



House of Representatives

General Assembly

File No. 12

February Session, 2014

House Bill No. 5028

House of Representatives, March 18, 2014

The Committee on Higher Education and Employment Advancement reported through REP. WILLIS of the 64th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING REVISIONS TO THE HIGHER EDUCATION STATUTES.

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

1 Section 1. Subdivision (2) of section 3-22a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2014*):

4 (2) "Institution of higher education in the state" means a constituent
5 unit of the state system of higher education, as defined in section 10a-1,
6 or an independent [college or university] institution of higher
7 education, as defined in [subsection (d) of section 10a-37] subsection
8 (a) of section 10a-173.

9 Sec. 2. Section 4a-54 of the general statutes is repealed and the
10 following is substituted in lieu thereof (*Effective July 1, 2014*):

11 Connecticut Children's Medical Center, The American School at
12 Hartford for the Deaf, The Connecticut Institute for the Blind, any

13 other institution or agency [which] that receives at least sixty per cent
14 of its funding from the state or federal government, or both, and, by
15 contract, any independent [college or university] institution of higher
16 education, as defined in [section 10a-37] subsection (a) of section 10a-
17 173, may each purchase through the Commissioner of Administrative
18 Services such supplies, materials, equipment or contractual services as
19 such institutions require at the cost thereof to the state.

20 Sec. 3. Section 10-262o of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective July 1, 2014*):

22 The Department of Education shall establish, within available
23 appropriations, a competitive grant program to fund innovative
24 teacher training programs on the integration of technology into the
25 public school curriculum in order to improve student learning. [On
26 and after July 1, 2001, such training programs shall be consistent with
27 the standards developed pursuant to section 4d-85.]

28 Sec. 4. Subsection (a) of section 10-264h of the 2014 supplement to
29 the general statutes is repealed and the following is substituted in lieu
30 thereof (*Effective July 1, 2014*):

31 (a) For the fiscal year ending June 30, 2012, and each fiscal year
32 thereafter, a local or regional board of education, a regional
33 educational service center, a cooperative arrangement pursuant to
34 section 10-158a, or any of the following entities that operate an
35 interdistrict magnet school that assists the state in meeting the goals of
36 the 2008 stipulation and order for Milo Sheff, et al. v. William A.
37 O'Neill, et al., as determined by the Commissioner of Education: (1)
38 The Board of Trustees of the Community-Technical Colleges on behalf
39 of a regional community-technical college, (2) the Board of Trustees of
40 the Connecticut State University System on behalf of a state university,
41 (3) the Board of Trustees for The University of Connecticut on behalf of
42 the university, (4) the board of governors for an independent [college
43 or university] institution of higher education, as defined in [section
44 10a-37] subsection (a) of section 10a-173, or the equivalent of such a
45 board, on behalf of the independent [college or university] institution

46 of higher education, and (5) any other third-party not-for-profit
47 corporation approved by the Commissioner of Education, may be
48 eligible for reimbursement, except as otherwise provided for, up to
49 eighty per cent of the eligible cost of any capital expenditure for the
50 purchase, construction, extension, replacement, leasing or major
51 alteration of interdistrict magnet school facilities, including any
52 expenditure for the purchase of equipment, in accordance with this
53 section. To be eligible for reimbursement under this section a magnet
54 school construction project shall meet the requirements for a school
55 building project established in chapter 173, except that the
56 Commissioner of Administrative Services, in consultation with the
57 Commissioner of Education, may waive any requirement in said
58 chapter for good cause. On and after July 1, 2011, the Commissioner of
59 Administrative Services shall approve only applications for
60 reimbursement under this section that the Commissioner of Education
61 finds will reduce racial, ethnic and economic isolation. Applications for
62 reimbursement under this section for the construction of new
63 interdistrict magnet schools shall not be accepted until the
64 Commissioner of Education develops a comprehensive state-wide
65 interdistrict magnet school plan, in accordance with the provisions of
66 subdivision (1) of subsection (b) of section 10-264i, unless the
67 Commissioner of Education determines that such construction will
68 assist the state in meeting the goals of the 2008 stipulation and order
69 for Milo Sheff, et al. v. William A. O'Neill, et al.

70 Sec. 5. Subdivision (1) of subsection (a) of section 10-264i of the 2014
71 supplement to the general statutes is repealed and the following is
72 substituted in lieu thereof (*Effective July 1, 2014*):

73 (a) (1) (A) A local or regional board of education, (B) a regional
74 educational service center, (C) the Board of Trustees of the
75 Community-Technical Colleges on behalf of Quinebaug Valley
76 Community College and Three Rivers Community College, (D) a
77 cooperative arrangement pursuant to section 10-158a, or (E) to assist
78 the state in meeting the goals of the 2008 stipulation and order for Milo
79 Sheff, et al. v. William A. O'Neill, et al., as determined by the

80 Commissioner of Education, (i) the Board of Trustees of the
81 Community-Technical Colleges on behalf of a regional community-
82 technical college, (ii) the Board of Trustees of the Connecticut State
83 University System on behalf of a state university, (iii) the Board of
84 Trustees for The University of Connecticut on behalf of the university,
85 (iv) the board of governors for an independent [college or university]
86 institution of higher education, as defined in [section 10a-37]
87 subsection (a) of section 10a-173, or the equivalent of such a board, on
88 behalf of the independent [college or university] institution of higher
89 education, and (v) any other third-party not-for-profit corporation
90 approved by the commissioner which transports a child to an
91 interdistrict magnet school program, as defined in section 10-264l, in a
92 town other than the town in which the child resides shall be eligible
93 pursuant to section 10-264e to receive a grant for the cost of
94 transporting such child in accordance with this section.

95 Sec. 6. Subsection (a) of section 10-264l of the 2014 supplement to the
96 general statutes is repealed and the following is substituted in lieu
97 thereof (*Effective July 1, 2014*):

98 (a) The Department of Education shall, within available
99 appropriations, establish a grant program (1) to assist (A) local and
100 regional boards of education, (B) regional educational service centers,
101 (C) the Board of Trustees of the Community-Technical Colleges on
102 behalf of Quinebaug Valley Community College and Three Rivers
103 Community College, and (D) cooperative arrangements pursuant to
104 section 10-158a, and (2) in assisting the state in meeting the goals of the
105 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et
106 al., as determined by the Commissioner of Education, to assist (A) the
107 Board of Trustees of the Community-Technical Colleges on behalf of a
108 regional community-technical college, (B) the Board of Trustees of the
109 Connecticut State University System on behalf of a state university, (C)
110 the Board of Trustees of The University of Connecticut on behalf of the
111 university, (D) the board of governors for an independent [college or
112 university] institution of higher education, as defined in [section 10a-
113 37] subsection (a) of section 10a-173, or the equivalent of such a board,

114 on behalf of the independent [college or university] institution of
115 higher education, and (E) any other third-party not-for-profit
116 corporation approved by the commissioner with the operation of
117 interdistrict magnet school programs. All interdistrict magnet schools
118 shall be operated in conformance with the same laws and regulations
119 applicable to public schools. For the purposes of this section "an
120 interdistrict magnet school program" means a program which (i)
121 supports racial, ethnic and economic diversity, (ii) offers a special and
122 high quality curriculum, and (iii) requires students who are enrolled to
123 attend at least half-time. An interdistrict magnet school program does
124 not include a regional agricultural science and technology school, a
125 technical high school or a regional special education center. On and
126 after July 1, 2000, the governing authority for each interdistrict magnet
127 school program that is in operation prior to July 1, 2005, shall restrict
128 the number of students that may enroll in the program from a
129 participating district to eighty per cent of the total enrollment of the
130 program. The governing authority for each interdistrict magnet school
131 program that begins operations on or after July 1, 2005, shall restrict
132 the number of students that may enroll in the program from a
133 participating district to seventy-five per cent of the total enrollment of
134 the program, and maintain such a school enrollment that at least
135 twenty-five per cent but not more than seventy-five per cent of the
136 students enrolled are pupils of racial minorities, as defined in section
137 10-226a.

138 Sec. 7. Subsection (c) of section 10-264~~l~~ of the 2014 supplement to the
139 general statutes is repealed and the following is substituted in lieu
140 thereof (*Effective July 1, 2014*):

141 (c) (1) The maximum amount each interdistrict magnet school
142 program, except those described in subparagraphs (A) to (F), inclusive,
143 of subdivision (3) of this subsection, shall be eligible to receive per
144 enrolled student who is not a resident of the town operating the
145 magnet school shall be (A) six thousand sixteen dollars for the fiscal
146 year ending June 30, 2008, (B) six thousand seven hundred thirty
147 dollars for the fiscal years ending June 30, 2009, to June 30, 2012,

148 inclusive, and (C) seven thousand eighty-five dollars for the fiscal year
149 ending June 30, 2013, and each fiscal year thereafter. The per pupil
150 grant for each enrolled student who is a resident of the town operating
151 the magnet school program shall be three thousand dollars for the
152 fiscal year ending June 30, 2008, and each fiscal year thereafter.

153 (2) For the fiscal year ending June 30, 2003, and each fiscal year
154 thereafter, the commissioner may, within available appropriations,
155 provide supplemental grants for the purposes of enhancing
156 educational programs in such interdistrict magnet schools, as the
157 commissioner determines. Such grants shall be made after the
158 commissioner has conducted a comprehensive financial review and
159 approved the total operating budget for such schools, including all
160 revenue and expenditure estimates.

161 (3) (A) Except as otherwise provided in subparagraphs (C) to (F),
162 inclusive, of this subdivision, each interdistrict magnet school operated
163 by a regional educational service center that enrolls less than fifty-five
164 per cent of the school's students from a single town shall receive a per
165 pupil grant in the amount of (i) six thousand two hundred fifty dollars
166 for the fiscal year ending June 30, 2006, (ii) six thousand five hundred
167 dollars for the fiscal year ending June 30, 2007, (iii) seven thousand
168 sixty dollars for the fiscal year ending June 30, 2008, (iv) seven
169 thousand six hundred twenty dollars for the fiscal years ending June
170 30, 2009, to June 30, 2012, inclusive, and (v) seven thousand nine
171 hundred dollars for the fiscal year ending June 30, 2013, and each fiscal
172 year thereafter.

173 (B) Except as otherwise provided in subparagraphs (C) to (F),
174 inclusive, of this subdivision, each interdistrict magnet school operated
175 by a regional educational service center that enrolls at least fifty-five
176 per cent of the school's students from a single town shall receive a per
177 pupil grant for each enrolled student who is not a resident of the
178 district that enrolls at least fifty-five per cent of the school's students in
179 the amount of (i) six thousand sixteen dollars for the fiscal year ending
180 June 30, 2008, (ii) six thousand seven hundred thirty dollars for the

181 fiscal years ending June 30, 2009, to June 30, 2012, inclusive, and (iii)
182 seven thousand eighty-five dollars for the fiscal year ending June 30,
183 2013, and each fiscal year thereafter. The per pupil grant for each
184 enrolled student who is a resident of the district that enrolls at least
185 fifty-five per cent of the school's students shall be three thousand
186 dollars.

187 (C) Each interdistrict magnet school operated by a regional
188 educational service center that began operations for the school year
189 commencing July 1, 2001, and that for the school year commencing
190 July 1, 2008, enrolled at least fifty-five per cent, but no more than
191 eighty per cent of the school's students from a single town shall receive
192 a per pupil grant for each enrolled student who is a resident of the
193 district that enrolls at least fifty-five per cent, but no more than eighty
194 per cent of the school's students in the amount of eight thousand one
195 hundred eighty dollars for the fiscal year ending June 30, 2013, and
196 each fiscal year thereafter, and a per pupil grant for each enrolled
197 student who is not a resident of the district that enrolls at least fifty-
198 five per cent, but no more than eighty per cent of the school's students
199 in the amount of eight thousand one hundred eighty dollars for the
200 fiscal year ending June 30, 2013, and each fiscal year thereafter.

201 (D) Each interdistrict magnet school operated by (i) a regional
202 educational service center, (ii) the Board of Trustees of the
203 Community-Technical Colleges on behalf of a regional community-
204 technical college, (iii) the Board of Trustees of the Connecticut State
205 University System on behalf of a state university, (iv) the Board of
206 Trustees for The University of Connecticut on behalf of the university,
207 (v) the board of governors for an independent [college or university]
208 institution of higher education, as defined in [section 10a-37]
209 subsection (a) of section 10a-173, or the equivalent of such a board, on
210 behalf of the independent [college or university] institution of higher
211 education, (vi) cooperative arrangements pursuant to section 10-158a,
212 (vii) any other third-party not-for-profit corporation approved by the
213 commissioner, and (viii) the Hartford school district for the operation
214 of Great Path Academy on behalf of Manchester Community College,

215 that enrolls less than sixty per cent of its students from Hartford
216 pursuant to the 2008 stipulation and order for Milo Sheff, et al. v.
217 William A. O'Neill, et al., shall receive a per pupil grant in the amount
218 of (I) nine thousand six hundred ninety-five dollars for the fiscal year
219 ending June 30, 2010, and (II) ten thousand four hundred forty-three
220 dollars for the fiscal years ending June 30, 2011, to June 30, 2015,
221 inclusive.

222 (E) Each interdistrict magnet school operated by a local or regional
223 board of education, pursuant to the 2008 stipulation and order for Milo
224 Sheff, et al. v. William A. O'Neill, et al., shall receive a per pupil grant
225 for each enrolled student who is not a resident of the district in the
226 amount of (i) twelve thousand dollars for the fiscal year ending June
227 30, 2010, and (ii) thirteen thousand fifty-four dollars for the fiscal years
228 ending June 30, 2011, to June 30, 2015, inclusive.

229 (F) In addition to the grants described in subparagraph (E) of this
230 subdivision, for the fiscal year ending June 30, 2010, the commissioner
231 may, subject to the approval of the Secretary of the Office of Policy and
232 Management and the Finance Advisory Committee, established
233 pursuant to section 4-93, provide supplemental grants to the Hartford
234 school district of up to one thousand fifty-four dollars for each student
235 enrolled at an interdistrict magnet school operated by the Hartford
236 school district who is not a resident of such district.

237 (4) The amounts of the grants determined pursuant to this
238 subsection shall be proportionately adjusted, if necessary, within
239 available appropriations, and in no case shall any grant pursuant to
240 this section exceed the reasonable operating budget of the interdistrict
241 magnet school program, less revenues from other sources. Any
242 interdistrict magnet school program operating less than full-time, but
243 at least half-time, shall be eligible to receive a grant equal to sixty-five
244 per cent of the grant amount determined pursuant to this subsection.

245 (5) Within available appropriations, the commissioner may make
246 grants to the following entities that operate an interdistrict magnet
247 school that assists the state in meeting the goals of the 2008 stipulation

248 and order for Milo Sheff, et al. v. William A. O'Neill, et al., as
249 determined by the commissioner and that provide academic support
250 programs and summer school educational programs approved by the
251 commissioner to students participating in such interdistrict magnet
252 school program: (A) Regional educational service centers, (B) local and
253 regional boards of education, (C) the Board of Trustees of the
254 Community-Technical Colleges on behalf of a regional community-
255 technical college, (D) the Board of Trustees of the Connecticut State
256 University System on behalf of a state university, (E) the Board of
257 Trustees for The University of Connecticut on behalf of the university,
258 (F) the board of governors for an independent [college or university]
259 institution of higher education, as defined in [section 10a-37]
260 subsection (a) of section 10a-173, or the equivalent of such a board, on
261 behalf of the independent [college or university] institution of higher
262 education, (G) cooperative arrangements pursuant to section 10-158a,
263 and (H) any other third-party not-for-profit corporation approved by
264 the commissioner.

265 (6) Within available appropriations, the Commissioner of Education
266 may make grants, in an amount not to exceed seventy-five thousand
267 dollars, for start-up costs associated with the development of new
268 interdistrict magnet school programs that assist the state in meeting
269 the goals of the 2008 stipulation and order for Milo Sheff, et al. v.
270 William A. O'Neill, et al., as determined by the commissioner, to the
271 following entities that develop such a program: (A) Regional
272 educational service centers, (B) local and regional boards of education,
273 (C) the Board of Trustees of the Community-Technical Colleges on
274 behalf of a regional community-technical college, (D) the Board of
275 Trustees of the Connecticut State University System on behalf of a state
276 university, (E) the Board of Trustees for The University of Connecticut
277 on behalf of the university, (F) the board of governors for an
278 independent [college or university] institution of higher education, as
279 defined in [section 10a-37] subsection (a) of section 10a-173, or the
280 equivalent of such a board, on behalf of the independent [college or
281 university] institution of higher education, (G) cooperative
282 arrangements pursuant to section 10-158a, and (H) any other third-

283 party not-for-profit corporation approved by the commissioner.

284 Sec. 8. Subdivision (1) of section 10a-55 of the general statutes is
285 repealed and the following is substituted in lieu thereof (*Effective July*
286 *1, 2014*):

287 (1) "Institution of higher education" means a constituent unit of the
288 state system of higher education, as defined in section 10a-1, or an
289 independent [college or university] institution of higher education, as
290 defined in [section 10a-37] subsection (a) of section 10a-173.

291 Sec. 9. Subdivision (9) of subsection (a) of section 10a-109d of the
292 2014 supplement to the general statutes is repealed and the following
293 is substituted in lieu thereof (*Effective July 1, 2014*):

294 (9) Notwithstanding the provisions of section 10a-150, to receive
295 and accept aid or contributions, from any source, of money, property,
296 labor or other things of value, to be held, used and applied to carry out
297 the purposes of sections 10a-109a to 10a-109y, inclusive, subject to the
298 conditions upon which such aid or contributions may be made,
299 including, but not limited to, gifts or grants from any department or
300 agency of the United States or the state for any purpose consistent with
301 said sections; [provided however, the university shall disclose gifts
302 from foreign sources as provided by sections 10a-150a to 10a-150d,
303 inclusive;]

304 Sec. 10. Section 10a-143b of the general statutes is repealed and the
305 following is substituted in lieu thereof (*Effective July 1, 2014*):

306 The Board for State Academic Awards shall establish, within
307 available appropriations, innovative on-line teacher and higher
308 education faculty training programs on the integration of technology
309 into the public school curriculum and courses at public institutions of
310 higher education in order to improve student learning. [On and after
311 July 1, 2001, the training program established for public school
312 teachers shall be consistent with the standards developed pursuant to
313 section 4d-85.]

314 Sec. 11. Subsection (a) of section 10a-156a of the 2014 supplement to
315 the general statutes is repealed and the following is substituted in lieu
316 thereof (*Effective July 1, 2014*):

317 (a) Not later than October 1, 2013, each constituent unit of the state
318 system of higher education and each independent institution of higher
319 education, as defined in [section 10a-37] subsection (a) of section 10a-
320 173, shall submit an up-to-date security protocol plan to the
321 Department of Emergency Services and Public Protection. Such plan
322 shall identify procedures specifically designed to heighten awareness
323 by all faculty and staff regarding potentially at-risk students and other
324 individuals on campus through effective educational strategies. Such
325 procedures shall be designed to educate faculty and staff on how to
326 recognize and respond to students and such other individuals who
327 may be at risk of harm to themselves or others. Not later than July 1,
328 2015, and biennially thereafter, each constituent unit and independent
329 institution of higher education shall review the security protocol plan
330 with each of its chiefs of police or heads of campus security to
331 determine whether such plan adequately addresses campus security
332 concerns or requires revisions. In the event that revisions are required,
333 the constituent unit or independent institution of higher education
334 making revisions shall submit a revised security protocol plan to the
335 Department of Emergency Services and Public Protection not later
336 than August first of the year in which revisions are deemed necessary.

337 Sec. 12. Subsection (a) of section 12-20a of the general statutes is
338 repealed and the following is substituted in lieu thereof (*Effective July*
339 *1, 2014*):

340 (a) On or before January first, annually, the Secretary of the Office of
341 Policy and Management shall determine the amount due to each
342 municipality in the state, in accordance with this section, as a state
343 grant in lieu of taxes with respect to real property owned by any
344 private nonprofit institution of higher learning or any nonprofit
345 general hospital facility or freestanding chronic disease hospital or an
346 urgent care facility that operates for at least twelve hours a day and

347 that had been the location of a nonprofit general hospital for at least a
 348 portion of calendar year 1996 to receive payments in lieu of taxes for
 349 such property, exclusive of any such facility operated by the federal
 350 government, except a campus of the United States Department of
 351 Veterans Affairs Connecticut Healthcare Systems, or the state of
 352 Connecticut or any subdivision thereof. As used in this section "private
 353 nonprofit institution of higher learning" means any such institution, as
 354 defined in subsection (a) of section 10a-34, or any independent [college
 355 or university] institution of higher education, as defined in [section
 356 10a-37] subsection (a) of section 10a-173, that is engaged primarily in
 357 education beyond the high school level, and offers courses of
 358 instruction for which college or university-level credit may be given or
 359 may be received by transfer, the property of which is exempt from
 360 property tax under any of the subdivisions of section 12-81; "nonprofit
 361 general hospital facility" means any such facility [which] that is used
 362 primarily for the purpose of general medical care and treatment,
 363 exclusive of any hospital facility used primarily for the care and
 364 treatment of special types of disease or physical or mental conditions;
 365 and "freestanding chronic disease hospital" means a facility [which]
 366 that provides for the care and treatment of chronic diseases, excluding
 367 any such facility having an ownership affiliation with and operated in
 368 the same location as a chronic and convalescent nursing home.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2014	3-22a(2)
Sec. 2	July 1, 2014	4a-54
Sec. 3	July 1, 2014	10-262o
Sec. 4	July 1, 2014	10-264h(a)
Sec. 5	July 1, 2014	10-264i(a)(1)
Sec. 6	July 1, 2014	10-264l(a)
Sec. 7	July 1, 2014	10-264l(c)
Sec. 8	July 1, 2014	10a-55(1)
Sec. 9	July 1, 2014	10a-109d(a)(9)
Sec. 10	July 1, 2014	10a-143b
Sec. 11	July 1, 2014	10a-156a(a)
Sec. 12	July 1, 2014	12-20a(a)

HED *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which makes conforming changes to the higher education statutes that contain the term "independent institution of higher education," is not anticipated to result in a fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis

HB 5028

AN ACT CONCERNING REVISIONS TO THE HIGHER EDUCATION STATUTES.

SUMMARY:

This bill makes changes to higher education statutes to conform with name and definition changes enacted in 2013 and it makes several technical changes to other statutes relating to higher education.

EFFECTIVE DATE: July 1, 2014

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 18 Nay 2 (03/04/2014)