



General Assembly

Amendment

January Session, 2015

LCO No. 6002



Offered by:
REP. WILLIS, 64th Dist.

To: Subst. House Bill No. 6767 File No. 171 Cal. No. 118

**"AN ACT CONCERNING THE APPROVAL AND AUTHORIZATION
OF PRIVATE OCCUPATIONAL SCHOOLS."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 10a-22a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2015*):

5 As used in sections 10a-22a to 10a-22y, inclusive:

6 (1) "Private occupational school" means a postsecondary career
7 school operated by a person, board, association, partnership,
8 corporation, limited liability company or other entity offering
9 instruction in any form or manner in any trade, industrial, commercial,
10 service, professional or other occupation for any remuneration,
11 consideration, reward or promise of whatever nature, including, but
12 not limited to, a hospital-based occupational school, hairdressing
13 school and barber school, except "private occupational school" shall
14 not include (A) instruction offered under public supervision and

15 control; (B) instruction conducted by a firm or organization solely for
16 the training of its own employees or members; or (C) instruction
17 offered by a school authorized by the General Assembly to confer
18 degrees;

19 (2) "Additional classroom site" means a facility that (A) is
20 geographically located close to the school or branch that oversees the
21 site, such that students must utilize services provided at such school or
22 branch, (B) conducts permanent or temporary educational activities,
23 and (C) offers courses or full programs of study;

24 (3) "Branch" means a subdivision of a school (A) located at a
25 different facility and geographical site from the school, except for a site
26 that is an additional classroom site as determined by the executive
27 director, or the executive director's designee, and (B) that (i) offers one
28 or more complete programs leading to a diploma or certificate; (ii)
29 operates under the school's certificate of operation; (iii) meets the same
30 conditions of authorization as the school; and (iv) exercises
31 administrative control and is responsible for its own academic affairs;
32 [and]

33 (4) "Executive director" means the executive director of the Office of
34 Higher Education; and

35 (5) "Postsecondary career school" means an institution authorized to
36 operate educational programs beyond secondary education.

37 Sec. 502. Subsections (h) and (i) of section 10a-22b of the general
38 statutes are repealed and the following is substituted in lieu thereof
39 (*Effective July 1, 2015*):

40 (h) Any hospital offering postsecondary career instruction in any
41 form or manner in any trade, industrial, commercial, service,
42 professional or other occupation for any remuneration, consideration,
43 reward or promise, except to hospital employees, members of the
44 medical staff and training for contracted workers, shall obtain a
45 certificate of authorization from the executive director for the

46 occupational instruction offered. Each hospital-based occupational
47 school submitting an application for initial authorization shall pay an
48 application fee of two hundred dollars made payable to the private
49 occupational school student protection account. The executive director
50 shall develop a process for prioritizing the authorization of hospital-
51 based occupational schools based on size and scope of occupational
52 instruction offered. Such schools shall be in compliance with this
53 section when required pursuant to the executive director's process, or
54 by 2012, whichever is earlier.

55 (i) Any program, school or other entity offering postsecondary
56 career instruction in any form or manner in barbering or hairdressing
57 for any remuneration, consideration, reward or promise shall obtain a
58 certificate of authorization from the executive director of the Office of
59 Higher Education for the occupational instruction offered. Each
60 program, school or entity approved on or before July 1, 2013, by the
61 Connecticut Examining Board for Barbers, Hairdressers and
62 Cosmeticians pursuant to chapter 368 or 387 that submits an
63 application for initial authorization shall pay an application fee of five
64 hundred dollars made payable to the private occupational school
65 student protection account. The executive director of the Office of
66 Higher Education shall develop a process for prioritizing the
67 authorization of such barber and hairdressing programs, schools and
68 entities. Such programs, schools and entities shall be in compliance
69 with this section on or before July 1, 2015, or when required pursuant
70 to the executive director's process, whichever is earlier. No person,
71 board, association, partnership corporation, limited liability company
72 or other entity shall establish a new program, school or other entity
73 that offers instruction in any form or manner in barbering or
74 hairdressing on or after July 1, 2013, unless such person, board,
75 association, partnership, corporation, limited liability company or
76 other entity first receives from the executive director of the Office of
77 Higher Education a certificate authorizing the barbering or
78 hairdressing occupational instruction to be offered in accordance with
79 the provisions of this section.

80 Sec. 503. Subsection (d) of section 10a-22c of the general statutes is
81 repealed and the following is substituted in lieu thereof (*Effective July*
82 *1, 2015*):

83 (d) No certificate to operate a new private occupational school shall
84 be issued by the executive director pursuant to section 10a-22d until
85 such private occupational school seeking authorization files with the
86 executive director an irrevocable letter of credit issued by a bank with
87 its main office or branch located within this state in the penal amount
88 of forty thousand dollars guaranteeing the payments required of the
89 school to the private occupational school student protection account in
90 accordance with the provisions of section 10a-22u. The letter of credit
91 shall be payable to the private occupational school student protection
92 account in the event that such school fails to make payments to the
93 account as provided in subsection (a) of section 10a-22u or in the event
94 the state takes action to reimburse the account for a tuition refund paid
95 to a student pursuant to the provisions of section 10a-22v, provided
96 the amount of the letter of credit to be paid into the private
97 occupational school student protection account shall not exceed the
98 amounts owed to the account. In the event a private occupational
99 school fails to close in accordance with the provisions of section 10a-
100 22m, the executive director may seize the letter of credit, which shall
101 be made payable to the private occupational school student protection
102 account. The letter of credit required by this subsection shall be
103 released twelve years after the date of initial approval, provided
104 evidence of fiscal soundness has been verified.

105 Sec. 504. Section 10a-22m of the general statutes is amended by
106 adding subsections (d) and (e) as follows (*Effective July 1, 2015*):

107 (NEW) (d) In the event a private occupational school fails to meet
108 the requirements set forth in subsection (a) of this section and closes
109 prior to graduating all current students, the executive director may
110 seize the letter of credit filed by the private occupational school
111 pursuant to subsection (d) of section 10a-22c, as amended by this act,
112 and such letter of credit shall be made payable to the private

113 occupational school student protection account. The executive director
 114 may expend funds from the private occupational school student
 115 protection account as necessary to facilitate a teach-out of any
 116 remaining students up to and including the issuance of a certificate of
 117 completion pursuant to subsection (e) of this section. For purposes of
 118 this subsection and subsection (e) of this section, (1) "teach-out" means
 119 the completion of instruction of a course or program of study in which
 120 a student was enrolled, provided the teach-out includes instruction of
 121 the entire program of study when a course is a part of such program of
 122 study, and (2) "certificate of completion" means the credential,
 123 documented in writing, that is issued to a student who completes a
 124 course or program of study offered by a private occupational school.

125 (NEW) (e) In the event of a private occupational school closure that
 126 fails to meet the requirements set forth in subsection (a) of this section,
 127 the executive director may issue a certificate of completion to each
 128 student it determines has successfully completed such student's course
 129 or program of study in which such student was enrolled at such
 130 private occupational school."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>July 1, 2015</i>	10a-22a
Sec. 502	<i>July 1, 2015</i>	10a-22b(h) and (i)
Sec. 503	<i>July 1, 2015</i>	10a-22c(d)
Sec. 504	<i>July 1, 2015</i>	10a-22m