



Substitute House Bill No. 5423

Public Act No. 13-261

AN ACT CONCERNING REVISIONS TO THE HIGHER EDUCATION STATUTES.

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

Section 1. Subsection (b) of section 4-124dd of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The board shall consist of the following members:

(1) A member appointed by the speaker of the House of Representatives;

(2) A member appointed by the president pro tempore of the Senate;

(3) A member appointed by the minority leader of the House of Representatives;

(4) A member appointed by the minority leader of the Senate;

(5) The Commissioners of Public Health [] and Education, [and] the president of the Board of Regents for Higher Education and the executive director of the Office of Higher Education, or their designees;

(6) The chairpersons and ranking members of the joint standing

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committees of the General Assembly having cognizance of matters relating to public health and higher education and employment advancement, or their designees;

(7) A representative of the Connecticut State Board of Examiners for Nursing, established under section 20-88, who shall be appointed by said board; and

(8) A representative of the Connecticut Conference of Independent Colleges, who shall be appointed by said conference.

Sec. 2. Subsection (b) of section 10-16p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) The Department of Education shall be the lead agency for school readiness. For purposes of this section and section 10-16u, school readiness program providers eligible for funding from the Department of Education shall include local and regional boards of education, regional educational service centers, family resource centers and providers of child day care centers, as defined in section 19a-77, Head Start programs, preschool programs and other programs that meet such standards established by the Commissioner of Education. The department shall establish standards for school readiness programs. The standards may include, but need not be limited to, guidelines for staff-child interactions, curriculum content, including preliteracy development, lesson plans, parent involvement, staff qualifications and training, transition to school and administration. The department shall develop age-appropriate developmental skills and goals for children attending such programs. The commissioner, in consultation with the president of the Board of Regents for Higher Education, the Commissioner of Social Services and other appropriate entities, shall develop a professional development program for the staff of school readiness programs.

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(2) For purposes of this section:

(A) Prior to July 1, 2015, "staff qualifications" means there is in each classroom an individual who has at least the following: (i) A childhood development associate credential or an equivalent credential issued by an organization approved by the Commissioner of Education and twelve credits or more in early childhood education or child development, as determined by the president of the Board of Regents for Higher Education, after consultation with the Commissioners of Education and Social Services, from an institution of higher education [(1)] (I) accredited by the Board of Regents for Higher Education or State Board of Education, and [(2)] (II) regionally accredited; (ii) an associate's degree with twelve credits or more in early childhood education or child development, as determined by the president of the Board of Regents for Higher Education, after consultation with the Commissioners of Education and Social Services, from such an institution; (iii) a four-year degree with twelve credits or more in early childhood education or child development, as determined by the president of the Board of Regents for Higher Education, after consultation with the Commissioners of Education and Social Services, from such an institution; or (iv) certification pursuant to section 10-145b with an endorsement in early childhood education or special education;

(B) From July 1, 2015, to June 30, 2020, "staff qualifications" means that for each early childhood education program accepting state funds for infant, toddler and preschool spaces associated with such program's child day care program or school readiness program, (i) at least fifty per cent of those individuals with the primary responsibility for a classroom of children hold (I) certification pursuant to section 10-145b with an endorsement in early childhood education or early childhood special education, or (II) a bachelor's degree with a concentration in early childhood education, including, but not limited

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to, a bachelor's degree in early childhood education, child study, child development or human growth and development, from an institution of higher education [(1)] accredited by the Board of Regents for Higher Education or State Board of Education, and [(2)] regionally accredited, provided such bachelor's degree program is approved by the Board of Regents for Higher Education and the Department of Education, and (ii) such remaining individuals with the primary responsibility for a classroom of children hold an associate degree with a concentration in early childhood education, including, but not limited to, an associate's degree in early childhood education, child study, child development or human growth and development, from an institution of higher education [(1)] (I) accredited by the Board of Regents for Higher Education or State Board of Education, and [(2)] (II) regionally accredited, provided such associate degree program is approved by the Board of Regents for Higher Education and the Department of Education; and

(C) On and after July 1, 2020, "staff qualifications" means that for each early childhood education program accepting state funds for infant, toddler and preschool spaces associated with such program's child day care program or school readiness program, one hundred per cent of those individuals with the primary responsibility for a classroom of children hold (i) certification pursuant to section 10-145b with an endorsement in early childhood education or early childhood special education, or (ii) a bachelor's degree with a concentration in early childhood education, including, but not limited to, a bachelor's degree in early childhood education, child study, child development or human growth and development, from an institution of higher education [(1)] (I) accredited by the Board of Regents for Higher Education or State Board of Education, and [(2)] (II) regionally accredited, provided such bachelor's degree program is approved by the Board of Regents for Higher Education and the Department of Education.

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(3) Any individual with a bachelor's degree who, on or before June 30, 2015, is employed as a teacher by an early childhood education program that accepts state funds for infant, toddler and preschool spaces associated with such program's child day care program or school readiness program and meets the staff qualifications required under subparagraph (A) of subdivision (2) of this subsection shall be considered to meet the staff qualifications required under subparagraphs (B) and (C) of subdivision (2) of this subsection. No such early childhood education program shall terminate any such individual from employment for purposes of meeting the staff qualification requirements set forth in subparagraph (B) or (C) of subdivision (2) of this subsection. Any such individual who terminates his or her employment with such early childhood education program and accepts a teacher position at another early childhood education program accepting state funds for spaces associated with such program's child day care program or school readiness program shall submit documentation of such individual's progress toward meeting the staff qualification requirements set forth in subparagraph (B) or (C) of subdivision (2) of this subsection in a manner determined by the Department of Education.

(4) Any individual with a bachelor's degree other than those bachelor's degrees specified in subparagraphs (A) and (B) of subdivision (2) of this subsection may submit documentation concerning such degree for review and assessment by the Department of Education as to whether such degree has a sufficient concentration in early childhood education so as to satisfy the requirements set forth in said subparagraphs (A) and (B).

Sec. 3. Subparagraph (B) of subdivision (2) of subsection (e) of section 10-16p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(B) For the fiscal year ending June 30, 2012, and each fiscal year

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thereafter, if funds appropriated for the purposes of subsection (c) of this section are not expended, an amount up to five hundred thousand dollars of such unexpended funds may be available for the provision of professional development for early childhood education program providers offered by a professional development and program improvement system within the Connecticut State University System and available for use in accordance with the provisions of this subparagraph for the subsequent fiscal year. The Commissioner of Education may use such unexpended funds on and after July 1, 2012, in consultation with the president of the Board of Regents for Higher Education, to support early childhood education programs accepting state funds in satisfying the staff qualifications requirements of subparagraphs (B) and (C) of subdivision (2) of subsection (b) of this section. The Department of Education shall use any such funds to provide assistance to individual staff members, giving priority to those staff members attending an institution of higher education [(1)] (i) accredited by the Board of Regents for Higher Education or State Board of Education, and [(2)] (ii) regionally accredited, at a maximum of five thousand dollars per staff member per year for the cost of higher education courses leading to a bachelor's degree or, not later than December 31, 2013, an associate's degree, as such degrees are described in said subparagraphs (B) and (C) at an in-state public institution of higher education or a Connecticut-based for-profit or nonprofit institution of higher education, provided such staff members have applied for all available federal and state scholarships and grants, and such assistance does not exceed such staff members' financial need. Individual staff members shall apply for such unexpended funds in a manner determined by the Department of Education. The Commissioner of Education shall determine, in consultation with the president of the Board of Regents for Higher Education, how such unexpended funds shall be distributed.

Sec. 4. Section 10a-10 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective from passage*):

The Office of Higher Education shall establish an Office of Educational Opportunity in the Office of Higher Education, within the limits of funds appropriated for such purpose. The [office] Office of Educational Opportunity shall assist the [board] Office of Higher Education in state-wide efforts to increase enrollment, retention and graduation of disadvantaged students.

Sec. 5. Subparagraph (C) of subdivision (2) of subsection (b) of section 10a-109i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(C) In any such fiscal year in which the eligible gifts received by the university exceed the endowment fund state grant maximum commitment for such fiscal year, the amount in excess of such endowment fund state grant maximum commitment for such fiscal year [] shall be carried forward and be eligible for a matching state grant in any succeeding fiscal year, from the fiscal year ending June 30, 1999, to the fiscal year ending June 30, 2014, inclusive, subject to the endowment fund state grant maximum commitment for such fiscal year. Any endowment fund eligible gifts that are not included in the total amount of endowment fund eligible gifts certified by the chairperson of the board of trustees pursuant to this subparagraph may be carried forward and be eligible for a matching state grant in any succeeding fiscal year from the fiscal year ending June 30, 2000, to the fiscal year ending June 30, 2014, inclusive, subject to the endowment fund state matching grant maximum commitment for such fiscal year.

Sec. 6. Subdivision (1) of subsection (a) of section 10a-223 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(1) "Authority" means the Connecticut Higher Education Supplemental Loan Authority constituted as a subsidiary of the Connecticut Health and Educational Facilities Authority as provided in section 10a-179a;

Sec. 7. Subsection (c) of section 31-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) No minor under the age of eighteen years shall be employed or permitted to work in any occupation which has been or shall be pronounced hazardous to health by the Department of Public Health or pronounced hazardous in other respects by the Labor Department. This section shall not apply to (1) the employment or enrollment of minors sixteen years of age and over as apprentices in bona fide apprenticeship courses in manufacturing or mechanical establishments, technical high schools or public schools, (2) the employment of such minors who have graduated from a public or private secondary or technical high school in any manufacturing or mechanical establishment, (3) the employment of such minors who are participating in a manufacturing or mechanical internship in any manufacturing or mechanical establishment, or (4) the enrollment of such minors in a cooperative work-study program approved by the Commissioner of Education and the Labor Commissioner or in a program established pursuant to section 10-20a. No provision of this section shall apply to agricultural employment, domestic service, street trades or the distribution of newspapers. For purposes of this subsection, (A) "internship" means supervised practical training of a high school student or recent high school graduate that is comprised of curriculum and workplace standards approved by the Department of Education and the Labor Department, and (B) [the term] "cooperative work-study program" means a program of vocational education, approved by the Commissioner of Education and the Labor

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Commissioner, for persons who, through a cooperative arrangement between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field, provided these two experiences are planned and supervised by the school and employers so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half days, full days, weeks or other periods of time in fulfilling the cooperative work-study program.

Sec. 8. Subdivision (1) of subsection (a) of section 10a-11b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(1) The commission shall consist of the following voting members: (A) Two members appointed by the speaker of the House of Representatives, who shall have experience as former administrators or faculty members in independent institutions of higher education in this state; (B) two members appointed by the president pro tempore of the Senate, one of whom shall be a former administrator or faculty member of a regional community-technical college and one of whom shall be a former administrator or faculty member of The University of Connecticut; (C) two members appointed by the majority leader of the House of Representatives, one of whom shall be a former administrator or faculty member of a state university in the Connecticut State University System and one of whom shall be a former administrator or faculty member of Charter Oak State College; (D) two members appointed by the majority leader of the Senate, one of whom shall have experience in the field of arts and culture and one of whom shall have experience in the field of health care; (E) two members appointed by the minority leader of the House of Representatives who shall have knowledge and expertise in science and technology; (F) two members appointed by the minority leader of

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the Senate who shall represent state-wide business organizations; and (G) [four] five members appointed by the Governor, one of whom shall represent a nonprofit education foundation, one of whom shall have experience in university research and its commercial application and one of whom shall have experience in the field of education from prekindergarten to grade twelve, inclusive. The commission membership shall reflect the state's geographic, racial and ethnic diversity.

Sec. 9. (NEW) (*Effective October 1, 2013*) Any person, as defined in section 1-79 of the general statutes, who donates tangible property to a regional community-technical college shall be immune from civil liability for damage or injury occurring on or after October 1, 2013, resulting from any act, error or omission by such person with respect to such donated tangible property, unless such damage or injury was caused by the reckless, wilful or wanton misconduct of such person.

Sec. 10. Section 10-145a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The State Board of Education may, in accordance with section 10-19 and such regulations and qualifications as it prescribes, issue certificates of qualification to teach, to administer, to supervise or to serve in other positions requiring certification pursuant to regulations adopted by the State Board of Education in any public school in the state and may revoke the same. Any such regulations shall provide that the qualifications to maintain any administrator, supervisor or special service certificate shall incorporate the professional development provisions of section 10-148a. The certificates of qualification issued under this section shall be accepted by boards of education in lieu of any other certificate, provided additional qualifications may be required by a board of education, in which case the state certificate shall be accepted for such subjects as it includes.

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(b) Any candidate in a program of teacher preparation leading to professional certification shall be encouraged to successfully complete an intergroup relations component of such a program which shall be developed with the participation of both sexes, and persons of various ethnic, cultural and economic backgrounds. Such intergroup relations program shall have the following objectives: (1) The imparting of an appreciation of the contributions to American civilization of the various ethnic, cultural and economic groups composing American society and an understanding of the life styles of such groups; (2) the counteracting of biases, discrimination and prejudices; and (3) the assurance of respect for human diversity and personal rights. The State Board of Education, the Board of Regents for Higher Education, the Commission on Human Rights and Opportunities and the Permanent Commission on the Status of Women shall establish a joint committee composed of members of the four agencies, which shall develop and implement such programs in intergroup relations.

(c) Any candidate in a program of teacher preparation leading to professional certification shall be encouraged to complete a (1) health component of such a program, which includes, but need not be limited to, human growth and development, nutrition, first aid, disease prevention and community and consumer health, and (2) mental health component of such a program, which includes, but need not be limited to, youth suicide, child abuse and alcohol and drug abuse.

(d) Any candidate in a program of teacher preparation leading to professional certification shall complete a school violence, bullying, as defined in section 10-222d, and suicide prevention and conflict resolution component of such a program.

(e) On and after July 1, 1998, any candidate in a program of teacher preparation leading to professional certification shall complete a computer and other information technology skills component of such program, as applied to student learning and classroom instruction,

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communications and data management.

(f) On and after July 1, 2006, any program of teacher preparation leading to professional certification shall include, as part of the curriculum, instruction in literacy skills and processes that reflects current research and best practices in the field of literacy training. Such instruction shall be incorporated into requirements of student major and concentration.

(g) On and after July 1, 2006, any program of teacher preparation leading to professional certification shall include, as part of the curriculum, instruction in the concepts of second language learning and second language acquisition and processes that reflects current research and best practices in the field of second language learning and second language acquisition. Such instruction shall be incorporated into requirements of student major and concentration.

(h) On and after July 1, 2011, any program of teacher preparation leading to professional certification may permit teaching experience in a nonpublic school, approved by the State Board of Education, and offered through a public or private institution of higher education to count towards the preparation and eligibility requirements for an initial educator certificate, provided such teaching experience is completed as part of a cooperating teacher program, in accordance with the provisions of subsection (d) of section 10-220a.

(i) On and after July 1, 2012, any candidate entering a program of teacher preparation leading to professional certification shall be required to complete training in competency areas contained in the professional teaching standards established by the State Board of Education, including, but not limited to, development and characteristics of learners, evidence-based and standards-based instruction, evidence-based classroom and behavior management, [and] assessment and professional behaviors and responsibilities and

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the awareness and identification of the unique learning style of gifted and talented children.

(j) On and after July 1, 2015, any program of teacher preparation leading to professional certification shall require, as part of the curriculum, clinical experience, field experience or student teaching experience in a classroom during four semesters of such program of teacher preparation.

(k) On and after July 1, 2012, any program of teacher preparation leading to professional certification shall include, as part of the curriculum, instruction in the implementation of student individualized education programs as it relates to the provision of special education and related services, including, but not limited to, the provision of services to gifted and talented children.

Sec. 11. Subsection (a) of section 10a-55i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a Higher Education Consolidation Committee which shall be convened by the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to higher education or such chairpersons' designee, who shall be a member of such joint standing committee. The membership of the Higher Education Consolidation Committee shall consist of the higher education subcommittee on appropriations and the chairpersons, vice chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to higher education and appropriations. The Higher Education Consolidation Committee shall establish a meeting and public hearing schedule for purposes of receiving updates from the Board of Regents for Higher Education on (1) the progress of the consolidation of the state system of higher education pursuant to

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section 4-9c, subsection (a) of section 4d-90, subsection (g) of section 5-160, section 5-199d, subsection (a) of section 7-323k, subsection (a) of section 7-608, subsection (a) of section 10-9, section 10-155d, subdivision (14) of section 10-183b, sections 10a-1a to 10a-1d, inclusive, 10a-3 and 10a-3a, subsection (a) of section 10a-6a, sections 10a-6b, 10a-8, 10a-10a to 10a-11a, inclusive, 10a-17d and 10a-22a, subsections (f) and (h) of section 10a-22b, subsections (c) and (d) of section 10a-22d, sections 10a-22h and 10a-22k, subsection (a) of section 10a-22n, sections 10a-22r, 10a-22s, 10a-22u, 10a-22v, 10a-22x and 10a-34 to 10a-35a, inclusive, subsection (e) of section 10a-37, sections 10a-38 to 10a-40, inclusive, 10a-42 and 10a-42g, subsection (a) of section 10a-48a, sections 10a-55i, 10a-71 and 10a-72, subsections (c) and (f) of section 10a-77, section 10a-88, subsection (a) of section 10a-89, subsection (c) of section 10a-99 and sections 10a-102, 10a-104, 10a-105, 10a-109e, 10a-143, 10a-163a, 10a-164a, 10a-168a and 10a-170, and (2) the program approval process for the constituent units. The Higher Education Consolidation Committee shall convene its first meeting on or before September 15, 2011, and meet not less than once every two months. [until September 15, 2012.]

Sec. 12. Subsection (b) of section 10a-34 of the general statutes, as amended by public act 13-118, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) The Office of Higher Education shall establish regulations, in accordance with chapter 54, concerning the requirements for licensure and accreditation, such regulations to concern 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 licensure and accreditation may be granted, and the costs and procedures of evaluations as provided in subsections (c), (d) and (i) of this section. Said office shall establish academic review commissions to hear each

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appeal of a denial by said office of an application by an institution of higher education for licensure or accreditation of a program of higher learning or institution of higher education. For each individual appeal, the executive director of said office, or the executive director's designee, shall select a commission that is comprised of four higher education representatives and five business and industry representatives chosen from a panel of twenty-five members, who shall be appointed as follows: (1) The Governor shall appoint five members; (2) the speaker of the House of Representatives shall appoint five members; (3) the president pro tempore of the Senate shall appoint five members; (4) the majority leader of the House of Representatives shall appoint five members; [(3)] (5) the majority leader of the Senate shall appoint five members; [(4)] (6) the minority leader of the House of [Representative] Representatives shall appoint five members; and [(5)] (7) the minority leader of the Senate shall appoint five members. The executive director of said office, or the executive director's designee, shall ensure that each commission contains at least one member appointed by each of the appointing authorities. Each appointing authority shall select both higher education representatives and business and industry representatives, but not more than three from either category of representatives.

Approved July 11, 2013