

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 12-156—sHB 5032**

*Higher Education and Employment Advancement Committee*

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

**SUMMARY:** This act 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 act 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 act also authorizes OHE to perform several functions, while retaining the authority BOR has to perform them 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education commissioner, Department of Higher Education, and Board of Governors for Higher Education) and references to repealed statutes.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 act 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	Requirement that the OHE executive director, rather than the BOR president, (1) serve on the Connecticut Higher Education Trust Advisory Committee and (2) issue an annual report jointly with the treasurer
12, 13, 44, 46, 48, 49	Administration of the Higher Education State Matching Grant Fund
14	Office of Educational Opportunity
15	Office of Veterans' Affairs for Higher Education
16	Requirement to establish a Connecticut award for excellence in science and technology
19	Provision of tutors for eligible students
20	Administration of the Endowed Chair Investment Fund

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40	Provision of a comprehensive, coordinated, statewide system of college and university community service programs
41	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, & 38—OHE Programs*

The act makes conforming changes (i.e., replacing references to BOR with references to OHE) to reflect OHE’s administration of the Alternate Route to Certification program, the Connecticut Independent College Student grant program, Capitol Scholarship program, minority advancement program, and high technology graduate scholarship program. For the latter three, the act extends to OHE a requirement to report to the Appropriations Committee on the amount of the appropriation carried over from the previous fiscal year.

*§§ 5-10, 52-55, 58, 59, 61, & 62—Accreditation by State Board of Education (SBE)*

The act 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 PA 11-48 took effect, the Board of Governors for Higher Education accredited all higher education institutions.

*§§ 22-36—Private Occupational Schools*

The act 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 these schools. The act requires that teams evaluating applicant schools include two members representing OHE, rather than public higher education institutions.

The act also corrects 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 act authorizes OHE to perform several functions that BOR performs and retains BOR’s authority under existing law to perform them, as shown in Table 2.

**Table 2: BOR Functions that OHE May or Must Also Perform**

Section	Description

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17	Receive federal and private funds for postsecondary educational purposes
18	Designation as State Postsecondary Education Commission
21	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
37	Enter into student exchange agreements
39, 60	Serve as the state agency for any federal program under any act of Congress or administrative ruling
51	Requirement to biennially report to the legislature on higher education cost and financial aid trends (the act requires both BOR and OHE to submit the report)

### 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 required the new office to administer several programs previously administered by the Department of Higher Education and the Board of Governors for Higher Education, including:

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

OLR Tracking: TA:JRH:PF:eh