



House of Representatives

General Assembly

File No. 357

January Session, 2011

Substitute House Bill No. 6478

House of Representatives, April 4, 2011

The Committee on Higher Education and Employment Advancement reported through REP. WILLIS of the 64th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING COURSE ENROLLMENT FEE WAIVERS FOR CERTAIN VETERANS AND MEMBERS OF THE NATIONAL GUARD ENROLLED AT CHARTER OAK STATE COLLEGE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10a-143 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 (a) The Board of Governors of Higher Education, in concert with the
4 state's institutions of higher education, shall study, develop and
5 coordinate the implementation of new methods of awarding
6 undergraduate degrees and college credits including, but not limited
7 to: (1) External degrees awarded on the basis of acceptable
8 performance in an educational field whether or not the necessary
9 education was obtained by the candidate at an institution of higher
10 education, and (2) examinations and methods other than classroom
11 instruction for determining qualifications. On or before July 1, 1993,
12 each constituent unit of the state system of higher education shall

13 establish procedures to award college credits pursuant to this
14 subsection and subsection (e) of this section.

15 (b) The Board of Governors of Higher Education shall promulgate
16 regulations to authorize accredited institutions of higher education to
17 award degrees by such new procedures.

18 (c) There shall continue to be a Board for State Academic Awards
19 which shall be an independent constituent unit of the state system of
20 higher education with authority to grant undergraduate and graduate
21 credits and degrees on the basis of (1) examinations, (2) courses offered
22 by Charter Oak State College, and (3) other forms of evaluation and
23 validation of learning including transfer of credit. Said board is
24 authorized to use the term "Charter Oak State College" on diplomas
25 and other documents and utterances to affirm the status of the board
26 as a degree-granting institution of higher education. It shall be the
27 responsibility of the board to serve the interest of all Connecticut
28 residents by providing open access to academic credentials which are
29 based on a consensus of professional judgment. The purpose of such
30 credentials shall be to identify and give recognition to higher learning
31 acquired by individuals through independent study, work experience
32 and programs of noncollegiate educational activity.

33 (d) The Board for State Academic Awards shall consist of nine
34 persons, eight to be appointed by the Governor, who shall reflect the
35 state's geographic, racial and ethnic diversity; one of whom shall be an
36 alumnus of Charter Oak State College; and one to be elected by the
37 students enrolled in Charter Oak State College. On or before July 1,
38 1983, the Governor shall appoint two members of the board for a term
39 of two years from said date, two members for a term of four years
40 from said date and one member for a term of six years from said date.
41 On or before July 1, 1984, the Governor shall appoint one member for a
42 term of three years from said date. On or before July 1, 1996, the
43 Governor shall appoint two members, one for a term of five years from
44 said date and one for a term of one year from said date. Thereafter the
45 Governor shall appoint members of said board to succeed those

46 appointees whose terms expire, such members to serve for terms of six
47 years each from July first in the year of their appointment. On or
48 before November 1, 1984, and biennially thereafter, the students
49 enrolled with the board shall, in such manner as the board shall
50 determine, elect one member of the board, who shall serve for a term
51 of two years from November first in the year of his election. No
52 member of said board, appointed by the Governor, shall be an
53 employee of an institution of postsecondary or higher education. No
54 member who has served consecutively for two full terms or portions
55 thereof may again be appointed until two years have passed. The
56 Governor shall, pursuant to section 4-9a, appoint the chairperson of
57 the board. The board shall, annually, elect from its members such other
58 officers as it deems necessary. The Governor shall fill any vacancies in
59 the membership of said board by appointment for the balance of the
60 unexpired term. The members of said board shall receive no
61 compensation for their services as such but shall be reimbursed for
62 their necessary expenses in the course of their duties. The board shall
63 meet at least once during each calendar quarter and at such other times
64 as the chairperson deems necessary or upon the request of a majority
65 of members in office. Any member who fails to attend three
66 consecutive meetings or who fails to attend fifty per cent of all
67 meetings held during any calendar year shall be deemed to have
68 resigned from office.

69 (e) (1) The Board for State Academic Awards shall develop and
70 implement programs to improve opportunities in higher education
71 through alternative modes of service, including, but not limited to,
72 guidance and information services, registration and validation
73 services, examination and degree-granting services, technological
74 delivery systems, and projects of research and development. With
75 respect to its own operation the board may appoint and remove an
76 executive director, who shall be the chief academic and administrative
77 officer, and a professional academic staff. The board may determine
78 the size of the academic staff and the duties, terms, and conditions of
79 employment of said director and staff subject to personnel guidelines
80 established by the Board of Governors of Higher Education in

81 consultation with the Board for State Academic Awards. The board
82 shall establish through appointments on an adjunct basis a faculty of
83 consulting examiners to make recommendations as to requirements
84 and standards of the board's programs and to make recommendations
85 for the award of academic undergraduate and graduate credits and
86 degrees. Persons serving as members of the faculty of consulting
87 examiners shall have appropriate professional qualifications as
88 determined by the board and may hold professional appointments in
89 active status at accredited institutions of postsecondary or higher
90 learning. Within the limit of appropriations, the board shall fix the
91 compensation of persons serving with adjunct appointment as
92 members of the faculty of consulting examiners. The board shall confer
93 such undergraduate and graduate certificates and degrees as are
94 appropriate to programs of postsecondary and higher learning and in
95 accordance with the recommendations of the board's faculty of
96 consulting examiners on the basis of (A) examinations, (B) courses
97 offered by Charter Oak State College, and (C) other forms of validation
98 and evaluation of learning, including transfer of credit. The board shall
99 assist public institutions of higher education in establishing and
100 implementing procedures to award college credits pursuant to
101 subsection (a) of this section.

102 (2) The Board for State Academic Awards shall develop a mission
103 statement which shall include, but not be limited to, the following
104 elements: (A) The educational needs of, and constituencies served by
105 the board; (B) the degrees offered by the board; and (C) the role and
106 scope of the programs offered by the board. The board shall submit the
107 mission statement to the Board of Governors of Higher Education for
108 review and approval in accordance with the provisions of section 10a-
109 6.

110 (f) The Advisory Council for Higher Education established in
111 accordance with subdivision (13) of subsection (a) of section 10a-6 shall
112 be the advisory council for the board.

113 (g) The board shall fix fees for examinations and for such other

114 purposes as the board deems necessary and may make refunds and
115 other disposition of same as provided by law or regulation. The board
116 may make contracts, leases or other agreements in connection with its
117 responsibilities.

118 (h) The Board for State Academic Awards shall establish and
119 administer a fund to be known as the Board for State Academic
120 Awards Operating Fund, which shall be a separate account within the
121 General Fund. The operating fund shall be used for the expenses of the
122 board, including personnel expenses and equipment, and for the
123 support of board activities pursuant to this section, including
124 validation and evaluation of learning, guidance and public
125 information services, projects of research and development for the
126 improvement of learning materials and the technology of delivery
127 systems, and for the purchase of such services, materials and
128 equipment as are required for use in connection with said activities.
129 Appropriations from general revenues of the state, all fees and
130 proceeds of the board's activities, including grants and donations, not
131 required by statute or regulation to be deposited to the credit of the
132 General Fund, shall be credited to and become a part of the resources
133 of said operating fund. Any balance of receipts above expenditures
134 shall remain in said operating fund.

135 (i) The Board for State Academic Awards shall promote fund-
136 raising to assist its programs pursuant to this section and shall report
137 to the Commissioner of Higher Education and the joint standing
138 committee of the General Assembly having cognizance of matters
139 relating to education by January 1, 1994, and biennially thereafter, on
140 such fund-raising.

141 (j) (1) The Board for State Academic Awards shall waive the
142 payment of course enrollment fees at Charter Oak State College, (A)
143 subject to the provisions of subdivisions (2) and (3) of this subsection,
144 for any veteran who (i) performed service in time of war, as defined in
145 subsection (a) of section 27-103, except that for purposes of this
146 subdivision, "service in time of war" shall not include time spent in

147 attendance at a military service academy, (ii) has been accepted for
148 admission to Charter Oak State College, and (iii) is domiciled in this
149 state at the time such veteran is accepted for admission to Charter Oak
150 State College, and (B) for any active member of the Connecticut Army
151 or Air National Guard who (i) has been certified by the Adjutant
152 General or the Adjutant General's designee as a member in good
153 standing of the guard, and (ii) is enrolled or accepted for admission to
154 Charter Oak State College on a full-time or part-time basis in a degree-
155 granting program. If any person who receives a course enrollment fee
156 waiver in accordance with the provisions of this subdivision also
157 receives educational reimbursement from an employer, such waiver
158 shall be reduced by the amount of such educational reimbursement.
159 Veterans and members of the National Guard described in this
160 subdivision shall be given the same status as students not receiving
161 course enrollment fee waivers in registering for courses at Charter Oak
162 State College. Notwithstanding the provisions of section 10a-30, as
163 used in this subsection, "domiciled in this state" includes domicile for
164 less than one year.

165 (2) If any veteran described in subdivision (1) of this subsection has
166 applied for federal educational assistance under the Post-9/11
167 Veterans Educational Assistance Act of 2008, the Board for State
168 Academic Awards shall waive the payment of course enrollment fees
169 at Charter Oak State College for such veteran in accordance with
170 subdivision (3) of this subsection. If any such veteran certifies to said
171 board that such veteran's application for such federal educational
172 assistance has been denied or withdrawn, said board shall waive the
173 payment of course enrollment fees in accordance with subdivision (1)
174 of this subsection.

175 (3) (A) For purposes of this subdivision, "veteran course enrollment
176 fee benefit" means the portion of federal educational assistance under
177 the Post-9/11 Veterans Educational Assistance Act of 2008 to be paid
178 to Charter Oak State College on behalf of a veteran described in
179 subdivision (1) of this subsection that represents payment for course
180 enrollment fees. Such portion shall be calculated by multiplying (i) the

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Charter Oak College	Tuition Fund - Revenue Loss	up to 230,000	up to 230,000

Municipal Impact: None

Explanation

The bill results in a revenue loss to Charter Oak State College of up to \$230,000 in FY 12 and FY 13 by providing waivers of public education costs for certain veterans and members of the National Guard. The estimate is based on 40 veterans and 20 National Guard members taking advantage of the waivers

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to fee levels and the number of eligible students taking advantage of the waivers.

OLR Bill Analysis**sHB 6478*****AN ACT CONCERNING COURSE ENROLLMENT FEE WAIVERS FOR CERTAIN VETERANS AND MEMBERS OF THE NATIONAL GUARD ENROLLED AT CHARTER OAK STATE COLLEGE.*****SUMMARY:**

This bill extends the current tuition waivers for certain veterans and members of the National Guard who attend the University of Connecticut (UConn), the Connecticut State University (CSU) system, and the regional community-technical colleges to those who attend Charter Oak State College. It requires the Board for State Academic Awards to waive Charter Oak State College course enrollment fees for honorably discharged veterans who served at least 90 days in a time of war and qualified members of the Connecticut National Guard. (Charter Oak State College charges an enrollment fee, not tuition.)

The bill applies to Charter Oak State College enrollment fees the law's system for granting tuition waivers at the state's public universities and colleges, including:

1. authorizing Charter Oak State College to recover federal educational assistance payments under the 2008 Post-9/11 Veterans Educational Assistance Act (see BACKGROUND);
2. requiring Charter Oak State College to give veterans and National Guard members receiving a course enrollment fee waiver the same status for course registration as students not receiving a waiver;
3. requiring the enrollment fee waiver amount to be reduced by any amount of an employer's educational reimbursement; and
4. excluding from war time service time spent attending a military

service academy.

It also makes technical changes.

EFFECTIVE DATE: July 1, 2011

FEE WAIVER

Qualifying Veterans and National Guard Members

The bill's waiver provisions apply to:

1. veterans with at least 90 days of wartime service during or in specified wars, operations, or conflicts who were honorably discharged or released and living in Connecticut when accepted for admission to Charter Oak State College and
2. active Connecticut Army or Air National Guard member (a) certified by the adjutant general, or his designee, to be in good standing and (b) enrolled in or accepted for admission to Charter Oak State College on a full- or part-time basis.

By law, a veteran is an individual honorably discharged or released under honorable conditions from active duty in the U.S. armed forces. Veterans who served at least 90 days on active duty (or less time if separated during a war period due to a U.S. Veterans' Administration rated service-connected disability or the war lasted less than 90 days) in the U.S. armed forces during a time of war are eligible for a range of benefits, such as the state public higher education tuition waiver, that are not available to those without wartime service.

Post- 9/11 Veterans Educational Assistance Act and Enrollment Fee Waiver

For qualifying veterans who have applied for federal educational assistance under the 2008 Post-9/11 Veterans Educational Assistance Act, the bill requires Charter Oak State College to waive only the course enrollment fee charges that exceed the "veteran course enrollment fee benefit." The bill defines "veteran course enrollment fee benefit" as the portion of federal educational assistance under the

federal act paid to the college on a veteran’s behalf. To calculate the course enrollment fee benefit, the bill uses a formula similar to the formula in current law for calculating the veteran tuition:

Total amount of federal educational assistance due to the college on behalf of the veteran	x	Actual course enrollment fees charged to the veteran <hr style="width: 100%;"/> Sum of actual course enrollment fees and other fees charged to the veteran
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Under the bill, if the veteran certifies to the Board for State Academic Awards that his or her application for federal educational assistance has been denied or withdrawn, the board must waive the entire veteran’s course enrollment fee.

BACKGROUND

Post-9/11 Veterans Educational Assistance Act of 2008

Veterans, including guard members called to federal active duty, generally qualify for benefits under this federal law if they have served at least 90 days of active duty (unless released earlier for specified reasons), with at least some active duty service on or after September 11, 2001, and were honorably discharged or released from active duty.

The amount of benefits depends on certain factors, including the veteran’s enrollment (e.g., part- or full-time) and service status. In general, veterans are eligible for up to 36 months of assistance (four academic years), including tuition and other benefits (e.g., housing, books, and supplies) (Title V of P.L. 110-252).

COMMITTEE ACTION

Select Committee on Veterans' Affairs

Joint Favorable Substitute Change of Reference

Yea 10 Nay 0 (03/08/2011)

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 19 Nay 0 (03/17/2011)