



General Assembly

**Amendment**

January Session, 2013

LCO No. 7433

**\*SB0113907433SD0\***

Offered by:

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

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To: Subst. Senate Bill No. 1139

File No. 497

Cal. No. 379

**"AN ACT CONCERNING CHANGES TO PROGRAM APPROVAL  
FOR INSTITUTIONS OF HIGHER EDUCATION."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 10a-34 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective July 1, 2013*):

5 (a) For the purposes of this section, (1) "program of higher learning"  
6 means any course of instruction for which it is stated or implied that  
7 college or university-level credit may be given or may be received by  
8 transfer; (2) "degree" means any letters or words, diploma, certificate  
9 or other symbol or document which signifies satisfactory completion  
10 of the requirements of a program of higher learning; (3) "institution of  
11 higher [learning] education" means any person, school, board,  
12 association, limited liability company or corporation which is licensed  
13 or accredited to offer one or more programs of higher learning leading  
14 to one or more degrees; (4) "license" means the authorization by the

15 [State Board of Education] Office of Higher Education to operate a  
16 program of higher learning or institution of higher [learning]  
17 education for a specified initial period; (5) "accreditation" means the  
18 authorization by said [board] office to continue operating a program of  
19 higher learning or institution of higher [learning] education for  
20 subsequent periods, and in such periods to confer specified degrees;  
21 (6) "program modification" means (A) a change in a program of higher  
22 learning that does not clearly qualify as a new program of higher  
23 learning or a nonsubstantive change, including, but not limited to, a  
24 new program of higher learning consisting primarily of course work  
25 for a previously approved program of higher learning, (B) an  
26 approved program of higher learning to be offered at an off-campus  
27 location, (C) a change in the title of a degree, or (D) a change in title of  
28 a program of higher learning; and (7) "nonsubstantive change" means  
29 (A) a new undergraduate certificate program, within an existing  
30 program of higher learning, of not more than thirty semester credit  
31 hours that falls under an approved program of higher learning, (B) a  
32 new baccalaureate minor of not more than eighteen semester credit  
33 hours, (C) a new undergraduate option or certificate program of not  
34 more than fifteen semester credit hours, or (D) a new graduate option  
35 or certificate program of not more than twelve semester credit hours.

36 (b) The Office of Higher Education shall establish regulations, in  
37 accordance with chapter 54, concerning the requirements for licensure  
38 and accreditation, such regulations to concern administration, finance,  
39 faculty, curricula, library, student admission and graduation, plant and  
40 equipment, records, catalogs, program announcements and any other  
41 criteria pertinent thereto, as well as the periods for which licensure and  
42 accreditation may be granted, and the costs and procedures of  
43 evaluations as provided in subsections (c), [and] (d) and (i) of this  
44 section. [Said office may establish an advisory council for accreditation  
45 composed of representatives of public and private institutions of  
46 higher learning and the public at large to advise the office regarding  
47 existing or proposed regulations.] Said office shall establish academic  
48 review commissions to hear each appeal of a denial by said office of an

49 application by an institution of higher education for licensure or  
50 accreditation of a program of higher learning or institution of higher  
51 education. For each individual appeal, the executive director of said  
52 office, or the executive director's designee, shall select a commission  
53 that is comprised of four higher education representatives and five  
54 business and industry representatives chosen from a panel of twenty-  
55 five members, who shall be appointed as follows: (1) The Governor  
56 shall appoint five members; (2) the majority leader of the House of  
57 Representatives shall appoint five members; (3) the majority leader of  
58 the Senate shall appoint five members; (4) the minority leader of the  
59 House of Representative shall appoint five members; and (5) the  
60 minority leader of the Senate shall appoint five members. The  
61 executive director of said office, or the executive director's designee,  
62 shall ensure that each commission contains at least one member  
63 appointed by each of the appointing authorities. Each appointing  
64 authority shall select both higher education representatives and  
65 business and industry representatives, but not more than three from  
66 either category of representatives.

67 (c) No person, school, board, association or corporation shall confer  
68 any degree unless authorized by act of the General Assembly. No  
69 application for authority to confer any such degree shall be approved  
70 by the General Assembly or any committee thereof, nor shall any such  
71 authority be included in any charter of incorporation until such  
72 application has been evaluated and approved by the [State Board of  
73 Education] Office of Higher Education in accordance with regulations  
74 established by the Office of Higher Education.

75 (d) The Office of Higher Education shall review all requests and  
76 applications for program modifications, nonsubstantive changes,  
77 licensure and accreditation. The office shall review each application in  
78 consideration of the academic standards set forth in the regulations for  
79 licensure and accreditation adopted by said office in accordance with  
80 the provisions of subsection (b) of this section. Notwithstanding the  
81 provisions of section 10a-34e, any application that is determined by the

82 office to be for (1) a program modification that meets all such academic  
83 standards, (2) a nonsubstantive change, (3) licensure, or (4)  
84 accreditation shall be deemed approved, and the office shall notify the  
85 institution of such approval, not later than sixty days from the date the  
86 office receives such application without requiring any further action  
87 from the applicant.

88 (e) If the executive director of the Office of Higher Education, or the  
89 executive director's designee, determines that further review of an  
90 application is needed due at least in part to the applicant offering  
91 instruction in a new program of higher learning or new degree level,  
92 then the executive director or the executive director's designee shall  
93 conduct a focused or on-site review. Such applicant shall have an  
94 opportunity to state any objection regarding any individual selected to  
95 review an application on behalf of the executive director. For purposes  
96 of this subsection, "focused review" means a review by an out-of-state  
97 curriculum expert; and "on-site review" means a full team evaluation  
98 by the office at the institution of higher education.

99 (f) The executive director of the Office of Higher Education, or the  
100 executive director's designee, may require a focused or on-site review  
101 of any program application in a health-related field where a license in  
102 Connecticut is required to practice in such field.

103 (g) Any application for licensure of a new institution in this state  
104 shall be subject to an on-site review upon a determination by the Office  
105 of Higher Education that the application is complete and shall be  
106 reviewed at the institutional level for each program as described in  
107 subsection (b) of this section. Such process shall be completed not later  
108 than nine months from the date said office receives the application.

109 (h) If the Office of Higher Education denies an application for  
110 licensure or accreditation of a program or institution of higher  
111 education, the applicant may appeal the denial not later than ten days  
112 from the date of denial. The academic review commission shall review  
113 the appeal and make a decision on such appeal not later than thirty

114 days from the date the applicant submits the appeal to said office.

115 [(d)] (i) No person, school, board, association or corporation shall  
116 operate a program of higher learning or an institution of higher  
117 [learning] education unless it has been licensed or accredited by the  
118 [State Board of Education] Office of Higher Education, nor shall it  
119 confer any degree unless it has been accredited in accordance with this  
120 section. [The board shall not grant any new license or accreditation  
121 until it has received a report of an evaluation of such program or  
122 institution by competent educators approved by the board.] The  
123 [board] office shall accept regional [or, where appropriate, national]  
124 accreditation, in satisfaction of the requirements of this subsection  
125 unless the [board] office finds cause not to rely upon such  
126 accreditation. If any institution of higher education provides evidence  
127 of programmatic accreditation, the office may consider such  
128 accreditation in satisfaction of the requirements of this subsection and  
129 deem the program at issue in the application for accreditation to be  
130 accredited in accordance with this section. National accreditation for  
131 Connecticut institutions of higher education accredited prior to July 1,  
132 2013, shall be accepted as being in satisfaction of the requirements of  
133 this subsection unless the office finds cause not to rely on such national  
134 accreditation.

135 [(e)] (j) No person, school, board, association or corporation shall  
136 use in any way the term "junior college" or "college" or "university" or  
137 use any other name, title, literature, catalogs, pamphlets or descriptive  
138 matter tending to designate that it is an institution of higher [learning]  
139 education, or that it may grant academic or professional degrees,  
140 unless the institution possesses a license from, or has been accredited  
141 by, the [board] office, nor shall it offer any program of higher learning  
142 without approval of the [State Board of Education] Office of Higher  
143 Education.

144 [(f)] (k) Accreditation of any program or institution or authority to  
145 award degrees granted in accordance with law prior to July 1, 1965,  
146 shall continue in effect.

147 [(g) If an existing institution, adversely affected by this section,  
148 applies to the board for licensure or accreditation, said board may  
149 grant licensure on a temporary basis to expire within one year and  
150 renewable from year to year, if, in the judgment of the board,  
151 reasonable progress is being made by such institution toward meeting  
152 the standards required by regulations of the board.]

153 Sec. 2. Subsection (d) of section 10a-34a of the general statutes is  
154 repealed and the following is substituted in lieu thereof (*Effective July*  
155 *1, 2013*):

156 (d) The person, school, board, association or corporation aggrieved  
157 by the order of the executive director imposing an administrative  
158 penalty pursuant to subsection (c) of this section shall, not later than  
159 fifteen days after such order is mailed, request, in writing, a hearing  
160 before the [State Board of Education] Office of Higher Education. Such  
161 hearing shall be held in accordance with the provisions of chapter 54.

162 Sec. 3. Section 10a-34c of the general statutes is repealed and the  
163 following is substituted in lieu thereof (*Effective July 1, 2013*):

164 The executive director of the Office of Higher Education may  
165 conduct an investigation and, through the Attorney General, maintain  
166 an action in the name of the state against any person, school, board,  
167 association or corporation to restrain or prevent the establishment or  
168 operation of an institution that is not licensed, accredited or authorized  
169 to award degrees by the [State Board of Education] Office of Higher  
170 Education pursuant to the provisions of section 10a-34, as amended by  
171 this act.

172 Sec. 4. Subsection (a) of section 10a-6 of the general statutes is  
173 repealed and the following is substituted in lieu thereof (*Effective July*  
174 *1, 2013*):

175 (a) The Board of Regents for Higher Education shall: (1) Establish  
176 state-wide policy and guidelines for Connecticut's system of public  
177 higher education; (2) develop a master plan for higher education and

178 postsecondary education, consistent with the goals in subsection (b) of  
179 this section; (3) establish state-wide tuition and student fee policies; (4)  
180 establish state-wide student financial aid policies; (5) monitor and  
181 evaluate institutional effectiveness and viability in accordance with  
182 criteria established by the board; (6) merge or close institutions within  
183 the Connecticut State University System, the regional community-  
184 technical college system and the Board for State Academic Awards in  
185 accordance with criteria established by the board, provided (A) such  
186 recommended merger or closing shall require a two-thirds vote of the  
187 board and (B) notice of such recommended merger or closing shall be  
188 sent to the committee having cognizance over matters relating to  
189 education and to the General Assembly; (7) review and approve  
190 mission statements for the Connecticut State University System, the  
191 regional community-technical college system and the Board for State  
192 Academic Awards and role and scope statements for the individual  
193 institutions and campuses of such constituent units; (8) review and  
194 approve any recommendations for the establishment of new academic  
195 programs submitted to the board by the constituent unit boards of  
196 trustees, and, in consultation with the affected constituent units,  
197 provide for the initiation, consolidation or termination of academic  
198 programs. The Board of Regents for Higher Education shall notify the  
199 board of trustees affected by the proposed termination of an academic  
200 program. Within ninety days of receipt of such notice, said trustees  
201 shall accept or reject the termination proposal and shall notify the  
202 Board of Regents for Higher Education of its action. If the termination  
203 proposal is rejected by the trustees, the Board of Regents for Higher  
204 Education may override the rejection by a two-thirds vote; (9) develop  
205 criteria to ensure acceptable quality in programs and institutions and  
206 enforce standards through licensing and accreditation; (10) prepare  
207 and present to the Governor and General Assembly, in accordance  
208 with section 10a-8, consolidated operating and capital expenditure  
209 budgets for public higher education developed in accordance with the  
210 provisions of said section 10a-8; (11) review and make  
211 recommendations on plans received from the constituent unit boards  
212 of trustees for the continuing development and maximum utilization

213 of the state's public higher education resources; (12) appoint advisory  
214 committees to assist in defining and suggesting solutions for the  
215 problems and needs of higher education; (13) establish an advisory  
216 council for higher education with representatives from public and  
217 private institutions to study methods and proposals for coordinating  
218 efforts of all such institutions in providing a stimulating and enriched  
219 educational environment for the citizens of the state, including  
220 measures to improve educational opportunities through alternative  
221 and nontraditional approaches such as external degrees and credit by  
222 examination; (14) coordinate programs and services throughout public  
223 higher education and between public and independent institutions,  
224 including procedures to evaluate the impact on independent  
225 institutions of higher education of proposals affecting public  
226 institutions of higher education; (15) make or enter into contracts,  
227 leases or other agreements in connection with its responsibilities under  
228 this part, provided all acquisitions of real estate by lease or otherwise  
229 shall be subject to the provisions of section 4b-23; (16) be responsible  
230 for the care and maintenance of permanent records of institutions of  
231 higher education dissolved after September 1, 1969; (17) prepare and  
232 present to the Governor and General Assembly legislative proposals  
233 affecting public higher education, including proposals which utilize  
234 programs and facilities of independent institutions of higher  
235 education; (18) develop and maintain a central higher education  
236 information system and establish definitions and data requirements for  
237 the state system of higher education; [and] (19) report all new  
238 programs and program changes to the Office of Higher Education; and  
239 (20) undertake such studies and other activities as will best serve the  
240 higher educational interests of the state.

241 Sec. 5. Subsection (a) of section 10a-104 of the general statutes is  
242 repealed and the following is substituted in lieu thereof (*Effective July*  
243 *1, 2013*):

244 (a) The Board of Trustees of The University of Connecticut shall: (1)  
245 Make rules for the government of the university and shall determine

246 the general policies of the university, including those concerning the  
247 admission of students and the establishment of schools, colleges,  
248 divisions and departments, and shall direct the expenditure of the  
249 university's funds within the amounts available; (2) develop the  
250 mission statement for The University of Connecticut, and all campuses  
251 thereof, which shall include, but not be limited to, the following  
252 elements: (A) The educational needs of and constituencies served by  
253 said university and campuses; (B) the degrees offered by said  
254 university; and (C) the role and scope of each institution and campus  
255 within the university system, which shall include each institution's and  
256 campus' particular strengths and specialties; (3) establish policies for  
257 the university system and for the individual institutions and campuses  
258 under its jurisdiction; (4) [submit to the Board of Regents for Higher  
259 Education, for approval,] review and approve recommendations for  
260 the establishment of new academic programs; (5) report all new  
261 programs and program changes to the Office of Higher Education, (6)  
262 make recommendations, when appropriate, regarding institutional or  
263 campus mergers or closures; [(6)] (7) coordinate the programs and  
264 services of the institutions and campuses under its jurisdiction; [(7)] (8)  
265 be authorized to enter into agreements, consistent with the provisions  
266 of section 5-141d, to save harmless and indemnify sponsors of research  
267 grants to The University of Connecticut, provided such an agreement  
268 is required to receive the grant and limits liability to damages or injury  
269 resulting from acts or omissions related to such research by employees  
270 of the university; [(8)] (9) promote fund-raising to assist the university  
271 and report to the executive director of the Office of Higher Education  
272 and the joint standing committee of the General Assembly having  
273 cognizance of matters relating to education by January 1, 1994, and  
274 biennially thereafter, on such fund-raising; [(9)] (10) charge the direct  
275 costs for a building project under its jurisdiction to the bond fund  
276 account for such project, provided (A) such costs are charged in  
277 accordance with a procedure approved by the Treasurer and (B)  
278 nothing in this subdivision shall permit the charging of working  
279 capital costs, as defined in the applicable provisions of the Internal  
280 Revenue Code of 1986, or any subsequent corresponding internal

281 revenue code of the United States, as from time to time amended, or  
282 costs originally paid from sources other than the bond fund account;  
283 [(10)] (11) exercise the powers delegated to it pursuant to section 10a-  
284 109d; and [(11)] (12) establish by October 1, 1997, policies governing  
285 the acceptance of gifts made by a foundation established pursuant to  
286 sections 4-37e and 4-37f to the university or its employees for  
287 reimbursement of expenditures or payment of expenditures on behalf  
288 of the university or its employees.

289 Sec. 6. Subparagraph (B) of subdivision (2) of subsection (b) of  
290 section 10-16p of the general statutes is repealed and the following is  
291 substituted in lieu thereof (*Effective July 1, 2013*):

292 (B) From July 1, 2015, to June 30, 2020, "staff qualifications" means  
293 that for each early childhood education program accepting state funds  
294 for infant, toddler and preschool spaces associated with such  
295 program's child day care program or school readiness program, (i) at  
296 least fifty per cent of those individuals with the primary responsibility  
297 for a classroom of children hold (I) certification pursuant to section 10-  
298 145b, as amended by this act, with an endorsement in early childhood  
299 education or early childhood special education, or (II) a bachelor's  
300 degree with a concentration in early childhood education, including,  
301 but not limited to, a bachelor's degree in early childhood education,  
302 child study, child development or human growth and development,  
303 from an institution of higher education (1) accredited by the Board of  
304 Regents for Higher Education or [State Board of Education] Office of  
305 Higher Education, and (2) regionally accredited, provided such  
306 bachelor's degree program is approved by the Board of Regents for  
307 Higher Education and the Department of Education, and (ii) such  
308 remaining individuals with the primary responsibility for a classroom  
309 of children hold an associate degree with a concentration in early  
310 childhood education, including, but not limited to, an associate's  
311 degree in early childhood education, child study, child development or  
312 human growth and development, from an institution of higher  
313 education (1) accredited by the Board of Regents for Higher Education

314 or [State Board of Education] Office of Higher Education, and (2)  
315 regionally accredited, provided such associate degree program is  
316 approved by the Board of Regents for Higher Education and the  
317 Department of Education; and

318 Sec. 7. Subsection (a) of section 10-145b of the general statutes is  
319 repealed and the following is substituted in lieu thereof (*Effective July*  
320 *1, 2013*):

321 (a) The State Board of Education, upon receipt of a proper  
322 application, shall issue an initial educator certificate to any person who  
323 has graduated (1) from a four-year baccalaureate program of teacher  
324 education as approved by said state board, or (2) from a four-year  
325 baccalaureate program approved by said state board or from a college  
326 or university accredited by the Board of Regents for Higher Education  
327 or [State Board of Education] Office of Higher Education or regionally  
328 accredited, provided such person has taken such teacher training  
329 equivalents as the State Board of Education shall require and, unless  
330 such equivalents are taken at institutions outside of this state, as the  
331 board of regents shall accredit. In addition, on and after July 1, 1993,  
332 each applicant shall have completed a subject area major as defined by  
333 the State Board of Education, except as provided in section 10-145l.  
334 Each such initial educator certificate shall be valid for three years,  
335 except as provided in subsection (c) of this section, and may be  
336 extended by the Commissioner of Education for an additional year for  
337 good cause upon the request of the superintendent in whose school  
338 district such person is employed or upon the request of the assessment  
339 team reviewing such person's performance.

340 Sec. 8. Subparagraph (B) of subdivision (1) of subsection (c) of  
341 section 10-145b of the general statutes is repealed and the following is  
342 substituted in lieu thereof (*Effective July 1, 2013*):

343 (B) The applicant meets the following requirements, except as  
344 otherwise provided in subparagraph (C) of this subdivision:

345 (i) Holds a bachelor's degree from an institution of higher education  
346 accredited by the Board of Regents for Higher Education or [State  
347 Board of Education] Office of Higher Education or regionally  
348 accredited with a major either in or closely related to the certification  
349 endorsement area in which the requesting board of education is  
350 placing the applicant or, in the case of secondary or special subject or  
351 field endorsement area, possesses at least the minimum total number  
352 of semester hours of credit required for the content area, except as  
353 provided in section 10-145l;

354 (ii) Has met the requirements pursuant to subsection (b) of section  
355 10-145f;

356 (iii) Presents a written application on such forms as the  
357 Commissioner of Education shall prescribe;

358 (iv) Has successfully completed an alternate route to certification  
359 program provided by the Board of Regents for Higher Education or  
360 the Office of Higher Education or public or independent institutions of  
361 higher education, regional educational service centers or private  
362 teacher or administrator training organizations and approved by the  
363 State Board of Education;

364 (v) Possesses an undergraduate college overall grade point average  
365 of at least "B" or, if the applicant has completed at least twenty-four  
366 hours of graduate credit, possesses a graduate grade point average of  
367 at least "B"; and

368 (vi) Presents supporting evidence of appropriate experience  
369 working with children; and

370 Sec. 9. Subsection (a) of section 10-145m of the general statutes is  
371 repealed and the following is substituted in lieu thereof (*Effective July*  
372 *1, 2013*):

373 (a) The State Board of Education, upon receipt of a proper  
374 application, shall issue a resident teacher certificate to any applicant in

375 the certification endorsement areas of elementary education, middle  
376 grades education, secondary academic subjects, special subjects or  
377 fields, special education, early childhood education and administration  
378 and supervision, who (1) holds a bachelor's degree from an institution  
379 of higher education accredited by the Board of Regents for Higher  
380 Education or [State Board of Education] Office of Higher Education or  
381 regionally accredited, (2) possesses a minimum undergraduate college  
382 cumulative grade point average of 3.00, (3) has achieved a qualifying  
383 score, as determined by the State Board of Education, on the  
384 appropriate State Board of Education approved subject area  
385 assessment, and (4) is enrolled in an alternate route to certification  
386 program, approved by the State Board of Education, that meets the  
387 guidelines established by the No Child Left Behind Act, P.L. 107-110.

388 Sec. 10. Subsection (a) of section 10-145n of the general statutes is  
389 repealed and the following is substituted in lieu thereof (*Effective July*  
390 *1, 2013*):

391 (a) Subject to the provisions of subsection (g) of this section, the  
392 State Board of Education, upon the request of a local or regional board  
393 of education or a regional educational service center, may issue an  
394 adjunct instructor permit to any applicant with specialized training,  
395 experience or expertise in the arts, as defined in subsection (a) of  
396 section 10-16b. Such permit shall authorize a person to hold a part-time  
397 position, of no more than fifteen classroom instructional hours per  
398 week at a part-time interdistrict arts magnet high school in existence  
399 on July 1, 2009, and approved pursuant to section 10-264~~l~~ or the  
400 Cooperative Arts and Humanities Magnet High School, as a teacher of  
401 art, music, dance, theater or any other subject related to such holder's  
402 artistic specialty. Except as provided in subsection (g) of this section,  
403 such applicant shall (1) hold a bachelor's degree from an institution of  
404 higher education accredited by the Board of Regents for Higher  
405 Education or [State Board of Education] Office of Higher Education or  
406 regionally accredited, (2) have a minimum of three years of work  
407 experience in the arts, or one year of work experience and two years of

408 specialized schooling related to such applicant's artistic specialty, and  
409 (3) attest to the State Board of Education that he or she has at least one  
410 hundred eighty hours of cumulative experience working with  
411 children, in a private or public setting, including, but not limited to,  
412 after school programs, group lessons, children's theater, dance studio  
413 lessons and artist-in-residence programs, or at least two years  
414 experience as a full-time faculty member at an institution of higher  
415 education.

416 Sec. 11. Subsection (a) of section 10-145p of the general statutes is  
417 repealed and the following is substituted in lieu thereof (*Effective July*  
418 *1, 2013*):

419 (a) The Department of Education shall review and approve  
420 proposals for alternate route to certification programs for school  
421 administrators. In order to be approved, a proposal shall provide that  
422 the alternative route to certification program (1) be provided by a  
423 public or independent institution of higher education, a local or  
424 regional board of education, a regional educational service center or a  
425 private, nonprofit teacher or administrator training organization  
426 approved by the State Board of Education; (2) accept only those  
427 participants who (A) hold a bachelor's degree from an institution of  
428 higher education accredited by the Board of Regents for Higher  
429 Education or [State Board of Education] Office of Higher Education or  
430 regionally accredited, (B) have at least forty school months teaching  
431 experience, of which at least ten school months are in a position  
432 requiring certification at a public school, in this state or another state,  
433 and (C) are recommended by the immediate supervisor or district  
434 administrator of such person on the basis of such person's  
435 performance; (3) require each participant to (A) complete a one-year  
436 residency that requires such person to serve (i) in a position requiring  
437 an intermediate administrator or supervisor endorsement, and (ii) in a  
438 full-time position for ten school months at a local or regional board of  
439 education in the state under the supervision of (I) a certified  
440 administrator, and (II) a supervisor from an institution or organization

441 described in subdivision (1) of this subsection, or (B) have ten school  
442 months experience in a full-time position as an administrator in a  
443 public or nonpublic school in another state that is approved by the  
444 appropriate state board of education in such other state; and (4) meet  
445 such other criteria as the department requires.

446 Sec. 12. Subdivision (1) of subsection (c) of section 10-155l of the  
447 general statutes is repealed and the following is substituted in lieu  
448 thereof (*Effective July 1, 2013*):

449 (1) A fellows program leading to the eligibility for an educator  
450 certificate for minority individuals who have (A) completed an  
451 intensive summer session focusing on classroom management and  
452 methodology, (B) received a bachelor's degree from an institution of  
453 higher education accredited by the Board of Regents for Higher  
454 Education or [State Board of Education] Office of Higher Education or  
455 regionally accredited, (C) achieved a satisfactory score on the  
456 examination required pursuant to section 10-145f or have had such  
457 requirement waived pursuant to said section, and (D) have such other  
458 qualifications for the issuance of an educator certificate as are required  
459 for individuals participating in the alternate route to certification  
460 program under section 10-155d;

461 Sec. 13. Subsections (f) and (g) of section 10-221a of the general  
462 statutes are repealed and the following is substituted in lieu thereof  
463 (*Effective July 1, 2013*):

464 (f) Determination of eligible credits shall be at the discretion of the  
465 local or regional board of education, provided the primary focus of the  
466 curriculum of eligible credits corresponds directly to the subject matter  
467 of the specified course requirements. The local or regional board of  
468 education may permit a student to graduate during a period of  
469 expulsion pursuant to section 10-233d, if the board determines the  
470 student has satisfactorily completed the necessary credits pursuant to  
471 this section. The requirements of this section shall apply to any student  
472 requiring special education pursuant to section 10-76a, except when

473 the planning and placement team for such student determines the  
474 requirement not to be appropriate. For purposes of this section, a  
475 credit shall consist of not less than the equivalent of a forty-minute  
476 class period for each school day of a school year except for a credit or  
477 part of a credit toward high school graduation earned (1) at an  
478 institution accredited by the Board of Regents for Higher Education or  
479 [State Board of Education] Office of Higher Education or regionally  
480 accredited; or (2) through on-line coursework that is in accordance  
481 with a policy adopted pursuant to subsection (g) of this section.

482 (g) Only courses taken in grades nine through twelve, inclusive,  
483 shall satisfy this graduation requirement, except that a local or regional  
484 board of education may grant a student credit (1) toward meeting a  
485 specified course requirement upon the successful completion in grade  
486 seven or eight of any course, the primary focus of which corresponds  
487 directly to the subject matter of a specified course requirement in  
488 grades nine to twelve, inclusive; (2) toward meeting the high school  
489 graduation requirement upon the successful completion of a world  
490 language course (A) in grade six, seven or eight, (B) through on-line  
491 coursework, or (C) offered privately through a nonprofit provider,  
492 provided such student achieves a passing grade on an examination  
493 prescribed, within available appropriations, by the Commissioner of  
494 Education and such credits do not exceed four; (3) toward meeting the  
495 high school graduation requirement upon achievement of a passing  
496 grade on a subject area proficiency examination identified and  
497 approved, within available appropriations, by the Commissioner of  
498 Education, regardless of the number of hours the student spent in a  
499 public school classroom learning such subject matter; (4) toward  
500 meeting the high school graduation requirement upon the successful  
501 completion of coursework at an institution accredited by the Board of  
502 Regents for Higher Education or [State Board of Education] Office of  
503 Higher Education or regionally accredited. One three-credit semester  
504 course, or its equivalent, at such an institution shall equal one-half  
505 credit for purposes of this section; (5) toward meeting the high school  
506 graduation requirement upon the successful completion of on-line

507 coursework, provided the local or regional board of education has  
508 adopted a policy in accordance with this subdivision for the granting  
509 of credit for on-line coursework. Such a policy shall ensure, at a  
510 minimum, that (A) the workload required by the on-line course is  
511 equivalent to that of a similar course taught in a traditional classroom  
512 setting, (B) the content is rigorous and aligned with curriculum  
513 guidelines approved by the State Board of Education, where  
514 appropriate, (C) the course engages students and has interactive  
515 components, which may include, but are not limited to, required  
516 interactions between students and their teachers, participation in on-  
517 line demonstrations, discussion boards or virtual labs, (D) the program  
518 of instruction for such on-line coursework is planned, ongoing and  
519 systematic, and (E) the courses are (i) taught by teachers who are  
520 certified in the state or another state and have received training on  
521 teaching in an on-line environment, or (ii) offered by institutions of  
522 higher education that are accredited by the Board of Regents for  
523 Higher Education or [State Board of Education] Office of Higher  
524 Education or regionally accredited; or (6) toward meeting the high  
525 school graduation requirement upon the successful completion of the  
526 board examination series pursuant to section 10-5c.

527 Sec. 15. Section 10-264n of the general statutes is repealed and the  
528 following is substituted in lieu thereof (*Effective July 1, 2013*):

529 The Commissioner of Education shall consult with (1) the Board of  
530 Trustees for Community-Technical Colleges, (2) the Board of Trustees  
531 of the Connecticut State University System, (3) the boards of trustees  
532 for higher education institutions licensed and accredited by the Board  
533 of Regents for Higher Education or [State Board of Education] Office of  
534 Higher Education, or (4) the Board of Trustees for The University of  
535 Connecticut and may consult with any not-for-profit corporation  
536 approved by the Commissioner of Education to initiate collaborative  
537 planning for establishing additional interdistrict magnet schools in the  
538 Sheff region, as defined in subsection (q) of section 10-266aa.

539 Sec. 16. Subsection (a) of section 10a-1d of the general statutes is

540 repealed and the following is substituted in lieu thereof (*Effective July*  
541 *1, 2013*):

542 (a) There is established an Office of Higher Education. Such office  
543 shall be within the Board of Regents for Higher Education for  
544 administrative purposes only. The Office of Higher Education shall  
545 administer the programs set forth in sections 10-19g, 10-155d, 10a-10a,  
546 10a-11, 10a-11a, 10a-17d, 10a-34 to 10a-34f, inclusive, as amended by  
547 this act, 10a-35, as amended by this act, 10a-36 to 10a-42g, inclusive,  
548 10a-164a, 10a-166 and 10a-168a to 10a-170, inclusive. The [State Board  
549 of Education] Office of Higher Education shall be responsible for  
550 approving any action taken pursuant to sections 10a-34 to 10a-34f,  
551 inclusive, as amended by this act.

552 Sec. 17. Section 10a-35 of the general statutes is repealed and the  
553 following is substituted in lieu thereof (*Effective July 1, 2013*):

554 No person, school, board, association or corporation which, prior to  
555 July 1, 1935, was granted authority to confer any standard academic,  
556 professional or graduate degree and which did not, prior to July 1,  
557 1935, exercise such authority shall confer any such degree until it is  
558 determined by the Office of Higher Education [and approved by the  
559 State Board of Education] that its organization and equipment are such  
560 that it is fully competent to meet the degree standards set and  
561 maintained by similar institutions. Any degree granted in violation of  
562 the provisions of this section shall be null and void. Any person,  
563 school, board, association or corporation which violates any provision  
564 of this section shall be fined not more than one thousand dollars.

565 Sec. 18. Subsection (c) of section 10a-163 of the general statutes is  
566 repealed and the following is substituted in lieu thereof (*Effective July*  
567 *1, 2013*):

568 (c) Full-time undergraduate students in their junior or senior years  
569 and full-time graduate students who have been admitted to a teacher  
570 education program approved by the State Board of Education and

571 accredited by the Board of Regents for Higher Education or [State  
572 Board of Education] Office of Higher Education and which prepares an  
573 individual for teaching in a field designated by the Commissioner of  
574 Education as an area of critical teacher shortage shall, within available  
575 appropriations, be eligible for student loans under this program in an  
576 amount not greater than five thousand dollars per year for not more  
577 than two years.

578 Sec. 19. Subparagraph (J) of subdivision (37) of subsection (a) of  
579 section 12-407 of the general statutes is repealed and the following is  
580 substituted in lieu thereof (*Effective July 1, 2013*):

581 (J) Business analysis, management, management consulting and  
582 public relations services, excluding (i) any environmental consulting  
583 services, (ii) any training services provided by an institution of higher  
584 education licensed or accredited by the Board of Regents for Higher  
585 Education or [State Board of Education] Office of Higher Education  
586 pursuant to sections 10a-35a and 10a-34, as amended by this act,  
587 respectively, and (iii) on and after January 1, 1994, any business  
588 analysis, management, management consulting and public relations  
589 services when such services are rendered in connection with an aircraft  
590 leased or owned by a certificated air carrier or in connection with an  
591 aircraft which has a maximum certificated take-off weight of six  
592 thousand pounds or more;

593 Sec. 20. Subsection (b) of section 20-37a of the general statutes is  
594 repealed and the following is substituted in lieu thereof (*Effective July*  
595 *1, 2013*):

596 (b) Notwithstanding the requirements of section 20-37, no license to  
597 practice natureopathic medicine is required of:

598 (1) Students enrolled in a college or program of natureopathic  
599 medicine if (A) the college or program is recognized by the Council on  
600 Natureopathic Medical Education or licensed or accredited by the  
601 Board of Regents for Higher Education or [State Board of Education]

602 Office of Higher Education, and (B) the practice that would otherwise  
603 require a license is pursuant to a course of instruction or assignments  
604 from an instructor and under the supervision of the instructor; or

605 (2) Licensed faculty members providing the didactic and clinical  
606 training necessary to meet the accreditation standards of the Council  
607 on Natureopathic Medical Education at a college or program  
608 recognized by the council or licensed or accredited by the Board of  
609 Regents for Higher Education or [State Board of Education] Office of  
610 Higher Education.

611 Sec. 21. Section 20-206bb of the general statutes is repealed and the  
612 following is substituted in lieu thereof (*Effective July 1, 2013*):

613 (a) No person shall engage in the practice of acupuncture without a  
614 license as an acupuncturist issued pursuant to this section.

615 (b) Each person seeking licensure as an acupuncturist shall make  
616 application on forms prescribed by the department, pay an application  
617 fee of two hundred dollars and present to the department satisfactory  
618 evidence that the applicant (1) has completed sixty semester hours, or  
619 its equivalent, of postsecondary study in an institution of  
620 postsecondary education that, if in the United States or its territories,  
621 was accredited by a recognized regional accrediting body or, if outside  
622 the United States or its territories, was legally chartered to grant  
623 postsecondary degrees in the country in which located, (2) has  
624 successfully completed a course of study in acupuncture in a program  
625 that, at the time of graduation, was in candidate status with or  
626 accredited by an accrediting agency recognized by the United States  
627 Department of Education and included (A) for a person who  
628 completed such course of study before October 1, 2012, a minimum of  
629 one thousand three hundred fifty hours of didactic and clinical  
630 training, five hundred of which were clinical, or (B) for a person who  
631 completed such course of study on or after October 1, 2012, a  
632 minimum of one thousand nine hundred five hours of didactic and  
633 clinical training, six hundred sixty of which were clinical, (3) has

634 passed all portions of the National Certification Commission for  
635 Acupuncture and Oriental Medicine examination required for  
636 acupuncture certification or an examination prescribed by the  
637 department, and (4) has successfully completed a course in clean  
638 needle technique prescribed by the department. Any person  
639 successfully completing the education, examination or training  
640 requirements of this section in a language other than English shall be  
641 deemed to have satisfied the requirement completed in that language.

642 (c) An applicant for licensure as an acupuncturist by endorsement  
643 shall present evidence satisfactory to the commissioner of licensure or  
644 certification as an acupuncturist, or as a person entitled to perform  
645 similar services under a different designation, in another state or  
646 jurisdiction whose requirements for practicing in such capacity are  
647 equivalent to or higher than those of this state and that there are no  
648 disciplinary actions or unresolved complaints pending. Any person  
649 completing the requirements of this section in a language other than  
650 English shall be deemed to have satisfied the requirements of this  
651 section.

652 (d) Notwithstanding the provisions of subsection (b) of this section,  
653 the department shall, prior to September 1, 2005, issue a license to any  
654 applicant who presents to the department satisfactory evidence that  
655 the applicant has (1) earned, or successfully completed requirements  
656 for, a master's degree in acupuncture from a program that includes a  
657 minimum of one thousand three hundred fifty hours of didactic and  
658 clinical training, five hundred of which are clinical, from an institution  
659 of higher education accredited by the Board of Regents for Higher  
660 Education or [State Board of Education] Office of Higher Education at  
661 the time of the applicant's graduation, (2) passed all portions of the  
662 National Certification Commission for Acupuncture and Oriental  
663 Medicine acupuncture examination, including the acupuncture portion  
664 of the comprehensive written examination in acupuncture, the clean  
665 needle technique portion of the comprehensive written examination in  
666 acupuncture and the practical examination of point location skills, and

667 (3) successfully completed a course in clean needle technique offered  
668 by the Council of Colleges of Acupuncture and Oriental Medicine.

669 (e) Licenses shall be renewed once every two years in accordance  
670 with the provisions of subsection (e) of section 19a-88. The fee for  
671 renewal shall be two hundred fifty dollars.

672 (1) Except as provided in subdivision (2) of this subsection, for  
673 registration periods beginning on and after October 1, 2014, a licensee  
674 applying for license renewal shall (A) maintain a certification by the  
675 National Certification Commission for Acupuncture and Oriental  
676 Medicine, or (B) earn not less than thirty contact hours of continuing  
677 education approved by the National Certification Commission for  
678 Acupuncture and Oriental Medicine within the preceding twenty-four-  
679 month period.

680 (2) Each licensee applying for license renewal pursuant to section  
681 19a-88, except a licensee applying for a license renewal for the first  
682 time, shall sign a statement attesting that he or she has satisfied the  
683 certification or continuing education requirements described in  
684 subdivision (1) of this subsection on a form prescribed by the  
685 department. Each licensee shall retain records of attendance or  
686 certificates of completion that demonstrate compliance with the  
687 continuing education or certification requirements described in  
688 subdivision (1) of this subsection for not less than five years following  
689 the date on which the continuing education was completed or the  
690 certification was renewed. Each licensee shall submit such records to  
691 the department for inspection not later than forty-five days after a  
692 request by the department for such records.

693 (3) In individual cases involving medical disability or illness, the  
694 commissioner may grant a waiver of the continuing education or  
695 certification requirements or an extension of time within which to  
696 fulfill such requirements of this subsection to any licensee, provided  
697 the licensee submits to the department an application for waiver or  
698 extension of time on a form prescribed by the commissioner, along

699 with a certification by a licensed physician of the disability or illness  
700 and such other documentation as may be required by the department.  
701 The commissioner may grant a waiver or extension for a period not to  
702 exceed one registration period, except that the commissioner may  
703 grant additional waivers or extensions if the medical disability or  
704 illness upon which a waiver or extension is granted continues beyond  
705 the period of the waiver or extension and the licensee applies for an  
706 additional waiver or extension.

707 (4) A licensee whose license has become void pursuant to section  
708 19a-88 and who applies to the department for reinstatement of such  
709 license, shall submit evidence documenting valid acupuncture  
710 certification by the National Certification Commission for  
711 Acupuncture and Oriental Medicine or successful completion of fifteen  
712 contact hours of continuing education within the one-year period  
713 immediately preceding application for reinstatement.

714 (f) No license shall be issued under this section to any applicant  
715 against whom professional disciplinary action is pending or who is the  
716 subject of an unresolved complaint in this or any other state or  
717 territory of the United States.

718 (g) Nothing in section 20-206aa or 20-206cc or this section shall be  
719 construed to prevent licensed practitioners of the healing arts, as  
720 defined in section 20-1, physical therapists or dentists from providing  
721 care or performing services consistent with accepted standards within  
722 their respective professions.

723 (h) Notwithstanding the provisions of subsection (a) of this section,  
724 any person certified by an organization approved by the  
725 Commissioner of Public Health may practice auricular acupuncture for  
726 the treatment of alcohol and drug abuse, provided the treatment is  
727 performed under the supervision of a physician licensed under chapter  
728 370 and is performed in either (1) a private free-standing facility  
729 licensed by the Department of Public Health for the care or treatment  
730 of substance abusive or dependent persons, or (2) a setting operated by

731 the Department of Mental Health and Addiction Services. The  
732 Commissioner of Public Health shall adopt regulations, in accordance  
733 with the provisions of chapter 54, to ensure the safe provision of  
734 auricular acupuncture within private free-standing facilities licensed  
735 by the Department of Public Health for the care or treatment of  
736 substance abusive or dependent persons.

737 (i) Notwithstanding the provisions of subsection (a) of this section,  
738 no license to engage in the practice of acupuncture is required of: (1)  
739 Students enrolled in a college or program of acupuncture if (A) the  
740 college or program is recognized by the Accreditation Commission for  
741 Acupuncture and Oriental Medicine or licensed or accredited by the  
742 Board of Regents for Higher Education or [State Board of Education]  
743 Office of Higher Education, and (B) the practice that would otherwise  
744 require a license is pursuant to a course of instruction or assignments  
745 from a licensed instructor and under the supervision of the instructor;  
746 or (2) faculty members providing the didactic and clinical training  
747 necessary to meet the accreditation standards of the Accreditation  
748 Commission for Acupuncture and Oriental Medicine at a college or  
749 program recognized by the commission or licensed or accredited by  
750 the Board of Regents for Higher Education or [State Board of  
751 Education] Office of Higher Education. For purposes of this  
752 subsection, "licensed instructor" means a faculty member or instructor  
753 licensed under this section or otherwise authorized to engage in the  
754 practice of acupuncture in this state.

755 (j) No person shall use the title "acupuncturist", or use in connection  
756 with his or her name, any letters, words or insignia indicating or  
757 implying that such person is a licensed acupuncturist or advertise  
758 services as an acupuncturist, unless such person holds a license as an  
759 acupuncturist issued pursuant to this section. No person shall  
760 represent himself or herself as being certified to practice auricular  
761 acupuncture for the treatment of alcohol and drug abuse, or use in  
762 connection with his or her name the term "acupuncture detoxification  
763 specialist", or the letters "A.D.S." or any letters, words or insignia

764 indicating or implying that such person is certified to practice  
765 auricular acupuncture for the treatment of alcohol and drug abuse  
766 unless such person is certified in accordance with subsection (h) of this  
767 section. Nothing in this subsection shall be construed to prevent a  
768 person from providing care, or performing or advertising services  
769 within the scope of such person's license or as otherwise authorized in  
770 this section.

771 Sec. 22. Section 30-20a of the general statutes is repealed and the  
772 following is substituted in lieu thereof (*Effective July 1, 2013*):

773 (a) (1) A university permit for beer shall allow the retail sale of beer  
774 on land and in a building which is subject to the care, custody and  
775 control of an institution offering a program of higher learning, as  
776 defined in section 10a-34, as amended by this act, which has been  
777 accredited by the Board of Regents for Higher Education or [State  
778 Board of Education] Office of Higher Education or otherwise is  
779 authorized to award a degree pursuant to section 10a-34, as amended  
780 by this act. Such beverages shall be available for consumption on the  
781 premises by students, faculty and staff of the institution or their guests.  
782 Such permits shall be under the supervision and control of the  
783 Department of Consumer Protection. The annual fee for a university  
784 permit for beer shall be three hundred dollars.

785 (2) A university permit for wine and beer shall allow the retail sale  
786 of wine and beer on land and in a building which is subject to the care,  
787 custody and control of an institution offering a program of higher  
788 learning, as defined in section 10a-34, as amended by this act, which  
789 has been accredited by the Board of Regents for Higher Education or  
790 [State Board of Education] Office of Higher Education or otherwise is  
791 authorized to award a degree pursuant to section 10a-34, as amended  
792 by this act. Such beverages shall be available for consumption on the  
793 premises by students, faculty and staff of the institution or their guests.  
794 Such permits shall be under the supervision and control of the  
795 Department of Consumer Protection. The annual fee for a university  
796 permit for beer and wine shall be seven hundred dollars.

797 (b) A university liquor permit shall allow the retail sale of alcoholic  
798 liquor: (1) In a room that is subject to the care, custody and control of  
799 The University of Connecticut Board of Trustees, or (2) on land or in a  
800 building situated on or abutting a golf course which is subject to the  
801 care, custody and control of an institution offering a program of higher  
802 learning, as defined in section 10a-34, as amended by this act, which  
803 has been accredited by the Board of Regents for Higher Education or  
804 [State Board of Education] Office of Higher Education or otherwise is  
805 authorized to award a degree pursuant to section 10a-34, as amended  
806 by this act. Such permits shall be under the supervision and control of  
807 the Department of Consumer Protection. The annual fee for a  
808 university liquor permit shall be three hundred dollars.

809 Sec. 23. (NEW) (*Effective July 1, 2013*) When any independent  
810 institution of higher education provides, upon request, student data or  
811 records containing information that is confidential under federal or  
812 state law to a local or regional board of education or any department  
813 or agency of the state, including, but not limited to, the Board of  
814 Regents for Higher Education, The University of Connecticut, the  
815 Office of Higher Education and the Labor Department, in accordance  
816 with such federal or state law and pursuant to the terms of a written  
817 agreement with such board, department or agency, such independent  
818 institution of higher education shall not be held liable for any breach of  
819 confidentiality, use, retention, or destruction of such student data or  
820 records that results from the actions or omissions of such board,  
821 department, or agency or of any person providing access to such  
822 student data or records obtained by such board, department or agency.  
823 For purposes of this section, confidential student data or records  
824 includes, but is not limited to, personally identifiable information, as  
825 defined in the regulations implementing the Family Educational Rights  
826 and Privacy Act of 1974, 20 USC 1232g, as from time to time amended,  
827 at 34 CFR 99.3."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	10a-34
Sec. 2	<i>July 1, 2013</i>	10a-34a(d)
Sec. 3	<i>July 1, 2013</i>	10a-34c
Sec. 4	<i>July 1, 2013</i>	10a-6(a)
Sec. 5	<i>July 1, 2013</i>	10a-104(a)
Sec. 6	<i>July 1, 2013</i>	10-16p(b)(2)(B)
Sec. 7	<i>July 1, 2013</i>	10-145b(a)
Sec. 8	<i>July 1, 2013</i>	10-145b(c)(1)(B)
Sec. 9	<i>July 1, 2013</i>	10-145m(a)
Sec. 10	<i>July 1, 2013</i>	10-145n(a)
Sec. 11	<i>July 1, 2013</i>	10-145p(a)
Sec. 12	<i>July 1, 2013</i>	10-155l(c)(1)
Sec. 13	<i>July 1, 2013</i>	10-221a(f) and (g)
Sec. 15	<i>July 1, 2013</i>	10-264n
Sec. 16	<i>July 1, 2013</i>	10a-1d(a)
Sec. 17	<i>July 1, 2013</i>	10a-35
Sec. 18	<i>July 1, 2013</i>	10a-163(c)
Sec. 19	<i>July 1, 2013</i>	12-407(a)(37)(J)
Sec. 20	<i>July 1, 2013</i>	20-37a(b)
Sec. 21	<i>July 1, 2013</i>	20-206bb
Sec. 22	<i>July 1, 2013</i>	30-20a
Sec. 23	<i>July 1, 2013</i>	New section