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## OLR Bill Analysis

### sHB 5032

#### ***AN ACT CONCERNING REVISIONS TO THE HIGHER EDUCATION STATUTES.***

#### **SUMMARY:**

This bill transfers several duties from the Board of Regents for Higher Education (BOR) to the Office of Financial and Academic Affairs for Higher Education (OFAAHE), which the bill renames as the Office of Higher Education (OHE). It makes several changes to conform to PA 11-48, which reorganized Connecticut's higher education system, including establishing OFAAHE (see BACKGROUND).

The bill also allows OHE to perform several functions that BOR performs (and continues to perform) under existing law. Lastly, it makes numerous technical changes and repeals obsolete language (e.g., references to the higher education commissioner, Department of Higher Education, and Board of Governors for Higher Education) and references to repealed statutes.

EFFECTIVE DATE: Upon passage

#### **DUTIES TRANSFERRED FROM BOR TO OHE**

The bill transfers several offices and duties from BOR to OHE, as shown in Table 1.

**Table 1: Offices and Duties Transferred from BOR to OHE**

Section	Office or Duty Transferred to OHE
1	Requires OHE executive director, rather than BOR president, to (1) serve on the Connecticut Higher Education Trust Advisory Committee and (2) issue an annual report jointly with the treasurer
12, 13, 45, 47,	Administration of the Higher Education State Matching Grant Fund

49, 50	
14	Office of Educational Opportunity
16	Office of Veterans Affairs for Higher Education
17	Requirement to establish a Connecticut award for excellence in science and technology
20	Provision of tutors for eligible students
21	Administration of the Endowed Chair Investment Fund
41	Provision of a comprehensive, coordinated, statewide system of college and university community service programs
42	Provision of grants to public and nonprofit service entities seeking to participate in the federal National and Community Service Trust Program

## **CONFORMING CHANGES**

### **§§ 2, 6, 39—OHE Programs**

These sections make conforming changes to reflect OHE's administration of the Alternate Route to Certification program, the Connecticut Independent College Student grant program, Capitol Scholarship program, and high technology graduate scholarship program. For the latter two, the bill extends to OHE a requirement to report to the Appropriations Committee on the amount of the appropriation carried over from the preceding fiscal year.

### **§§ 5-10, 53-56—Accreditation by State Board of Education (SBE)**

The bill makes several conforming changes to reflect SBE's responsibility to accredit independent higher education institutions. PA 11-48 divided institutional accreditation responsibilities by making BOR responsible for accrediting public institutions and SBE responsible for accrediting independent institutions. Before the passage of PA 11-48, the Board of Governors for Higher Education accredited all higher education institutions.

### **§§ 23-37—Private Occupational Schools**

The bill requires OHE, rather than SBE, to adopt regulations concerning licensure of private occupational schools. The change conforms to PA 11-48, which made OHE responsible for overseeing private occupational schools. The bill also corrects erroneous references to the higher education commissioner, replacing them with references to OHE's executive director. PA 11-48 eliminated the commissioner's position.

### **OTHER CHANGES**

The bill requires BOR, rather than OHE, to develop a strategic plan to ensure that students, faculty, and staff at each public higher education institution are representative of the state's racial and ethnic diversity. BOR must also develop policies to guide institutions' equal employment opportunity officers and programs and report annually to the governor and legislature (§ 15).

The bill also allows OHE to perform several functions that BOR performs (and continues to perform) under existing law, as shown in Table 2.

**Table 2: BOR Functions That OHE May Also Perform**

<b>Section</b>	<b>Description</b>
18	Receive federal and private funds for postsecondary educational purposes
19	Designation as State Postsecondary Education Commission
22	Contract with higher education institutions to promote (1) joint programs, services, and facility use; (2) development of cooperative academic programs; and (3) improved planning and evaluation processes related to institutional or programmatic consolidations, retrenchment, or phase-out
38	Enter into student exchange agreements
40	Serve as the state agency for any federal program under any act of Congress or administrative ruling
52	Requirement to biennially report to the legislature on higher

	education cost and financial aid trends
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## **BACKGROUND**

### ***PA 11-48***

This act created OFAAHE and placed it within BOR for administrative purposes only. The office is led by an executive director appointed by the governor and subject to legislative confirmation. The act requires the new office to administer several programs previously administered by the Department of Higher Education and Board of Governors for Higher Education, including:

1. oversight of private occupational schools;
2. granting authority to independent institutions to confer academic degrees and licensing and accrediting programs and institutions of higher learning (subject to final approval by SBE);
3. approving entities that were granted authority to confer degrees before July 1, 1935, but that did not exercise it until after that date;
4. the alternate route to teaching certification program;
5. scholarship and financial aid programs for Connecticut students;  
and
6. the student community service fellowship program.

## **COMMITTEE ACTION**

Higher Education and Employment Advancement Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/20/2012)