General Assembly

Amendment

January Session, 2025

LCO No. **10398**

Offered by:
REP. HADDAD, 54th Dist.

To: Subst. House Bill No. **6445** File No. 156 Cal. No. 128

"AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF HIGHER EDUCATION."

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 10a-57f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) As used in this section:

(1) "Connecticut institution of higher education" means an institution of higher education that (A) conducts instructional activities at a physical location in the state, or (B) maintains an administrative office in the state; and

(2) "Out-of-state institution of higher education" means an institution of higher education that (A) is not a Connecticut institution of higher education, and (B) is authorized, licensed or accredited by another state.

[(a) Not later than January 1, 2017, the**]** (b) 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)**]** (c) Any Connecticut institution of higher education that seeks to participate in the nation-wide state authorization reciprocity agreement under subsection **[**(a)**]** (b) 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)**]** (d) Any out-of-state institution of higher education that does not participate in the nation-wide, state authorization reciprocity agreement and seeks to operate a distance learning program in the state shall submit an application to the Office of Higher Education on a form prescribed by the office. Each institution shall agree to abide by

standards, similar to those in the nation-wide, state authorization reciprocity agreement and established by the office. 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 that do not participate in the nation-wide, state authorization reciprocity agreement and are approved by the office. The fee schedule shall be graduated based on the number of full-time equivalent students enrolled at each out-of-state institution of higher education.

[(d)**]** (e) Nothing in subsection **[**(a)**]** (b) 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.

Sec. 2. Section 10a-22c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) No certificate to operate a private career school shall be authorized by the commissioner, or the commissioner's designee, if (1) any principal, officer, member or director of the applicant school has acted in a similar capacity for a private career school which has had its authorization revoked pursuant to section 10a-22f; (2) the applicant school does not have a net worth consisting of sufficient liquid assets or other evidence of fiscal soundness to operate for the period of time for which authorization is sought; (3) the applicant school or any of its agents engages in advertising, sales, collection, credit or other practices which are false, deceptive, misleading or unfair; (4) the applicant school has any policy which discourages or prohibits the filing of inquiries or complaints regarding the school's operation with the commissioner; (5) the applicant school fails to satisfactorily meet the criteria set forth in subsection (g) of section 10a-22b, or, on and after the effective date of

regulations adopted pursuant to section 10a-22k, the criteria set forth in such regulations; (6) a private career school that has previously closed fails to follow the procedures for school closure under section 10a-22m; or (7) the applicant school does not have a director located at the school and at each of its branches in this state.

(b) The commissioner may deny a certificate of authorization if the person who owns or intends to operate a private career school has been convicted in this state, or any other state, of larceny in violation of section 53a-122 or 53a-123; identity theft in violation of section 53a-129b or 53a-129c; forgery in violation of section 53a-138 or 53a-139; or has a criminal record in this state, or any other state, that the commissioner reasonably believes renders the person unsuitable to own and operate a private career school. A refusal of a certificate of authorization under this subsection shall be made in accordance with the provisions of sections 46a-79 to 46a-81, inclusive.

(c) No certificate to operate a private career school shall be issued by the commissioner pursuant to section 10a-22d, as amended by this act, until such private career school seeking authorization files with the commissioner certificates indicating that the buildings and premises for such school meet all applicable state and local fire and zoning requirements. Such certificates shall be attested to by the fire marshal and zoning enforcement officer within the municipality in which such school is located.

(d) No certificate to operate a new private career school shall be issued by the commissioner pursuant to section 10a-22d, as amended by this act, until such private career school seeking authorization files with the commissioner an irrevocable letter of credit issued by a bank with its main office or branch located within this state in the penal amount of forty thousand dollars guaranteeing the payments required of the school to the private career school student protection account in accordance with the provisions of section 10a-22u, except that, any letter of credit issued on and after the effective date of the regulations adopted pursuant to section 10a-22k, shall be in a penal amount specified in such

regulations. The letter of credit shall be payable to the private career school student protection account in the event that such school fails to make payments to the account as provided in subsection (a) of section 10a-22u or in the event the state takes action to reimburse the account for a tuition refund paid to a student pursuant to the provisions of section 10a-22v, provided the amount of the letter of credit to be paid into the private career school student protection account shall not exceed the amounts owed to the account. In the event a private career school fails to close in accordance with the provisions of section 10a-22m, the commissioner may seize the letter of credit, which shall be made payable to the private career school protection account.

(e) No certificate to operate a private career school shall be renewed by the commissioner pursuant to section 10a-22d, as amended by this act, if such private career school seeking authorization has not enrolled any students continually during the previous two calendar years. Upon the expiration of such private career school's authorization, such private career school shall follow the procedures for school closure set forth in section 10a-22m.

[(e)**]** (f) The commissioner shall notify the applicant private career school, by certified mail, return receipt requested of the decision to grant or deny a certificate of authorization not later than sixty days after receiving the written report of the evaluation team appointed pursuant to subsection (e) of section 10a-22b.

Sec. 3. Subsection (e) of section 10a-22d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(e) Notwithstanding the provisions of sections 10a-22a to 10a-22o, inclusive, the commissioner 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.

Sec. 4. Section 10a-34 of the general statutes 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 of ownership" means a transaction involving an institution of higher education that results in a change of control of such institution, including, but not limited to, a (A) sale of such institution, (B) transfer of the controlling interest of stock of such institution or a

parent corporation of such institution, (C) merger of two or more institutions of higher education, (D) division of such institution into two or more institutions of higher education, (E) transfer of liabilities of such institution to a parent corporation of such institution, (F) transfer of assets that comprise a substantial portion of the educational assets of such institution, unless the transfer consists exclusively of granting a security interest in such assets, or (G) change in the status of such institution as a public, nonprofit or for-profit institution of higher education.

(b) The Office of Higher Education shall establish regulations, in accordance with chapter 54, concerning the requirements for authorization, 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 authorization may be granted, and the costs and procedures of evaluations as provided in subsections (c), (d) and (i) of this section.

(c) No person, school, board, association or corporation shall confer any degree unless authorized by act of the General Assembly. No application for authority to confer any such degree shall be approved by the General Assembly or any committee thereof, nor shall any such authority be included in any charter of incorporation until such application has been evaluated and approved by the Office of Higher Education in accordance with regulations established by the Office of Higher Education.

(d) The Office of Higher Education shall review all requests and applications for program modifications, nonsubstantive changes, **[**and**]** authorizations and change of ownership. 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 nonsubstantive 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.

(e) If the Commissioner of Higher Education, or the commissioner's designee, determines that further review of an application is needed due at least in part to the applicant offering instruction in a new program of higher learning or new degree level or the financial condition of the institution of higher education is determined to be at risk of imminent closure as a result of a financial screening conducted pursuant to the provisions of section 10a-34h, then the commissioner or the commissioner's designee shall conduct a focused or on-site review. Such applicant shall have an opportunity to state any objection regarding any individual selected to review an application on behalf of the commissioner. For purposes of this subsection and subsection (f) of this section, "focused review" means a review by an out-of-state curriculum expert; and "on-site review" means a full team evaluation by the office at the institution of higher education.

(f) The Commissioner of Higher Education, or the commissioner's designee, may require (1) a focused or on-site review of any program application in a field requiring a license to practice in Connecticut, and (2) evidence that a program application in a field requiring a license to practice in Connecticut meets the state or federal licensing requirements for such license.

(g) Any application for authorization of a new institution in this state shall be subject to an on-site review upon a determination by the Office of Higher Education that the application is complete and shall be reviewed at the institutional level for each program as described in subsection (b) of this section. Such process shall be completed not later than nine months from the date said office receives the application.

(h) If the Office of Higher Education denies an application for

authorization of a program or institution of higher education, the applicant may appeal the denial not later than ten days from the date of denial. The office shall conduct a hearing in accordance with the requirements of chapter 54 to hear such appeal.

(i) No person, school, board, association or corporation shall operate a program of higher learning or an institution of higher education unless it has been authorized by the Office of Higher Education, nor shall it confer any degree unless it has been authorized in accordance with this section. The office shall accept accreditation recognized by the Secretary of the United States Department of Education, in satisfaction of the requirements of this subsection unless the office finds cause not to rely upon such accreditation. If any institution of higher education provides evidence of programmatic accreditation, the office may consider such accreditation in satisfaction of the requirements of this subsection and deem the program at issue in the application for accreditation to be accredited in accordance with this section.

(j) No person, school, board, association or corporation shall use in any way the term "junior college" or "college" or "university" or use any other name, title, literature, catalogs, pamphlets or descriptive matter tending to designate that it is an institution of higher education, or that it may grant academic or professional degrees, unless the institution has been authorized by the office, nor shall it offer any program of higher learning without authorization of the Office of Higher Education.

(k) Authorization of any program or institution or authority to award degrees granted in accordance with law prior to July 1, 1965, shall continue in effect unless the Office of Higher Education determines that an institution is at risk of imminent closure as a result of a financial screening conducted pursuant to the provisions of section 10a-34h.

(l) Notwithstanding the provisions of subsections (b) to (j), inclusive, of this section and subject to the authority of the State Board of Education to regulate teacher education programs, an independent institution of higher education, as defined in section 10a-173, shall not

require approval by the Office of Higher Education for any new programs of higher learning or any program modifications proposed by such institution, provided (1) the institution maintains eligibility to participate in financial aid programs governed by Title IV, Part B of the Higher Education Act of 1965, as amended from time to time, (2) the United States Department of Education has not determined that the institution has a financial responsibility score that is less than 1.5 for the most recent fiscal year for which the data necessary for determining the score is available, and (3) the institution has been located in the state and accredited as a degree-granting institution in good standing for ten years or more by a regional accrediting association recognized by the Secretary of the United States Department of Education and maintains such accreditation status. Each institution that is exempt from program approval by the Office of Higher Education under this subsection shall (A) on or before the last date of each semester, but not less frequently than annually, update the credentials database, established pursuant to the provisions of section 10a-35b, as amended by this act, with any new programs of higher learning that were introduced or any existing programs of higher learning that were modified or discontinued during such semester, and (B) not later than July 1, 2024, and annually thereafter, file with the office (i) the institution's current program approval process and all actions of the governing board concerning approval of any new program of higher learning, and (ii) the institution's financial responsibility composite score, as determined by the United States Department of Education, for the most recent fiscal year for which the data necessary for determining the score is available.

Sec. 5. Section 10-221x of the general statutes is amended by adding subsection (d) as follows (*Effective January 1, 2026*):

(NEW) (d) Not later than February 1, 2026, and annually thereafter, the Department of Education shall notify parents of public school students in grades eight to eleven, inclusive, about opportunities to pursue a challenging curriculum and the availability of courses that grant postsecondary credit.

Sec. 6. Section 10-221w of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) As used in this section:

(1) "Advanced course or program" means an honors class, advanced placement class, International Baccalaureate program, Cambridge International program, dual enrollment, dual credit, early college or any other advanced or accelerated course or program offered by a local or regional board of education in grades nine to twelve, inclusive; and

(2) "Prior academic performance" means the course or courses that a student has taken, the grades received for such course or courses and a student's grade point average.

(b) Not later than July 1, 2022, each local and regional board of education shall adopt a policy, or revise an existing policy, concerning the eligibility criteria for student enrollment in an advanced course or program. Such policy shall provide for multiple methods by which a student may satisfy the eligibility criteria for enrollment in an advanced course or program, including, but not limited to, recommendations from teachers, administrators, school counselors or other school personnel. Such eligibility criteria shall not be based exclusively on a student's prior academic performance and any use of a student's prior academic performance shall rely on evidence-based indicators of how a student will perform in an advanced course or program.

(c) Any policy adopted or revised and implemented under this section shall be in accordance with guidance provided by the Department of Education.

(d) Not later than July 1, 2026, the Commissioner of Education shall, in partnership with the constituent units of the state system of higher education and independent institutions of higher education, as defined in section 10a-173, develop a model agreement between secondary schools and postsecondary institutions for the provision of dual enrollment courses and concurrent enrollment courses, as such terms

are defined in section 8 of this act, and postsecondary credit courses to students in grades nine to twelve, inclusive.

Sec. 7. (NEW) (*Effective July 1, 2025*) (a) As used in this section:

(1) "Concurrent enrollment course" means a postsecondary education course in any academic subject or career-oriented pathway delivered at a high school through which a high school student is simultaneously enrolled in an institution of higher education and is taught by a high school teacher approved by such institution of higher education; and

(2) "Dual enrollment course" means a postsecondary education course in any academic subject or career-oriented pathway delivered by an institution of higher education through which a high school student is simultaneously enrolled in such institution of higher education and is taught by a faculty member of such institution of higher education.

(b) Not later than July 1, 2028, each institution of higher education in the state that currently offers a concurrent enrollment course shall obtain accreditation for such course from the National Alliance of Concurrent Enrollment Partnerships, unless the Department of Education approves an extension of time for an accreditation in writing.

(c) Any institution of higher education in the state that establishes a new concurrent enrollment course shall obtain accreditation for such course from the National Alliance of Concurrent Enrollment Partnerships not later than three years after establishing such course, unless the Department of Education approves an extension of time for an accreditation in writing.

(d) Not later than August 1, 2025, and annually thereafter, each institution of higher education that offers a dual enrollment or concurrent enrollment course shall report to the Department of Education, in a form and manner prescribed by the Commissioner of Education and in a manner that complies with the requirements of the Family Educational Rights and Privacy Act, 20 USC 1232g, as amended from time to time, for each high school student who enrolled in a dual

enrollment or concurrent enrollment course during the preceding academic year (1) such student's name, date of birth, student identification number, the name of the high school where such student was enrolled and the code assigned to such high school by the department, (2) for each dual enrollment or concurrent enrollment course in which such student was enrolled, the course name, the subject matter or academic department associated with the course, the course code assigned to such course by the department, the location where each course was provided and the academic term and year in which such student enrolled in such course, (3) the grade and credits earned by such student for each dual enrollment or concurrent enrollment course, (4) whether such course was a dual enrollment or concurrent enrollment course, and (5) any other information requested by the department.

Sec. 8. Section 10a-157a of the general statutes, as amended by house bill 5001 of the current session, as amended by House Amendment Schedule "A", is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(NEW) (h) For the fall semester of 2025 and spring semester 2026, **[**and each semester thereafter,**]** the Board of Regents for Higher Education shall continue to offer each transitional college readiness program, embedded remedial support program and intensive remedial support program that said board offered at each public institution of higher education during the fall semester of 2024 and spring semester of 2025, respectively.

Sec. 9. Section 10a-35b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) As used in this section:

(1) "Credential" means a documented award issued by an authorized body, including, but not limited to, a (A) degree or certificate awarded by an institution of higher education, private career school or provider of an alternate route to certification program approved by the State

Board of Education for teachers, (B) certification awarded through an examination process designed to demonstrate acquisition of designated knowledge, skill and ability to perform a specific job, (C) license issued by a governmental agency which permits an individual to practice a specific occupation upon verification that such individual meets a predetermined list of qualifications, and (D) documented completion of an apprenticeship or job training program; and

(2) "Credential status type" means the official status of a credential which is either active, deprecated, probationary or superseded.

(b) Not later than January 1, 2023, the Commissioner of Higher Education, in consultation with the advisory council established pursuant to subsection (c) of this section, shall create a database of credentials offered in the state for the purpose of explaining the skills and competencies earned through a credential in uniform terms and plain language. In creating the database, the commissioner shall utilize the minimum data policy of the New England Board of Higher Education's High Value Credentials for New England initiative, the uniform terms and descriptions of Credentials Engine's Credential Transparency Description Language and the uniform standards for comparing and linking credentials in Credential Engine's Credential Transparency Description Language-Achievement Standards Network. At a minimum, the database shall include the following information for each credential: (1) Credential status type, (2) the entity that owns or offers the credential, (3) the type of credential being offered, (4) a short description of the credential, (5) the name of the credential, (6) the Internet web site that provides information relating to the credential, (7) the language in which the credential is offered, (8) the estimated duration for completion, (9) the industry related to the credential which may include its code under the North American Industry Classification System, (10) the occupation related to the credential which may include its code under the standard occupational classification system of the Bureau of Labor Statistics of the United States Department of Labor or under The Occupational Information Network, (11) the estimated cost

for earning the credential, and (12) a listing of online or physical locations where the credential is offered.

(c) There is established an advisory council for the purpose of advising the Commissioner of Higher Education on the implementation of the database created pursuant to subsection (b) of this section. The advisory council shall consist of (1) representatives from the Office of Workforce Strategy, Office of Higher Education, Office of Policy and Management, Labor Department, Department of Education, Connecticut State Colleges and Universities, The University of Connecticut and independent institutions of higher education, and (2) the Chief Data Officer, or such officer's designee. The Chief Workforce Officer, the Chief Data Officer and the Commissioner of Higher Education, or their designees, shall be cochairpersons of the advisory council and shall schedule the meetings of the advisory council.

(d) Not later than July 1, 2024, and annually thereafter, each regional workforce development board, community action agency, as defined in section 17b-885, institution of higher education, private career school, provider of an alternate route to certification program approved by the State Board of Education, and provider of a training program listed on the Labor Department's Eligible Training Provider List shall submit information, in the form and manner prescribed by the Commissioner of Higher Education, about any credential offered by such institution, school or provider for inclusion in the database created pursuant to subsection (b) of this section. Such information shall include, but need not be limited to, the data described in subdivisions (1) to (12), inclusive, of subsection (b) of this section, except an institution of higher education **[**may omit the data required pursuant to subdivisions (6), (9) and (10)**]** shall only be required to submit the data described in subdivisions (1) to (5), inclusive, (7), (8), (11) and (12) of subsection (b) of this section. **[**if such data is not applicable to a credential offered by such institution.**]**

(e) Nothing in this section shall be construed to require any state agency or department to submit credential information to the database created pursuant to subsection (b) of this section.

(f) The Labor Department may, in consultation with the advisory council established pursuant to subsection (c) of this section, require any program sponsor of a preapprenticeship or apprenticeship program registered with the department to submit information about such program to the Office of Higher Education for inclusion in such database."

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2025*	10a-57f
Sec. 2	*July 1, 2025*	10a-22c
Sec. 3	*July 1, 2025*	10a-22d(e)
Sec. 4	*July 1, 2025*	10a-34
Sec. 5	*January 1, 2026*	10-221x(d)
Sec. 6	*July 1, 2025*	10-221w
Sec. 7	*July 1, 2025*	New section
Sec. 8	*July 1, 2025*	10a-157a
Sec. 9	*July 1, 2025*	10a-35b