



General Assembly

Amendment

January Session, 2015

LCO No. 8647



Offered by:

SEN. LOONEY, 11th Dist.
REP. SHARKEY, 88th Dist.
SEN. BARTOLOMEO, 13th Dist.
REP. WILLIS, 64th Dist.
SEN. WITKOS, 8th Dist.
REP. BETTS, 78th Dist.

To: Senate Bill No. 859

File No. 439

Cal. No. 261

"AN ACT CONCERNING 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 Section 10a-34 of the general statutes is repealed and the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, 2015*):

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 education" means any person, school, board, association,

12 limited liability company or corporation which is licensed or
13 accredited to offer one or more programs of higher learning leading to
14 one or more degrees; (4) "license" means the authorization by the
15 Office of Higher Education to operate a program of higher learning or
16 institution of higher education for a specified initial period; (5)
17 "accreditation" means the authorization by said office to continue
18 operating a program of higher learning or institution of higher
19 education for subsequent periods, and in such periods to confer
20 specified degrees; (6) "program modification" means (A) a change in a
21 program of higher learning that does not clearly qualify as a new
22 program of higher learning or a nonsubstantive change, including, but
23 not limited to, a new program of higher learning consisting primarily
24 of course work for a previously approved program of higher learning,
25 (B) an approved program of higher learning to be offered at an off-
26 campus location, (C) a change in the title of a degree, or (D) a change in
27 the title of a program of higher learning; and (7) "nonsubstantive
28 change" means (A) a new undergraduate certificate program, within
29 an existing program of higher learning, of not more than thirty
30 semester credit hours that falls under an approved program of higher
31 learning, (B) a new baccalaureate minor of not more than eighteen
32 semester credit hours, (C) a new undergraduate option or certificate
33 program of not more than fifteen semester credit hours, or (D) a new
34 graduate option or certificate program of not more than twelve
35 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), (d) and (i) of this section.
44 Said office shall establish academic review commissions to hear each
45 appeal of a denial by said office of an application by an institution of

46 higher education for licensure or accreditation of a program of higher
47 learning or institution of higher education. For each individual appeal,
48 the executive director of said office, or the executive director's
49 designee, shall select a commission that is comprised of four higher
50 education representatives and five business and industry
51 representatives chosen from a panel of thirty-five members, who shall
52 be appointed as follows: (1) The Governor shall appoint five members;
53 (2) the speaker of the House of Representatives shall appoint five
54 members; (3) the president pro tempore of the Senate shall appoint five
55 members; (4) the majority leader of the House of Representatives shall
56 appoint five members; (5) the majority leader of the Senate shall
57 appoint five members; (6) the minority leader of the House of
58 Representatives shall appoint five members; and (7) the minority
59 leader of the Senate shall appoint five members. The executive director
60 of said office, or the executive director's designee, shall ensure that
61 each commission contains at least one member appointed by each of
62 the appointing authorities. Each appointing authority shall select both
63 higher education representatives and business and industry
64 representatives, but not more than three from either category of
65 representatives.

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

74 (d) The Office of Higher Education shall review all requests and
75 applications for program modifications, nonsubstantive changes,
76 licensure and accreditation. The office shall review each application in
77 consideration of the academic standards set forth in the regulations for
78 licensure and accreditation adopted by said office in accordance with

79 the provisions of subsection (b) of this section. Notwithstanding the
80 provisions of section 10a-34e, any application that is determined by the
81 office to be for (1) a program modification that meets all such academic
82 standards, (2) a nonsubstantive change, (3) licensure, or (4)
83 accreditation shall be deemed approved, and the office shall notify the
84 institution of such approval, not later than forty-five days from the
85 date the office receives such application without requiring any further
86 action from the applicant.

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

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

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

108 (h) If the Office of Higher Education denies an application for
109 licensure or accreditation of a program or institution of higher
110 education, the applicant may appeal the denial not later than ten days

111 from the date of denial. The academic review commission shall review
112 the appeal and make a decision on such appeal not later than thirty
113 days from the date the applicant submits the appeal to said office.

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

129 (j) No person, school, board, association or corporation shall use in
130 any way the term "junior college" or "college" or "university" or use
131 any other name, title, literature, catalogs, pamphlets or descriptive
132 matter tending to designate that it is an institution of higher education,
133 or that it may grant academic or professional degrees, unless the
134 institution possesses a license from, or has been accredited by, the
135 office, nor shall it offer any program of higher learning without
136 approval of the Office of Higher Education.

137 (k) Accreditation of any program or institution or authority to
138 award degrees granted in accordance with law prior to July 1, 1965,
139 shall continue in effect.

140 (l) Notwithstanding the provisions of subsections (b) to (j),
141 inclusive, of this section and subject to the authority of the State Board
142 of Education to regulate teacher education programs, new and revised

143 academic programs proposed by an independent institution of higher
 144 education, as defined in section 10a-173, shall not be subject to
 145 approval by the Office of Higher Education, provided (1) the
 146 institution maintains eligibility to participate in financial aid programs
 147 governed by Title IV, Part B of the Higher Education Act of 1965, as
 148 amended from time to time, and (2) the institution has been located in
 149 the state and accredited as a degree-granting institution for ten years
 150 or more by a regional accrediting association recognized by the
 151 Secretary of the United States Department of Education and maintains
 152 such accreditation status. All institutions that are exempt from
 153 program approval by the Office of Higher Education under this
 154 subsection shall annually file with said office a list and brief
 155 description of any new programs introduced by the institution in the
 156 preceding academic year and any existing programs discontinued by
 157 the institution in the preceding academic year."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	10a-34