



General Assembly

**Amendment**

February Session, 2012

LCO No. 3037

**\*HB0527903037HDO\***

Offered by:

REP. WILLIS, 64<sup>th</sup> Dist.

SEN. BYE, 5<sup>th</sup> Dist.

REP. LEGEYT, 17<sup>th</sup> Dist.

To: House Bill No. 5279

File No. 57

Cal. No. 78

**"AN ACT CONCERNING PUBLIC INSTITUTIONS OF HIGHER EDUCATION."**

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- 1 In line 20, strike "and"
  - 2 In line 117, before "(b)" insert an opening bracket
  - 3 In line 119, strike the opening and closing brackets
  - 4 In line 121, strike "and verified by" and insert a period in lieu
  - 5 thereof
  - 6 Strike line 22 in its entirety
  - 7 In line 123, strike "State"
  - 8 In line 124, after "value." insert a closing bracket
  - 9 In line 125, bracket "(c)" and after the closing bracket insert "(b)"

10 Strike lines 176 to 183, inclusive, and insert the following in lieu  
11 thereof:

12 "(2) With respect to inventions in category B, to the extent to which  
13 an employee has or employees have disposable interests therein, [; and  
14 to the same extent the employee or employees shall be obligated as  
15 defined in said subsection (a); (c) the] all such interests shall  
16 automatically vest in the university and, by reason of such employee's  
17 or employees' employment by the university, such employee or  
18 employees shall be obligated to take the same actions required by  
19 subdivision (1) of this section with respect to inventions in category A;  
20 and"

21 After the last section, add the following and renumber sections and  
22 internal references accordingly:

23 "Sec. 501. Subsection (a) of section 10a-104 of the 2012 supplement to  
24 the general statutes is repealed and the following is substituted in lieu  
25 thereof (*Effective July 1, 2012*):

26 (a) The Board of Trustees of The University of Connecticut shall: (1)  
27 Make rules for the government of the university and shall determine  
28 the general policies of the university, including those concerning the  
29 admission of students and the establishment of schools, colleges,  
30 divisions and departments, and shall direct the expenditure of the  
31 university's funds within the amounts available; (2) develop the  
32 mission statement for The University of Connecticut, and all campuses  
33 thereof, which shall include, but not be limited to, the following  
34 elements: (A) The educational needs of and constituencies served by  
35 said university and campuses; (B) the degrees offered by said  
36 university; and (C) the role and scope of each institution and campus  
37 within the university system, which shall include each institution's and  
38 campus' particular strengths and specialties; [. The board of trustees  
39 shall submit the mission statement to the Board of Regents for Higher  
40 Education for review and approval in accordance with the provisions  
41 of section 10a-6;] (3) establish policies for the university system and for

42 the individual institutions and campuses under its jurisdiction; (4)  
43 submit to the Board of Regents for Higher Education, for approval,  
44 recommendations for the establishment of new academic programs; (5)  
45 make recommendations, [to the Board of Regents for Higher  
46 Education,] when appropriate, regarding institutional or campus  
47 mergers or closures; (6) coordinate the programs and services of the  
48 institutions and campuses under its jurisdiction; (7) be authorized to  
49 enter into agreements, consistent with the provisions of section 5-141d,  
50 to save harmless and indemnify sponsors of research grants to The  
51 University of Connecticut, provided such an agreement is required to  
52 receive the grant and limits liability to damages or injury resulting  
53 from acts or omissions related to such research by employees of the  
54 university; (8) promote fund-raising to assist the university and report  
55 to the executive director of the Office of Financial and Academic  
56 Affairs for Higher Education and the joint standing committee of the  
57 General Assembly having cognizance of matters relating to education  
58 by January 1, 1994, and biennially thereafter, on such fund-raising; (9)  
59 charge the direct costs for a building project under its jurisdiction to  
60 the bond fund account for such project, provided (A) such costs are  
61 charged in accordance with a procedure approved by the Treasurer  
62 and (B) nothing in this subdivision shall permit the charging of  
63 working capital costs, as defined in the applicable provisions of the  
64 Internal Revenue Code of 1986, or any subsequent corresponding  
65 internal revenue code of the United States, as from time to time  
66 amended, or costs originally paid from sources other than the bond  
67 fund account; (10) exercise the powers delegated to it pursuant to  
68 section 10a-109d; and (11) establish by October 1, 1997, policies  
69 governing the acceptance of gifts made by a foundation established  
70 pursuant to sections 4-37e and 4-37f to the university or its employees  
71 for reimbursement of expenditures or payment of expenditures on  
72 behalf of the university or its employees.

73 Sec. 502. Subsection (d) of section 10a-105 of the 2012 supplement to  
74 the general statutes is repealed and the following is substituted in lieu  
75 thereof (*Effective July 1, 2012*):

76 (d) Commencing December 1, 1981, and thereafter not later than  
77 sixty days after the close of each quarter, the board of trustees shall  
78 submit to the joint standing committee of the General Assembly  
79 having cognizance of matters relating to appropriations and the  
80 budgets of state agencies and the Office of Policy and Management [,  
81 through the Board of Regents for Higher Education,] a report on the  
82 actual expenditures of The University of Connecticut Operating Fund  
83 and The University of Connecticut Health Center Operating Fund  
84 containing such relevant information as the Office of Policy and  
85 Management may require in the form prescribed by the board of  
86 regents in accordance with subsection (a) of section 10a-8.

87 Sec. 503. Subsection (a) of section 10a-6 of the 2012 supplement to  
88 the general statutes is repealed and the following is substituted in lieu  
89 thereof (*Effective July 1, 2012*):

90 (a) The Board of Regents for Higher Education shall: (1) Establish  
91 state-wide policy and guidelines for Connecticut's system of public  
92 higher education; (2) develop a master plan for higher education and  
93 postsecondary education, consistent with the goals in subsection (b) of  
94 this section; (3) establish state-wide tuition and student fee policies; (4)  
95 establish state-wide student financial aid policies; (5) monitor and  
96 evaluate institutional effectiveness and viability in accordance with  
97 criteria established by the board; (6) merge or close institutions within  
98 the Connecticut State University System, the regional community-  
99 technical college system and the Board for State Academic Awards in  
100 accordance with criteria established by the board, provided (A) such  
101 recommended merger or closing shall require a two-thirds vote of the  
102 board and (B) notice of such recommended merger or closing shall be  
103 sent to the committee having cognizance over matters relating to  
104 education and to the General Assembly; (7) review and approve  
105 mission statements for the [constituent units] Connecticut State  
106 University System, the regional community-technical college system  
107 and the Board for State Academic Awards and role and scope  
108 statements for the individual institutions and campuses [thereof] of  
109 such constituent units; (8) review and approve any recommendations

110 for the establishment of new academic programs submitted to the  
111 board by the constituent unit boards of trustees, and, in consultation  
112 with the affected constituent units, provide for the initiation,  
113 consolidation or termination of academic programs. The Board of  
114 Regents for Higher Education shall notify the board of trustees affected  
115 by the proposed termination of an academic program. Within ninety  
116 days of receipt of such notice, said trustees shall accept or reject the  
117 termination proposal and shall notify the Board of Regents for Higher  
118 Education of its action. If the termination proposal is rejected by the  
119 trustees, the Board of Regents for Higher Education may override the  
120 rejection by a two-thirds vote; (9) develop criteria to ensure acceptable  
121 quality in programs and institutions and enforce standards through  
122 licensing and accreditation; (10) prepare and present to the Governor  
123 and General Assembly, in accordance with section 10a-8, consolidated  
124 operating and capital expenditure budgets for public higher education  
125 developed in accordance with the provisions of said section 10a-8; (11)  
126 review and make recommendations on plans received from the  
127 constituent unit boards of trustees for the continuing development and  
128 maximum utilization of the state's public higher education resources;  
129 (12) appoint advisory committees to assist in defining and suggesting  
130 solutions for the problems and needs of higher education; (13)  
131 establish an advisory council for higher education with representatives  
132 from public and private institutions to study methods and proposals  
133 for coordinating efforts of all such institutions in providing a  
134 stimulating and enriched educational environment for the citizens of  
135 the state, including measures to improve educational opportunities  
136 through alternative and nontraditional approaches such as external  
137 degrees and credit by examination; (14) coordinate programs and  
138 services throughout public higher education and between public and  
139 independent institutions, including procedures to evaluate the impact  
140 on independent institutions of higher education of proposals affecting  
141 public institutions of higher education; (15) make or enter into  
142 contracts, leases or other agreements in connection with its  
143 responsibilities under this part, provided all acquisitions of real estate  
144 by lease or otherwise shall be subject to the provisions of section 4b-23;

145 (16) be responsible for the care and maintenance of permanent records  
 146 of institutions of higher education dissolved after September 1, 1969;  
 147 (17) prepare and present to the Governor and General Assembly  
 148 legislative proposals affecting public higher education, including  
 149 proposals which utilize programs and facilities of independent  
 150 institutions of higher education; (18) develop and maintain a central  
 151 higher education information system and establish definitions and  
 152 data requirements for the state system of higher education; and (19)  
 153 undertake such studies and other activities as will best serve the higher  
 154 educational interests of the state."

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| This act shall take effect as follows and shall amend the following sections: |                     |            |
| Sec. 501  | <i>July 1, 2012</i> | 10a-104(a) |
| Sec. 502  | <i>July 1, 2012</i> | 10a-105(d) |
| Sec. 503  | <i>July 1, 2012</i> | 10a-6(a)   |