



General Assembly

January Session, 2013

Raised Bill No. 878

LCO No. 3100



Referred to Committee on HIGHER EDUCATION AND
EMPLOYMENT ADVANCEMENT

Introduced by:
(HED)

**AN ACT MAKING CLARIFYING CHANGES TO THE HIGHER
EDUCATION STATUTES IN ACCORDANCE WITH THE
REORGANIZATION OF THE HIGHER EDUCATION SYSTEM.**

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

1 Section 1. Section 10a-170s of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 Loan candidates for the academic scholarship graduate student loan
4 program shall make application to the [president of the Board of
5 Regents for] Office of Higher Education on such forms and at such
6 time as prescribed by said [president] office. Loan recipients shall be
7 selected by the [president of the Board of Regents for] executive
8 director of the Office of Higher Education, who shall consider
9 affirmative action and equal opportunity goals when making such
10 selections. In the event the number of applicants is in excess of the
11 number of loans available, academic standing and financial need may
12 be considered by the [president] executive director in selecting loan
13 recipients. Loans under this program shall be in an amount not greater

14 than five thousand dollars per year for one year for recipients
15 attending independent colleges and universities and not greater than
16 three thousand dollars per year for one year for recipients attending
17 public colleges and universities. In order to maintain eligible status
18 under this loan program, each recipient shall continue to be enrolled
19 full time in an accredited college or university and shall demonstrate
20 compliance with the academic standards established by the [president
21 of the Board of Regents for] executive director of the Office of Higher
22 Education. No student shall receive the proceeds of a loan until [he]
23 such student has submitted a letter from an accredited college or
24 university certifying the appropriate enrollment status pursuant to
25 subsection (b) of section 10a-170r.

26 Sec. 2. Section 10a-170t of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective July 1, 2013*):

28 (a) (1) Loan repayment and interest charges shall commence twelve
29 months after the academic scholarship graduate student loan recipient
30 has terminated full-time student status or two years after the initial
31 receipt of a loan under this program whichever occurs first.

32 ~~[(1)]~~ (2) A recipient who renders services as a certified teacher in a
33 Connecticut public school on at least a half-time basis as certified by
34 the local superintendent of schools shall have his or her loan forgiven
35 as follows: (A) Thirty per cent forgiveness of the total amount
36 borrowed upon the completion of one year of teaching; (B) sixty per
37 cent forgiveness of the total amount borrowed upon the completion of
38 two years of teaching; (C) one hundred per cent forgiveness upon
39 completion of three years of teaching. If a loan recipient is teaching less
40 than full-time, said superintendent shall certify to the [Board of
41 Regents for] Office of Higher Education that a full-time position was
42 not available.

43 ~~[(2)]~~ (3) Recipients who teach in a priority school district as
44 designated by the state Department of Education pursuant to section

45 10-266p of the general statutes, revision of 1958, revised to 1991, shall
46 have their loans forgiven as follows: (A) Forty per cent forgiveness of
47 the total amount borrowed upon the completion of one year of
48 teaching; (B) one hundred per cent forgiveness upon the completion of
49 two years of teaching.

50 (4) If a recipient has taught in a priority school district and in a
51 nonpriority school district, the [Board of Regents for] Office of Higher
52 Education shall formulate an appropriate forgiveness schedule.

53 (b) A fixed-rate interest charge on the loan balance shall be set at a
54 rate one per cent above the prevailing prime interest rate as listed in
55 the first federal reserve bulletin published for the calendar year in
56 which awards are to be made.

57 (c) The [president of the Board of Regents for] executive director of
58 the Office of Higher Education may grant loan deferments to a
59 recipient when the recipient is teaching or when it is determined by the
60 [president] executive director that loan repayment would present an
61 unjust hardship to the recipient. Interest charges [will] shall not accrue
62 to the recipient during deferment periods approved by the [president]
63 executive director. The [president] executive director may forgive
64 loans if the [president] executive director determines that such action
65 is required as a result of the death or disability of the recipient.

66 (d) A recipient meeting the forgiveness or deferment provisions of
67 this section shall apply for loan forgiveness or deferment to the
68 [president of the Board of Regents for] executive director of the Office
69 of Higher Education. Requests for loan deferments shall be submitted
70 prior to the period for which a deferment is requested. An application
71 for loan forgiveness shall be received by the [president] executive
72 director within one year of the last day of the period for which the
73 recipient is applying for loan forgiveness. Forgiveness shall not be
74 granted for teaching services performed prior to or during the loan
75 award period. Recipients who enter into the loan repayment period

76 [will be required to] shall make a minimum monthly payment of fifty
77 dollars, unless exception is granted by the [Board of Regents for] Office
78 of Higher Education. A recipient shall have five years in which to
79 repay loans granted pursuant to the provisions of this section.
80 Deferment periods shall not be included in the five-year repayment
81 period.

82 (e) The [president of the Board of Regents for] executive director of
83 the Office of Higher Education may designate a staff member to
84 perform the duties imposed under subsections (c) and (d) of this
85 section.

86 Sec. 3. Section 10a-170u of the general statutes is repealed and the
87 following is substituted in lieu thereof (*Effective July 1, 2013*):

88 The [Board of Regents for] Office of Higher Education is authorized
89 to contract with the Connecticut Student Loan Foundation or other
90 public or private loan servicing agencies for servicing loans made
91 pursuant to sections 10a-170r and 10a-170s, as amended by this act.
92 The [Board of Regents for] Office of Higher Education may use not
93 more than three per cent of the total amount of any annual bond
94 allocation for the academic scholarship graduate student loan
95 program, for administering such loans. Such revenue shall be held in
96 the Academic Scholarship Graduate Student Loan Fund established
97 under section 10a-170v, as amended by this act.

98 Sec. 4. Section 10a-170v of the general statutes is repealed and the
99 following is substituted in lieu thereof (*Effective July 1, 2013*):

100 The [Board of Regents for] Office of Higher Education is authorized
101 to establish and administer a fund to be known as the Academic
102 Scholarship Graduate Student Loan Program Fund. All academic
103 scholarship graduate student loans and interest repayments made to
104 the [Board of Regents for] Office of Higher Education shall be added to
105 [this] said fund. The [Board of Regents for] Office of Higher Education
106 may make expenditures from [this] said fund to provide for

107 administrative and loan servicing costs. [This] Said fund shall not lapse
108 or revert to the General Fund of the state.

109 Sec. 5. Section 10a-132a of the general statutes is repealed and the
110 following is substituted in lieu thereof (*Effective July 1, 2013*):

111 The [Board of Regents for Higher Education] University of
112 Connecticut shall establish at The University of Connecticut Health
113 Center an endowed chair in infectious diseases in accordance with the
114 provisions of subsections (a), (b), (d), (e) and (f) of section 10a-20a. The
115 purpose of this endowed chair [will be] is to support a senior faculty
116 member in the school of medicine who will direct programs in
117 teaching, research and patient care in the area of infectious diseases.
118 This chair [will] shall provide support for an investigator or
119 investigators who [will] shall coordinate research activities into the
120 microbiologic, immunologic and clinical aspects of infectious diseases,
121 including acquired immune deficiency syndrome, at The University of
122 Connecticut Health Center and its affiliated institutions. The
123 investigators [will] shall provide a link between ongoing basic science
124 research in infectious diseases and the clinical application of the new
125 knowledge that is being generated. This position [will] shall be a focal
126 point for infectious disease research in Connecticut.

127 Sec. 6. Subsection (a) of section 10a-6a of the general statutes is
128 repealed and the following is substituted in lieu thereof (*Effective July*
129 *1, 2013*):

130 (a) There is established a Higher Education Coordinating Council
131 composed of: The vice-president for each constituent unit appointed
132 pursuant to subsection (c) of section 10a-1b, the Secretary of the Office
133 of Policy and Management, the Commissioner of Education, the
134 president of The University of Connecticut, the chief academic officer
135 of The University of Connecticut, the chairperson of the Board of
136 Trustees for The University of Connecticut, the chairperson of the
137 Board of Regents for Higher Education and the president of the Board

138 of Regents for Higher Education. The Secretary of the Office of Policy
139 and Management shall call an annual meeting of the council.

140 Sec. 7. Section 10a-55j of the general statutes is repealed and the
141 following is substituted in lieu thereof (*Effective July 1, 2013*):

142 [The Board of Regents for Higher Education shall require each] Each
143 public institution of higher education and each independent institution
144 of higher education that receives state funding [to] shall track the
145 unique identifiers or state-assigned student identifiers, which are
146 assigned by the Department of Education to public school students, of
147 all in-state students of such institution until such students graduate
148 from or terminate enrollment at such institution.

149 Sec. 8. Section 10a-33 of the general statutes is repealed and the
150 following is substituted in lieu thereof (*Effective July 1, 2013*):

151 The Board of Regents for Higher Education, The University of
152 Connecticut and the Office of Higher Education may enter into
153 agreements with appropriate agencies and institutions of higher
154 education in other states and foreign countries providing for the
155 reciprocal exchange of students in higher educational institutions in
156 this state and such other states or countries. Such agreements may
157 include provisions for waiver or reduction of nonresident tuition for
158 designated categories of students and may include contractual
159 payments to such other state or country, subject to the availability of
160 appropriations. Such agreements shall have as their purpose the
161 mutual improvement of educational advantages for residents of this
162 state and such other states or countries with whom agreements may be
163 made.

164 Sec. 9. Subsection (b) of section 10a-51 of the general statutes is
165 repealed and the following is substituted in lieu thereof (*Effective July*
166 *1, 2013*):

167 (b) The board of trustees of any such constituent unit may authorize

168 the charging of a fee or schedule of fees to any person using any child
169 care center operated by such constituent unit. [Notwithstanding the
170 provisions of sections 10a-77, 10a-99 and 10a-105, the fixing of any
171 such fee or schedule of fees shall not be subject to the approval of the
172 Board of Regents for Higher Education. Any fees so charged at any
173 such constituent unit shall be deposited in, and become a part of the
174 resources of, the auxiliary services fund of such constituent unit, to be
175 used for any noneducational aspects of any auxiliary services for
176 which such fund is used.]

177 Sec. 10. Section 10-8c of the general statutes is repealed and the
178 following is substituted in lieu thereof (*Effective July 1, 2013*):

179 The [Department of Education, in cooperation with the Board of
180 Regents for Higher Education,] Office of Higher Education shall,
181 within available appropriations, (1) establish an accelerated cross
182 endorsement process for each subject shortage area pursuant to section
183 10-8b to allow certified teachers to add a new endorsement to their
184 certificates, and (2) establish a program for formerly certified teachers
185 to regain certification.

186 Sec. 11. Subsections (a) to (c), inclusive, of section 10a-1e of the
187 general statutes are repealed and the following is substituted in lieu
188 thereof (*Effective July 1, 2013*):

189 (a) Wherever the term "Board of Governors of Higher Education" is
190 used or referred to in the following sections of the general statutes, the
191 term "Board of Regents for Higher Education" shall be substituted in
192 lieu thereof: 3-22e, 4-38c, 4-67x, 4-89, as amended by this act, 4-186, 4d-
193 80, 4d-82, 5-160, 5-177, 10-16p, 10-19, 10-145a, 10-145b, 10-145m, 10-
194 145n, 10-145p, [10-155e,] 10-155l, 10-183n, 10-220a, 10-235, 10a-6, 10a-7,
195 10a-10, 10a-12b, 10a-13, 10a-16, 10a-19i, 10a-20a, 10a-22, 10a-25j, [10a-
196 25o, 10a-25p,] 10a-31, 10a-33, as amended by this act, 10a-36, 10a-42b,
197 [10a-43,] 10a-44b, 10a-45, 10a-46, 10a-48, 10a-48b, [10a-49,] 10a-51, as
198 amended by this act, 10a-54, 10a-66, 10a-74, 10a-78, 10a-132a, as

199 amended by this act, 10a-149, 10a-161, 10a-162a, 10a-163, 10a-163b, 10a-
200 166, 10a-168, 10a-169, 10a-170b, 10a-170d, 10a-170l, 10a-170m, 10a-
201 170u, as amended by this act, 10a-170v, as amended by this act, 10a-
202 170w, 10a-171, 10a-203, 10a-210, 12-407, 19a-75, 20-37a, 20-206bb, 30-
203 20a and 52-279.

204 (b) Wherever the term "Department of Higher Education" is used or
205 referred to in the following sections of the general statutes, the term
206 "Board of Regents for Higher Education" shall be substituted in lieu
207 thereof: 4-89, as amended by this act, 4-124x, 4-124y, 4-124aa, 4a-11, 4d-
208 82, 5-155a, 5-198, 10-8c, as amended by this act, 10-76i, 10-145b, 10-
209 221a, 10a-1, 10a-8b, 10a-8c, 10a-10, 10a-12, 10a-14, 10a-17, 10a-19c, 10a-
210 19e, 10a-19f, 10a-19g, 10a-19i, 10a-25, [10a-25n,] 10a-48, 10a-54, 10a-55g,
211 10a-65, 10a-77a, 10a-99a, 10a-109i, 10a-151, [10a-161b,] 10a-163, 10a-
212 163b, 10a-169a, 10a-169b, 10a-170a, 10a-170e, 10a-170i, as amended by
213 this act, 10a-170l, 10a-170r, 10a-170t, as amended by this act, 10a-170u,
214 as amended by this act, 11-1, 17a-52, 17a-215c and 20-206bb.

215 (c) Wherever the term "Commissioner of Higher Education" is used
216 or referred to in the following sections of the general statutes, the term
217 "president of the Board of Regents for Higher Education" shall be
218 substituted in lieu thereof: 3-22e, 4-124x, 4-124y, 4-124aa, 10-1, 10-16p,
219 10-16z, 10a-19d, 10a-19e, 10a-19f, 10a-19h, 10a-48, 10a-48b, 10a-55a,
220 10a-77a, 10a-99a, 10a-109i, 10a-112g, 10a-144, 10a-150, as amended by
221 this act, [10a-150b,] 10a-161a, [10a-161b,] 10a-163, 10a-169a, 10a-169b,
222 10a-170c, 10a-170d, 10a-170i, as amended by this act, [10a-170k,] 10a-
223 170s, as amended by this act, 10a-170t, as amended by this act, 10a-203,
224 10a-224, 12-413b, 17a-52, 32-4f, 32-35 and 32-39.

225 Sec. 12. Subsection (f) of section 4-89 of the general statutes is
226 repealed and the following is substituted in lieu thereof (*Effective July*
227 *1, 2013*):

228 (f) The provisions of this section shall not apply to appropriations to
229 the Office of Higher Education for student financial assistance for the

230 scholarship program established under section 10a-169, or for the high
231 technology graduate scholarship program established under section
232 10a-170a, to the Board of Regents for Higher Education for Connecticut
233 higher education centers of excellence established under section
234 10a-25h, to the Office of Higher Education for the minority
235 advancement program established under subsection (b) of section
236 10a-11, [to the Board of Regents for Higher Education for the high
237 technology doctoral fellowship program established under section
238 10a-25n,] or to the operating funds of the constituent units of the state
239 system of higher education established pursuant to sections 10a-105,
240 10a-99 and 10a-77. Such appropriations shall not lapse until the end of
241 the fiscal year succeeding the fiscal year of the appropriation except
242 that centers of excellence appropriations deposited by the Board of
243 Regents for Higher Education in the Endowed Chair Investment Fund,
244 established under section 10a-20a, shall not lapse but shall be held
245 permanently in the Endowed Chair Investment Fund and any moneys
246 remaining in higher education operating funds of the constituent units
247 of the state system of higher education shall not lapse but shall be held
248 permanently in such funds. On or before September first, annually, the
249 Office of Higher Education and Board of Regents for Higher Education
250 shall submit a report to the joint standing committee of the General
251 Assembly having cognizance of matters relating to appropriations and
252 the budgets of state agencies, through the Office of Fiscal Analysis,
253 concerning the amount of each such appropriation carried over from
254 the preceding fiscal year.

255 Sec. 13. Section 10a-47 of the general statutes is repealed and the
256 following is substituted in lieu thereof (*Effective July 1, 2013*):

257 Sections 10a-45 to [10a-49] 10a-48, inclusive, shall not be interpreted
258 to apply to any federal program under which funds are payable by
259 grant, contract or otherwise to any specific institution of higher
260 education and where the federal legislation, or administrative ruling
261 pursuant thereto, authorizing or appropriating funds for such program
262 does not require administrative action by the state as a condition to the

263 determination to pay or the payment of such funds.

264 Sec. 14. Section 10a-150 of the general statutes is repealed and the
265 following is substituted in lieu thereof (*Effective July 1, 2013*):

266 The boards of trustees of each of the constituent units of the state
267 system of higher education are empowered to accept, on behalf of the
268 state, any gifts of lands, money or other property donated to the
269 institutions under their control. Said boards shall direct the
270 application, distribution or disbursement of such lands, money or
271 other donated property, or the income therefrom, for any purpose
272 connected with said institutions under their respective control,
273 consistent with the conditions, if any, upon which the gift was created.
274 The State Treasurer shall be advised of the receipt of any such gift of
275 money and where practicable shall hold on behalf of the respective
276 boards of trustees, any such gift of money or income therefrom. The
277 approval of the Commissioner of Administrative Services and the State
278 Properties Review Board under section 4b-23 where acquisitions of
279 real estate are involved shall be required. [The president of the Board
280 of Regents for Higher Education shall also be advised of any gift which
281 is subject to the provisions of section 10a-150b.]

282 Sec. 15. Subsection (a) of section 10a-170i of the general statutes is
283 repealed and the following is substituted in lieu thereof (*Effective July*
284 *1, 2013*):

285 (a) Loan repayment and interest charges shall commence twelve
286 months after the loan recipient has terminated full-time student status
287 or five years after initial receipt of a loan under this program
288 whichever occurs first. [, except as provided in section 10a-170k.] Each
289 recipient who renders services as a certified teacher in a Connecticut
290 public elementary or secondary school or nonpublic elementary or
291 secondary school approved by the State Board of Education shall have
292 the loan forgiven based upon the following schedule: Ten per cent
293 forgiveness of the total amount borrowed upon the completion of one

294 year of teaching in such a school on a full-time basis; twenty-five per
 295 cent forgiveness of the total amount borrowed upon the completion of
 296 two years of teaching in such a school on a full-time basis; forty-five
 297 per cent forgiveness of the total amount borrowed upon the
 298 completion of three years of teaching in such a school on a full-time
 299 basis; seventy per cent forgiveness of the total amount borrowed upon
 300 the completion of four years of teaching in such a school on a full-time
 301 basis; and one hundred per cent forgiveness upon the completion of
 302 five years of teaching in such a school on a full-time basis. The
 303 superintendent of public schools or the director of a nonpublic school
 304 or the person holding an equivalent position, who employs such
 305 teacher shall certify annually to the president of the Board of Regents
 306 for Higher Education or a designee of the president that the loan
 307 recipient has taught that year in a Connecticut public or nonpublic
 308 elementary or secondary school.

309 Sec. 16. Sections 10-155e, 10a-25n, 10a-25o, 10a-25p, 10a-43, 10a-49,
 310 10a-150b, 10a-161b and 10a-170k are repealed. (*Effective July 1, 2013*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	10a-170s
Sec. 2	<i>July 1, 2013</i>	10a-170t
Sec. 3	<i>July 1, 2013</i>	10a-170u
Sec. 4	<i>July 1, 2013</i>	10a-170v
Sec. 5	<i>July 1, 2013</i>	10a-132a
Sec. 6	<i>July 1, 2013</i>	10a-6a(a)
Sec. 7	<i>July 1, 2013</i>	10a-55j
Sec. 8	<i>July 1, 2013</i>	10a-33
Sec. 9	<i>July 1, 2013</i>	10a-51(b)
Sec. 10	<i>July 1, 2013</i>	10-8c
Sec. 11	<i>July 1, 2013</i>	10a-1e(a) to (c)
Sec. 12	<i>July 1, 2013</i>	4-89(f)
Sec. 13	<i>July 1, 2013</i>	10a-47
Sec. 14	<i>July 1, 2013</i>	10a-150
Sec. 15	<i>July 1, 2013</i>	10a-170i(a)

Sec. 16	July 1, 2013	Repealer section
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Statement of Purpose:

To make clarifying changes to the higher education statutes in accordance with the higher education reorganization.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]