analyst/Drafter of Proposal: Noele Kidney/Sean Seepersad

**Title of Proposal:** Adding Criteria for Revocation of POSA Certificate Authorization

**Statutory Reference:** Section 10a-22f

**Proposal Summary:**

Includes an additional criteria for the revocation of certificate authorization for private postsecondary occupational schools.

### 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)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

The statutes do not currently allow for a revocation of certificate of authorization if the applicant fails to submit renewal application pursuant to section 10a-22d. We would like to add this criteria to allow us greater flexibility for revocation and have a clear path for dealing with schools that do not submit their renewal application.

◇ **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?*



## **PROPOSAL IMPACT**

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

<b>Agency Name:</b> <b>Agency Contact (name, title, phone):</b> <b>Date Contacted:</b>
Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
<b>Summary of Affected Agency's Comments</b> 10a-22f
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

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

<b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i> No fiscal impact
<b>State</b> No fiscal impact
<b>Federal</b> No fiscal impact
<b>Additional notes on fiscal impact</b>

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

10a-22f
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### ◇ **EVIDENCE BASE**



What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

Very minor change that only occurs in a small percentage of schools. Impact will be very minimal.

### Insert fully drafted bill here

**Sec. 10a-22f. (Formerly Sec. 10-7g). Revocation of certificate of authorization.** (a) A certificate of authorization issued to a private occupational school pursuant to sections 10a-22a to 10a-22o, inclusive, and sections 10a-22u to 10a-22w, inclusive, may be revoked by the executive director if such school (1) ceases to meet the conditions of its authorization; (2) commits a material or substantial violation of sections 10a-22a to 10a-22o, inclusive, or sections 10a-22u to 10a-22w, inclusive, or the regulations prescribed thereunder; (3) makes a false statement about a material fact in application for authorization or renewal; or (4) fails to make a required payment to the private occupational school student protection account pursuant to section 10a-22u (5) FAILS TO SUBMIT RENEWAL APPLICATION PURSUANT TO SECTION 10A-22d



## Agency Legislative Proposal - 2021 Session

**Document Name:** 09.30.20\_OHE\_DisasterRecoveryPlans

(If submitting electronically, please label with date, agency, and title of proposal – 092621\_SDE\_TechRevisions)

State Agency: Office of Higher Education

**Liaison:** Noele R Kidney

**Phone:** 860-305-7927

**E-mail:** Noele.kidney@ct.gov

Lead agency division requesting this proposal: Academic Affairs

Agency Analyst/Drafter of Proposal: Noele Kidney/Sean Seepersad

**Title of Proposal:** Requiring Disaster Recovery Plans and Communication on IHE closure

**Statutory Reference:** Section 10a-34e (b)

**Proposal Summary:**

This legislation will require private institutions of higher education that are licensed or accredited through the state, to develop, maintain, and file a disaster recovery plan with the Office of Higher Education. In addition, an private institution of higher education licensed or accredited through the state that plans to close will communicate with the Office of Higher Education a closure plan which will include: (1) planned date of termination of operations; (2) planned date and location for the transfer of student records; (3) name and address of the organization to receive and manage the student records and the name and contact information of the office or official who is designated to manage transcript requests; (4) arrangement for the continued education of currently enrolled students via teach out agreement or other practical solution; (5) evidence of communication with the Office of Higher Education and the U.S. Department of Education regarding the appropriate actions concerning state grant and scholarships, state loans, and federal grants and scholarships; (6) evidence of communication with any U.S. Department of Education approved accrediting agency with regards to the closure.

### 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)? Are other states considering something similar this year?
(3) Have certain constituencies called for this action?
(4) What would happen if this was not enacted in law this session?

Currently, the only statute that addresses private institution of higher education closure is section 10a-34e (b). This statute is high restrictive, focusing specifically on institutions that do not have regional accreditation. This statute for example, would not have applied to Lincoln College of New England that closed in 2018 or the upcoming planned closure of University of Bridgeport. In addition, as a SARA member state, we need to require institutions of higher education to have a disaster recovery plan as well as laws, regulations, policies and/or processes in place to deal with the unanticipated closure of an institution. This legislation satisfy these requirements from SARA. The language was in part, adopted from New Jersey legislation/regulation (C.18A:3B-14 and 9A:1-1.3 Licensure).

- Origin of Proposal
[X] 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?

PROPOSAL IMPACT

- AGENCIES AFFECTED (please list for each affected agency)

Agency Name:
Agency Contact (name, title, phone):
Date Contacted:

Approve of Proposal [ ] YES [ ] NO [ ] Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? [ ] YES [ ] NO

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





<b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i> No fiscal impact
<b>State</b> No fiscal impact
<b>Federal</b> No fiscal impact
<b>Additional notes on fiscal impact</b>

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

Typically institutions of higher education would already have a disaster recovery plan in place due to regional accreditation requirements. The legislation would ensure all private institutions have such a plan and that it is filed with the Office of Higher Education. It also gives the Office of Higher Education more specific legislative authority to oversee the closure process at institutions of higher education.

◇ **EVIDENCE BASE**

*What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.*

**Insert fully drafted bill here**

Sec. 10a-34. (Formerly Sec. 10-330). Licensure or accreditation of programs of higher learning or institutions of higher education.

(b) The Office of Higher Education shall establish regulations, in accordance with chapter 54, concerning the requirements for



licensure and accreditation (NEW) INCLUDING REQUIRING PRIVATE INSTITUTIONS OF HIGHER EDUCATION TO DEVELOP, MAINTAIN, AND FILE A DISASTER RECOVERY PLAN WITH THE OFFICE OF HIGHER EDUCATION. THIS CLOSURE PLAN WILL INCLUDE: (1) PLANNED DATE OF TERMINATION OF OPERATIONS; (2) PLANNED DATE AND LOCATION FOR THE TRANSFER OF STUDENT RECORDS; (3) NAME AND ADDRESS OF THE ORGANIZATION TO RECEIVE AND MANAGE THE STUDENT RECORDS AND THE NAME AND CONTACT INFORMATION OF THE OFFICE OR OFFICIAL WHO IS DESIGNATED TO MANAGE TRANSCRIPT REQUESTS; (4) ARRANGEMENT FOR THE CONTINUED EDUCATION OF CURRENTLY ENROLLED STUDENTS VIA TEACH OUT AGREEMENT OR OTHER PRACTICAL SOLUTION; (5) EVIDENCE OF COMMUNICATION WITH THE OFFICE OF HIGHER EDUCATION AND U.S. DEPARTMENT OF EDUCATION REGARDING THE APPROPRIATE ACTIONS CONCERNING STATE GRANT AND SCHOLARSHIP; (6) EVIDENCE OF COMMUNICATION WITH ANY U.S. DEPARTMENT OF EDUCATION APPROVED ACCREDITING AGENCY WITH REGARDS TO THE CLOSURE AND such regulations to concern administration, finance, faculty, curricula, library, student admission and graduation, plant and equipment, records, catalogs, program announcements and any other criteria pertinent thereto, as well as the periods for which licensure and accreditation may be granted, and the costs and procedures of evaluations as provided in subsections (c), (d) and (i) of this section. Said office shall establish academic review commissions to hear each appeal of a denial by said office of an application by an institution of higher education for licensure or accreditation of a program of higher learning or institution of higher education. For each individual appeal, the executive director of said office, or the executive director's designee, shall select a commission that is comprised of four higher education representatives and five business and industry representatives chosen from a panel of thirty-five members, who shall be appointed as follows: (1) The Governor shall appoint five members; (2) the speaker of the House of Representatives shall appoint five members; (3) the president pro tempore of the Senate shall appoint five members; (4) the majority leader of the House of Representatives shall appoint five members; (5) the majority leader of the Senate shall appoint five members; (6) the minority leader of the House of Representatives shall appoint five members; and (7) the minority leader of the Senate shall appoint five members. The executive director of said office, or the executive director's designee, shall ensure that each commission contains at least one member appointed by each of the appointing authorities. Each appointing authority shall select both higher education representatives and business and industry representatives, but not more than three from either category of representatives.





## Agency Legislative Proposal - 2021 Session

**Document Name:** 9.30.20\_OHE\_POSAcompiledfinancialstatements

(If submitting electronically, please label with date, agency, and title of proposal – 092621\_SDE\_TechRevisions)

State Agency: Office of Higher Education
<b>Liaison:</b> Noele R Kidney <b>Phone:</b> 8960-305-7927 <b>E-mail:</b> Noele.kidney@ct.gov
Lead agency division requesting this proposal: Academic Affairs
Agency Analyst/Drafter of Proposal: Noele Kidney/Sean Seepersad

<b>Title of Proposal:</b> Revising the financial statement requirement for private occupational schools to be based on tuition revenue instead of enrollment
<b>Statutory Reference:</b> Section 10a-22d
<b>Proposal Summary:</b> Make a minor change to 10a-22d to allow private occupational schools to do a compiled financial statement if their tuition revenue is less than \$50,000 instead of enrolling less than 10 students.

### PROPOSAL BACKGROUND

#### ◇ Reason for Proposal

<p><i>Please consider the following, if applicable:</i></p> <ol style="list-style-type: none"> <li>(1) <i>Have there been changes in federal/state/local laws and regulations that make this legislation necessary?</i></li> <li>(2) <i>Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?</i></li> <li>(3) <i>Have certain constituencies called for this action?</i></li> <li>(4) <i>What would happen if this was not enacted in law this session?</i></li> </ol> <p>Currently the statute only allows for schools enrolling fewer than 10 students to do a compiled financial statement. In our experience working with schools, a school could have enrolled 10 or more students and doing a reviewed or audited financial statement proves to a significant financial burden to them because of their low tuition revenue. We suggest a change to look at tuition revenue instead of enrolled students, and consider a tuition revenue amount of less than \$50,000 to better target schools for which doing a reviewed or audited financial statement will be a financial burden. Smaller schools have provided feedback that this is a significant financial burden for them with their low tuition revenues.</p>
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◇ **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?

### **PROPOSAL IMPACT**

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

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

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

<b>Municipal</b> (please include any municipal mandate that can be found within legislation) No fiscal impact
<b>State</b> No fiscal impact
<b>Federal</b> No fiscal impact
<b>Additional notes on fiscal impact</b>

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



10a-22d

◇ **EVIDENCE BASE**

*What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.*

We will monitor the reports of difficulty from schools in doing the reviewed or audited financial statement. These reports should significantly decrease with this change.

**Insert fully drafted bill here**

Sec. 10a-22d. (Formerly Sec. 10-7d). Authorization: Conditions for renewal, fees, probation, extension.

(g) Each private occupational school shall keep financial records in conformity with generally accepted accounting principles. An annual financial statement detailing the financial status of the school shall be prepared by school management and reviewed or audited, or, for a nonaccredited school annually **enrolling fewer than ten students RECEIVING LESS THAN \$50,000 IN TUITION REVENUE**, compiled, by a licensed certified public accountant or licensed public accountant in accordance with standards established by the American Institute of Certified Public Accountants. A copy of such financial statement shall be filed with the executive director on or before the last day of the fourth month following the end of the school's fiscal year, except in the case of a nationally accredited school recognized by the United States Department of Education, in which case such financial statement shall be due on or before the last day of the sixth month following the end of the school's fiscal year. Only audited financial statements shall be accepted from a nationally accredited school. Upon a nonaccredited school's written request, the executive director may authorize, for good cause shown, a filing extension for a period not to exceed sixty days. No filing extensions shall be granted to a nationally accredited school.



## Agency Legislative Proposal - 2021 Session

**Document Name:** 9.30.2020\_OHE\_POSAReimbursements

(If submitting electronically, please label with date, agency, and title of proposal – 092621\_SDE\_TechRevisions)

State Agency: Office of Higher Education

**Liaison:** Noele R. Kidney

**Phone:** 860-305-7927

**E-mail:** Noele.kidney@ct.gov

Lead agency division requesting this proposal: Academic Affairs

Agency Analyst/Drafter of Proposal: Sean Seepersad/Noele Kidney

**Title of Proposal:** POSA Administrative costs

**Statutory Reference:** Section 10a-22u

**Proposal Summary:**

OHE proposes that it be allowed to reimburse its Personal Services account with funds from the Student Protection Account to pay for all direct and indirect costs related to OHE staff administering POSA 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)? Are other states considering something similar this year?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

If not enacted, the result could be a dramatic budget shortfall within OHE’s Personal Services account and the Student Protection Account.

◇ **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?



## **PROPOSAL IMPACT**

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

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

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

<b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i> No fiscal impact
<b>State</b> No fiscal impact
<b>Federal</b> No fiscal impact
<b>Additional notes on fiscal impact</b>

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

Section 10-22a – 10a-22y details OHE's responsibilities regarding supervision of private occupational schools. This proposal's approval will enable OHE to cover the costs associated with staff supervision of more than 100 occupational schools licensed in Connecticut.
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### ◇ **EVIDENCE BASE**





*What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.*

### **Insert fully drafted bill here**

Sec. 10a-22u. (Formerly Sec. 10-14i). Establishment of private occupational school student protection account. Treatment of overpayments and underpayments. (a) There shall be an account to be known as the private occupational school student protection account within the General Fund. Each private occupational school authorized in accordance with the provisions of sections 10a-22a to 10a-22o, inclusive, shall pay to the State Treasurer an amount equal to four-tenths of one per cent of the tuition received by such school per calendar quarter exclusive of any refunds paid, except that distance learning and correspondence schools authorized in accordance with the provisions of sections 10a-22a to 10a-22o, inclusive, shall contribute to said account only for Connecticut residents enrolled in such schools. Payments shall be made by January thirtieth, April thirtieth, July thirtieth and October thirtieth in each year for tuition received during the three months next preceding the month of payment. In addition to amounts received based on tuition, the account shall also contain any amount required to be deposited into the account pursuant to sections 10a-22a to 10a-22o, inclusive. Said account shall be used for the purposes of section 10a-22v. Any interest, income and dividends derived from the investment of the account shall be credited to the account. All direct expenses for the maintenance of the account **INCLUDING REIMBURSEMENTS TO THE PERSONAL SERVICE BUDGET LINE ITEM** may be charged to the account upon the order of the State Comptroller. The executive director may assess the account for all direct expenses incurred in the implementation of the purposes of this section which are in excess of the normal expenditures of the Office of Higher Education.



## Agency Legislative Proposal - 2021 Session

**Document Name:** 09.30.20\_OHE\_POSAVirtualReview

(If submitting electronically, please label with date, agency, and title of proposal – 092621\_SDE\_TechRevisions)

State Agency: Office of Higher Education

**Liaison:** Noele R Kidney

**Phone:** 860-305-7927

**E-mail:** Noele.kidney@ct.gov

Lead agency division requesting this proposal: Academic Affairs

Agency Analyst/Drafter of Proposal: Noele Kidney/Sean Seepersad

**Title of Proposal:** Virtual inspections for Private Occupational Schools

**Statutory Reference:** Section 10a-22b

**Proposal Summary:**

A minor edit to allow for virtual site inspections for private occupational schools.

### 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)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

The recent changes that happened with COVID-19 has demonstrated that site visits for private occupational schools in some cases, can also be done virtually and would like to add that additional language into the statute.

◇ **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?*



## **PROPOSAL IMPACT**

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

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

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

<b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i> No fiscal impact
<b>State</b> No fiscal impact
<b>Federal</b> No fiscal impact
<b>Additional notes on fiscal impact</b>

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

10a-22b
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### ◇ **EVIDENCE BASE**

<i>What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First <a href="#">evidence definitions</a> can</i>
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help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

As this is a very minor change, we will look to see if there are any significant quality issues that arise from doing site visits virtually as opposed to on-site.

**Insert fully drafted bill here**

Sec. 10a-22b. (Formerly Sec. 10-7b). Certificate of authorization as private occupational school. Application. Evaluation. Hospital-based occupational school.

(g) The evaluation team appointed pursuant to subsection (f) of this section shall: (1) Conduct an on-site **OR VIRTUAL** inspection; (2) submit a written report outlining any evidence of noncompliance; (3) give the school thirty days from the date of the report to provide evidence of compliance; and (4) submit to the executive director a written report recommending authorization or nonauthorization not later than one hundred twenty days after the on-site inspection. The evaluation team shall determine whether (A) the quality and content of each course or program of instruction, including, but not limited to, residential, on-line, home study and correspondence, training or study shall reasonably and adequately achieve the stated objective for which such course or program is offered; (B) the school has adequate space, equipment, instructional materials and personnel for the instruction offered; (C) the qualifications of directors, administrators, supervisors and instructors shall reasonably and adequately assure that students receive education consistent with the stated objectives for which a course or program is offered; (D) students and other interested persons shall be provided with a catalog or similar publication describing the courses and programs offered, course and program objectives, length of courses and programs, schedule of tuition, fees and all other charges and expenses necessary for completion of the course or program, and termination, withdrawal and refund policies; (E) upon satisfactory completion of the course or program, each student shall be provided appropriate educational credentials by the school; (F) adequate records shall be maintained by the school to show attendance and grades, or other indicators of student progress, and standards shall be enforced relating to attendance and student performance; (G) the applicant school shall be financially sound and capable of fulfilling its commitments to students; (H) any student housing owned, leased, rented or otherwise maintained by the applicant school shall be safe and adequate; and (I) the school and any branch of the school in this state has a director located at the school or branch who is responsible for daily oversight of the school's or branch's operations. The evaluation team may also indicate in its report such recommendations as may improve the operation of the applicant school.



## Agency Legislative Proposal - 2021 Session

**Document Name:** 09.30.20\_OHE\_RWSPAdminFunding

(If submitting electronically, please label with date, agency, and title of proposal – 092620\_SDE\_TechRevisions)

State Agency: Office of Higher Education

**Liaison:** Noele R Kidney

**Phone:** 860-305-7927

**E-mail:** Noele.kidney@ct.gov

Lead agency division requesting this proposal: Finance/Financial Aid

Agency Analyst/Drafter of Proposal: Noele Kidney

**Title of Proposal:** Roberta Willis Scholarship Program Administrative Funding

**Statutory Reference:** 10a-173

**Proposal Summary:**

OHE requests an increase in the administrative funds for the operation of the Roberta Willis Scholarship Program to ensure that the program is run more efficiently and reliably.

### 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)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

The Office of Higher education is responsible for the administration of the state's largest scholarship program for Connecticut students, the Roberta Willis Scholarship Program. The current software program that runs the program is very outdated and must be serviced often when it breaks down. In order to award scholarships, the software must be able to receive, manage and process confidential data from thousands of students and families who complete the FAFSA form. Following a thorough review by BlumShapiro of the RWSP technology needs and a competitive bidding process, OHE selected a NELNET software for the administration of the scholarship program. OHE submitted an application to the IT Capital Investment program to assist with the cost of purchasing a new software program. This request was stalled last year OHE did not have sufficient funds to maintain the new software. Current statute limits the RWSP administrative allowance to ¼ of one percent and no less than \$100,000. This amount is not sufficient to maintain the new software selected to run the program safely and efficiently.



Without this legislative change, OHE remains concerned that one or more of the following may occur: 1. The system breaks down completely resulting in millions of dollars in scholarships either being unable to be awarded or delayed, 2. The system breaks down and FAFSA data is accessed by an unauthorized user, and/or 3. The current outdated software program and its data is hacked by an outside entity.

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?*

N.A.

**PROPOSAL IMPACT**

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

<b>Agency Name:</b> Board of Regents? <b>Agency Contact (name, title, phone):</b> <b>Date Contacted:</b>
Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
<b>Summary of Affected Agency's Comments</b>
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

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

<b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i> No fiscal impact
<b>State</b> No fiscal impact



<b>Federal</b> No fiscal impact
<b>Additional notes on fiscal impact</b>

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

10a-173
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◇ **EVIDENCE BASE**

<i>What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First <a href="#">evidence definitions</a> can help you to establish the evidence-base for your program and their <a href="#">Clearinghouse</a> allows for easy access to information about the evidence base for a variety of programs.</i>
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**Insert fully drafted bill here**

Section 10a- 173 (5)(c) Within available appropriations, the Roberta B. Willis Scholarship program shall include a need and merit-grant, a need-based grant and a Charter Oak grant. The need and merit-based grant shall be funded at not less than twenty percent but not more than thirty percent of available appropriations. The need-based grant shall be funded at up to eighty percent of available appropriations. The Charter Oak grant shall not be less than one hundred thousand dollars of available appropriations. There shall be an administrative allowance **OF NO LESS THAN \$500,000 OF THE AVAILABLE APPROPRIATIONS** ~~based on one quarter of one percent of the available appropriations, but not less than one hundred thousand dollars.~~ In addition to the amount of the annual appropriation allocated to the regional community-technical colleges under subsection (e) of this section, and to regional community-technical college students under subsection (d) of this section, not less than two and one-half percent of the annual appropriation shall be allocated to the regional community-technical colleges to be used for financial aid purposes.



## Agency Legislative Proposal - 2021 Session

**Document Name:** 09.30.20\_OHE\_POSAOutOfStateReg

(If submitting electronically, please label with date, agency, and title of proposal – 092621\_SDE\_TechRevisions)

State Agency: Office of Higher Education

**Liaison:** Noele R Kidney

**Phone:** 860-305-7927

**E-mail:** Noele.kidney@ct.gov

Lead agency division requesting this proposal: Academic Affairs

Agency Analyst/Drafter of Proposal: Noele Kidney/Sean Seepersad

**Title of Proposal:** Regulation for out of state postsecondary occupational schools

**Statutory Reference:** 10a-22h

**Proposal Summary:**

This proposal would allow the Office of Higher Education to regulate out of state postsecondary occupational schools (non-degree granting schools) as defined by 10a-22a. The regulation would grant permission to out of state schools to offer distance education programs to students in Connecticut, provide standards for authorization and charge an application or renewal fee.

### 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)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

Currently out of state postsecondary occupational schools (non-degree granting schools) that offer distance education programs to Connecticut students are currently unregulated. Based on similar legislation for non-SARA institutions of higher education (degree-granting colleges and universities), this legislation seeks to regulate these schools and provide minimum standards that these schools need to have in order to teach Connecticut students. These minimum standards would provide greater protection to Connecticut students. Currently the only legislation with regards to out of state schools is 10a-22h (b) and only requires registration of representatives seeking to recruit Connecticut students.





**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?*

### PROPOSAL IMPACT

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

**Agency Name:**

**Agency Contact (name, title, phone):**

**Date Contacted:**

Approve of Proposal     **YES**     **NO**     **Talks Ongoing**

**Summary of Affected Agency's Comments**

Will there need to be further negotiation?     **YES**     **NO**

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

**Municipal** *(please include any municipal mandate that can be found within legislation)*

No fiscal impact

**State**

Expected revenue increase

**Federal**

No fiscal impact

**Additional notes on fiscal impact**



Out of state postsecondary occupational schools that instruct Connecticut students will be required to register with the Office of Higher Education and therefore will be required to pay a registration fee and renewal fee when appropriate.

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

10a-22h

◇ **EVIDENCE BASE**

*What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.*

**Insert fully drafted bill here**

Sec. 10a-22h. (Formerly Sec. 10-7i). Representatives of private occupational schools. (a) No representative of a private occupational school not authorized pursuant to sections 10a-22a to 10a-22o, inclusive, and sections 10a-22u to 10a-22w, inclusive, shall visit the residence of any prospective student, solicit enrollments, sell occupational instruction in any form or manner, make representations or give counsel to prospective students without first obtaining a permit from the executive director. Such permit shall not be represented to constitute approval of the school itself. Any contract entered into in violation of this section shall not be enforceable by such school. (NEW) ANY OUT OF STATE POSTSECONDARY OCCUPATIONAL SCHOOL AS DEFINED BY SEC 10a-22a THAT 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. SCHOOLS WILL AGREE TO ABIDE BY STANDARDS PUT FORWARD BY THE OFFICE OF HIGHER EDUCATION. THE OFFICE SHALL APPROVE OR REJECT THE INSTITUTION'S APPLICATION IN ACCORDANCE WITH STANDARDS ESTABLISHED BY THE OFFICE. AUTHORIZATION BY THE OFFICE TO OPERATE A DISTANCE LEARNING PROGRAM IN THE STATE SHALL BE VALUD 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 POSTSECONDARY OCCUPATIONAL SCHOOLS.