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**Testimony for the
Higher Education & Workforce Advancement Committee
From
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On behalf of the member institutions of the Connecticut Conference of Independent Colleges (CCIC), I am submitting testimony regarding the following bills:

Proposed Bill 636: An Act Concerning Affirmative Consent

This proposed bill seeks to require colleges and universities to include the mandate for affirmative consent in their various sexual conduct policies. Many of our institutions already adopted this standard and we do not oppose the concept.

There are some potential pitfalls to this approach, however, and we look forward to reviewing the bill once it is drafted. Some questions which should be asked in drafting the specific language of the bill include:

- Will the bill establish a clear definition of what constitutes affirmative assent, or will one form of potential ambiguity be replaced with another form of potential ambiguity?
- Will the requirement be applicable only in educational institutions, or will the standard become the law of the state for all citizens?

Proposed Bill 5421: An Act Prohibiting Institutions of Higher Education from Charging a Convenience Fee for the Use of Credit Cards in Making a Tuition Payment

We oppose this bill.

Universities have been urged to keep costs down as a way of keeping tuition down. If passed, this bill will directly undermine those efforts to the detriment of the majority of students. Colleges and universities in Connecticut give students a range of options for paying tuition, and a handful of such institutions offer a credit card option. Most students do not use credit cards to pay tuition.

Credit card fees charged by colleges and universities are imposed only to cover the cost charged by the credit card companies. We feel that the fairest way to handle such fee is to pass the charge on only to the students who choose to pay by credit card. If we are not able to charge this fee, we will need to recoup the credit card fee costs by spreading them to all students, not just those who utilize the credit card option or we will need to stop accepting credit card payment of tuition. This seems unfair and unnecessary.

Albertus Magnus College, Connecticut College, Fairfield University, Goodwin College, Mitchell College, Quinnipiac University, Rensselaer at Hartford, Sacred Heart University, St. Vincent's College, Trinity College, University of Bridgeport, University of Hartford, University of New Haven, University of Saint Joseph, Wesleyan University, Yale University

Payment of tuition at nonprofit and public universities, like the University of Connecticut, has not been considered a “sales transaction” under CGS § 42-133ff(a). There is no compelling reason to expand the definition of “sales transaction” to include tuition payments and to do so will be harmful. It is interesting to note that gas stations have been excluded from the provisions of CGS § 42-133ff as well. What would possibly be the rationale in allowing for-profit gas stations to charge a credit card fee to cover the credit card company costs while not allowing non-profit colleges and universities the same opportunity?

Proposed Bill 394: An Act Concerning the Use of Public School Facilities by Independent Institutions of Higher Education

This bill would require private colleges to reimburse the state or municipalities for the cost of holding classes at public schools owned by such public entities. We are unclear as to the need for this bill. In cases where the private college is utilizing public school facilities for its own classes, the public entity already has the power to charge a fee. In several cases, private colleges are actually running public magnet schools and have invested in these schools in various ways. As part of the management agreements, they may have the right to utilize the school facilities. These are some of the most successful magnet schools in the state. Why would we impose barriers to these partnerships?

As you consider this bill, please make sure that:

- A private higher education institution should not be charged for use of public school facilities that are on land donated or owned by the private institution, or facilities that are otherwise significantly supported by the private institution, unless worked out by way of an agreement between the school and the host college.
- A private higher education institution should not be charged for use of public school facilities, where the use significantly benefits the public school and/or the students of that public school – for example, where the private institution is teaching a class to public high school students on site.
- A public school should be able to reach an agreement with a private higher education institution in which other services provided by the private institution to the public school or school district are recognized and credited in lieu of payment for use of the facilities.
- “Use of public school facilities” should not include the placement of private institution students in student teacher or internship positions..

Proposed Bill 6117: An Act Concerning the Use of Digital Open-Source Textbooks in Higher Education

We support this bill and ask that private colleges be added to the bill. Through the Commission for Educational Technology and the State Library, there are already great public/private partnerships around the purchase of library materials. I would recommend adding this work to the groups set up to manage the existing partnerships and allowing all academic libraries to participate.