



General Assembly

Substitute Bill No. 878

January Session, 2013



**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 Section 10a-170s of the general statutes is repealed and the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 Section 10a-170t of the general statutes is repealed and the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. Subsection (a) of section 10a-6a of the general statutes is
110 repealed and the following is substituted in lieu thereof (*Effective July*
111 *1, 2013*):

112 (a) There is established a Higher Education Coordinating Council
113 composed of: The vice-president for each constituent unit appointed

114 pursuant to subsection (c) of section 10a-1b, the Secretary of the Office
115 of Policy and Management, the Commissioner of Education, the
116 president of The University of Connecticut, the chief academic officer
117 of The University of Connecticut, the chairperson of the Board of
118 Trustees for The University of Connecticut, the chairperson of the
119 Board of Regents for Higher Education and the president of the Board
120 of Regents for Higher Education. The Secretary of the Office of Policy
121 and Management shall call an annual meeting of the council.

122 Sec. 6. Section 10a-55j of the general statutes is repealed and the
123 following is substituted in lieu thereof (*Effective July 1, 2013*):

124 [The Board of Regents for Higher Education shall require each] Each
125 public institution of higher education and each independent institution
126 of higher education that receives state funding [to] shall track the
127 unique identifiers or state-assigned student identifiers, which are
128 assigned by the Department of Education to public school students, of
129 all in-state students of such institution until such students graduate
130 from or terminate enrollment at such institution.

131 Sec. 7. Section 10a-33 of the general statutes is repealed and the
132 following is substituted in lieu thereof (*Effective July 1, 2013*):

133 The Board of Regents for Higher Education, The University of
134 Connecticut and the Office of Higher Education may enter into
135 agreements with appropriate agencies and institutions of higher
136 education in other states and foreign countries providing for the
137 reciprocal exchange of students in higher educational institutions in
138 this state and such other states or countries. Such agreements may
139 include provisions for waiver or reduction of nonresident tuition for
140 designated categories of students and may include contractual
141 payments to such other state or country, subject to the availability of
142 appropriations. Such agreements shall have as their purpose the
143 mutual improvement of educational advantages for residents of this
144 state and such other states or countries with whom agreements may be
145 made.

146 Sec. 8. Subsection (b) of section 10a-51 of the general statutes is
147 repealed and the following is substituted in lieu thereof (*Effective July*
148 *1, 2013*):

149 (b) The board of trustees of any such constituent unit may authorize
150 the charging of a fee or schedule of fees to any person using any child
151 care center operated by such constituent unit. [Notwithstanding the
152 provisions of sections 10a-77, 10a-99 and 10a-105, the fixing of any
153 such fee or schedule of fees shall not be subject to the approval of the
154 Board of Regents for Higher Education. Any fees so charged at any
155 such constituent unit shall be deposited in, and become a part of the
156 resources of, the auxiliary services fund of such constituent unit, to be
157 used for any noneducational aspects of any auxiliary services for
158 which such fund is used.]

159 Sec. 9. Section 10-8c of the general statutes is repealed and the
160 following is substituted in lieu thereof (*Effective July 1, 2013*):

161 The [Department of Education, in cooperation with the Board of
162 Regents for Higher Education,] Office of Higher Education shall,
163 within available appropriations, (1) establish an accelerated cross
164 endorsement process for each subject shortage area pursuant to section
165 10-8b to allow certified teachers to add a new endorsement to their
166 certificates, and (2) establish a program for formerly certified teachers
167 to regain certification.

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

171 (a) Wherever the term "Board of Governors of Higher Education" is
172 used or referred to in the following sections of the general statutes, the
173 term "Board of Regents for Higher Education" shall be substituted in
174 lieu thereof: 3-22e, 4-38c, 4-67x, 4-89, as amended by this act, 4-186, 4d-
175 80, 4d-82, 5-160, 5-177, 10-16p, 10-19, 10-145a, 10-145b, 10-145m, 10-
176 145n, 10-145p, [10-155e,] 10-155l, 10-183n, 10-220a, 10-235, 10a-6, 10a-7,

177 10a-10, 10a-12b, 10a-13, 10a-16, 10a-19i, 10a-20a, 10a-22, 10a-25j, [10a-
178 25o, 10a-25p,] 10a-31, 10a-33, as amended by this act, 10a-36, 10a-42b,
179 [10a-43,] 10a-44b, 10a-45, 10a-46, 10a-48, 10a-48b, [10a-49,] 10a-51, as
180 amended by this act, 10a-54, 10a-66, 10a-74, 10a-78, 10a-132a, 10a-149,
181 10a-161, 10a-162a, 10a-163, 10a-163b, 10a-166, 10a-168, 10a-169, 10a-
182 170b, 10a-170d, 10a-170l, 10a-170m, 10a-170u, as amended by this act,
183 10a-170v, as amended by this act, 10a-170w, 10a-171, 10a-203, 10a-210,
184 12-407, 19a-75, 20-37a, 20-206bb, 30-20a and 52-279.

185 (b) Wherever the term "Department of Higher Education" is used or
186 referred to in the following sections of the general statutes, the term
187 "Board of Regents for Higher Education" shall be substituted in lieu
188 thereof: 4-89, as amended by this act, 4-124x, 4-124y, 4-124aa, 4a-11, 4d-
189 82, 5-155a, 5-198, 10-8c, as amended by this act, 10-76i, 10-145b, 10-
190 221a, 10a-1, 10a-8b, 10a-8c, 10a-10, 10a-12, 10a-14, 10a-17, 10a-19c, 10a-
191 19e, 10a-19f, 10a-19g, 10a-19i, 10a-25, [10a-25n,] 10a-48, 10a-54, 10a-55g,
192 10a-65, 10a-77a, 10a-99a, 10a-109i, 10a-151, [10a-161b,] 10a-163, 10a-
193 163b, 10a-169a, 10a-169b, 10a-170a, 10a-170e, 10a-170i, as amended by
194 this act, 10a-170l, 10a-170r, 10a-170t, as amended by this act, 10a-170u,
195 as amended by this act, 11-1, 17a-52, 17a-215c and 20-206bb.

196 (c) Wherever the term "Commissioner of Higher Education" is used
197 or referred to in the following sections of the general statutes, the term
198 "president of the Board of Regents for Higher Education" shall be
199 substituted in lieu thereof: 3-22e, 4-124x, 4-124y, 4-124aa, 10-1, 10-16p,
200 10-16z, 10a-19d, 10a-19e, 10a-19f, 10a-19h, 10a-48, 10a-48b, 10a-55a,
201 10a-77a, 10a-99a, 10a-109i, 10a-112g, 10a-144, 10a-150, as amended by
202 this act, [10a-150b,] 10a-161a, [10a-161b,] 10a-163, 10a-169a, 10a-169b,
203 10a-170c, 10a-170d, 10a-170i, as amended by this act, [10a-170k,] 10a-
204 170s, as amended by this act, 10a-170t, as amended by this act, 10a-203,
205 10a-224, 12-413b, 17a-52, 32-4f, 32-35 and 32-39.

206 Sec. 11. Subsection (f) of section 4-89 of the general statutes is
207 repealed and the following is substituted in lieu thereof (*Effective July*
208 *1, 2013*):

209 (f) The provisions of this section shall not apply to appropriations to
210 the Office of Higher Education for student financial assistance for the
211 scholarship program established under section 10a-169, or for the high
212 technology graduate scholarship program established under section
213 10a-170a, to the Board of Regents for Higher Education for Connecticut
214 higher education centers of excellence established under section
215 10a-25h, to the Office of Higher Education for the minority
216 advancement program established under subsection (b) of section
217 10a-11, [to the Board of Regents for Higher Education for the high
218 technology doctoral fellowship program established under section
219 10a-25n,] or to the operating funds of the constituent units of the state
220 system of higher education established pursuant to sections 10a-105,
221 10a-99 and 10a-77. Such appropriations shall not lapse until the end of
222 the fiscal year succeeding the fiscal year of the appropriation except
223 that centers of excellence appropriations deposited by the Board of
224 Regents for Higher Education in the Endowed Chair Investment Fund,
225 established under section 10a-20a, shall not lapse but shall be held
226 permanently in the Endowed Chair Investment Fund and any moneys
227 remaining in higher education operating funds of the constituent units
228 of the state system of higher education shall not lapse but shall be held
229 permanently in such funds. On or before September first, annually, the
230 Office of Higher Education and Board of Regents for Higher Education
231 shall submit a report to the joint standing committee of the General
232 Assembly having cognizance of matters relating to appropriations and
233 the budgets of state agencies, through the Office of Fiscal Analysis,
234 concerning the amount of each such appropriation carried over from
235 the preceding fiscal year.

236 Sec. 12. Section 10a-47 of the general statutes is repealed and the
237 following is substituted in lieu thereof (*Effective July 1, 2013*):

238 Sections 10a-45 to [10a-49] 10a-48, inclusive, shall not be interpreted
239 to apply to any federal program under which funds are payable by
240 grant, contract or otherwise to any specific institution of higher
241 education and where the federal legislation, or administrative ruling

242 pursuant thereto, authorizing or appropriating funds for such program
243 does not require administrative action by the state as a condition to the
244 determination to pay or the payment of such funds.

245 Sec. 13. Section 10a-150 of the general statutes is repealed and the
246 following is substituted in lieu thereof (*Effective July 1, 2013*):

247 The boards of trustees of each of the constituent units of the state
248 system of higher education are empowered to accept, on behalf of the
249 state, any gifts of lands, money or other property donated to the
250 institutions under their control. Said boards shall direct the
251 application, distribution or disbursement of such lands, money or
252 other donated property, or the income therefrom, for any purpose
253 connected with said institutions under their respective control,
254 consistent with the conditions, if any, upon which the gift was created.
255 The State Treasurer shall be advised of the receipt of any such gift of
256 money and where practicable shall hold on behalf of the respective
257 boards of trustees, any such gift of money or income therefrom. The
258 approval of the Commissioner of Administrative Services and the State
259 Properties Review Board under section 4b-23 where acquisitions of
260 real estate are involved shall be required. [The president of the Board
261 of Regents for Higher Education shall also be advised of any gift which
262 is subject to the provisions of section 10a-150b.]

263 Sec. 14. Subsection (a) of section 10a-170i of the general statutes is
264 repealed and the following is substituted in lieu thereof (*Effective July*
265 *1, 2013*):

266 (a) Loan repayment and interest charges shall commence twelve
267 months after the loan recipient has terminated full-time student status
268 or five years after initial receipt of a loan under this program
269 whichever occurs first. [, except as provided in section 10a-170k.] Each
270 recipient who renders services as a certified teacher in a Connecticut
271 public elementary or secondary school or nonpublic elementary or
272 secondary school approved by the State Board of Education shall have
273 the loan forgiven based upon the following schedule: Ten per cent

274 forgiveness of the total amount borrowed upon the completion of one
275 year of teaching in such a school on a full-time basis; twenty-five per
276 cent forgiveness of the total amount borrowed upon the completion of
277 two years of teaching in such a school on a full-time basis; forty-five
278 per cent forgiveness of the total amount borrowed upon the
279 completion of three years of teaching in such a school on a full-time
280 basis; seventy per cent forgiveness of the total amount borrowed upon
281 the completion of four years of teaching in such a school on a full-time
282 basis; and one hundred per cent forgiveness upon the completion of
283 five years of teaching in such a school on a full-time basis. The
284 superintendent of public schools or the director of a nonpublic school
285 or the person holding an equivalent position, who employs such
286 teacher shall certify annually to the president of the Board of Regents
287 for Higher Education or a designee of the president that the loan
288 recipient has taught that year in a Connecticut public or nonpublic
289 elementary or secondary school.

290 Sec. 15. Subsections (d) and (e) of section 10a-11b of the general
291 statutes are repealed and the following is substituted in lieu thereof
292 (*Effective July 1, 2013*):

293 (d) Not later than January 1, [2012] 2014, the commission shall
294 submit a preliminary report on the development of the strategic master
295 plan and, not later than October 1, [2012] 2014, the commission shall
296 submit the strategic master plan, including specific goals and
297 benchmarks for the years ending 2015 and 2020, together with any
298 recommendations for appropriate legislation and funding to the
299 Governor and the joint standing committees of the General Assembly
300 having cognizance of matters relating to higher education and
301 employment advancement, education, commerce, labor and
302 appropriations, in accordance with the provisions of section 11-4a.

303 (e) Not later than October 1, [2014] 2016, and annually thereafter,
304 the commission shall submit a report, prepared by the Board of
305 Regents for Higher Education, to the Governor and not later than
306 January 1, [2014] 2016, and annually thereafter, to the joint standing

307 committees of the General Assembly having cognizance of matters
 308 relating to higher education and employment advancement, education,
 309 commerce, labor and appropriations, in accordance with section 11-4a,
 310 on the implementation of the plan and progress made toward
 311 achieving the goals specified in the plan. The commission may
 312 periodically suggest changes to the goals as necessary.

313 Sec. 16. Sections 10-155e, 10a-25n, 10a-25o, 10a-25p, 10a-43, 10a-49,
 314 10a-150b, 10a-161b and 10a-170k of the general statutes are repealed.
 315 (*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-6a(a)
Sec. 6	<i>July 1, 2013</i>	10a-55j
Sec. 7	<i>July 1, 2013</i>	10a-33
Sec. 8	<i>July 1, 2013</i>	10a-51(b)
Sec. 9	<i>July 1, 2013</i>	10-8c
Sec. 10	<i>July 1, 2013</i>	10a-1e(a) to (c)
Sec. 11	<i>July 1, 2013</i>	4-89(f)
Sec. 12	<i>July 1, 2013</i>	10a-47
Sec. 13	<i>July 1, 2013</i>	10a-150
Sec. 14	<i>July 1, 2013</i>	10a-170i(a)
Sec. 15	<i>July 1, 2013</i>	10a-11b(d) and (e)
Sec. 16	<i>July 1, 2013</i>	Repealer section

HED *Joint Favorable Subst.*