



House of Representatives

General Assembly

File No. 325

January Session, 2017

Substitute House Bill No. 7119

House of Representatives, March 30, 2017

The Committee on Higher Education and Employment Advancement reported through REP. HADDAD of the 54th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE AUTHORITY OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF HIGHER EDUCATION RELATING TO TEACH-OUT PLANS AND ON-SITE REVIEW OF ACADEMIC PROGRAMS.

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

1 Section 1. Section 10a-34e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 (a) The Office of Higher Education may conduct any necessary
4 review, inspection or investigation regarding applications for licensure
5 or accreditation or possible violations of this section and sections 10a-
6 34 to 10a-34d, inclusive, as amended by this act, or of any applicable
7 regulations of Connecticut state agencies. In connection with any
8 investigation, the executive director or the executive director's
9 designee, may administer oaths, issue subpoenas, compel testimony
10 and order the production of any record or document. If any person
11 refuses to appear, testify or produce any record or document when so

12 ordered, the executive director may seek relief pursuant to section 10a-
13 34d.

14 (b) If the executive director of the Office of Higher Education
15 determines that an institution of higher education that is not regionally
16 accredited is exhibiting financial and administrative indicators that
17 such institution is in danger of closing, the executive director may
18 require such institution to facilitate a teach-out, as defined in section
19 10a-22m, provided the executive director and such institution
20 previously discussed a teach-out that ensures that current students of
21 such institution are able to complete their programs without
22 significant impact.

23 Sec. 2. Subsection (f) of section 10a-34 of the general statutes is
24 repealed and the following is substituted in lieu thereof (*Effective July*
25 *1, 2017*):

26 (f) The executive director of the Office of Higher Education, or the
27 executive director's designee, may require (1) a focused or on-site
28 review of any program application in a [health-related field where]
29 field requiring a license [in Connecticut is required] to practice [in such
30 field] in Connecticut, and (2) evidence that a program application in a
31 field requiring a license to practice in Connecticut meets the state or
32 federal licensing requirements for such license.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2017</i>	10a-34e
Sec. 2	<i>July 1, 2017</i>	10a-34(f)

Statement of Legislative Commissioners:

In section 2, "a license in Connecticut is required to practice, [in such field] and" was changed to "a license [in Connecticut is required] to practice [in such field] in Connecticut, and" for clarity.

HED *Joint Favorable Subst.*

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 expands the oversight discretion of the executive director of the Office of Higher Education, does not result in a fiscal impact. The executive director has the expertise necessary to complete the expanded requirements.

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

OLR Bill Analysis**sHB 7119*****AN ACT CONCERNING THE AUTHORITY OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF HIGHER EDUCATION RELATING TO TEACH-OUT PLANS AND ON-SITE REVIEW OF ACADEMIC PROGRAMS.*****SUMMARY**

The bill expands the Office of Higher Education (OHE) executive director's oversight discretion regarding higher educational institutions that (1) are in danger of closing or (2) apply to OHE to offer programs in a field requiring a license to practice in Connecticut.

By law, the OHE executive director may take action to assist students attending a private occupational school that closes without meeting all the requirements in state law, including providing evidence to OHE of student refunds and course completion. Among the actions the director may take is the facilitation of a "teach-out," defined as the completion of a course or program of study in which a student was enrolled (CGS § 10a-22m(a) & (d)). The purpose of a "teach out" is to ensure current students can complete their programs without significant impact.

The bill allows the OHE executive director to require any institution, not just a private occupational school, that is not regionally accredited to facilitate a teach-out if it is exhibiting financial and administrative signs that it is in danger of closing, provided, however, that he previously discussed a teach-out with the institution.

Additionally, the bill allows the OHE executive director or his designee to require of any program application for a field with practitioners who must be licensed to practice in Connecticut (1) evidence that the program meets state or federal licensing

requirements and (2) a focused or onsite review. Under current law, the executive director can only require an onsite review for program applications for health-related fields that require a license to practice in Connecticut.

EFFECTIVE DATE: July 1, 2017

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/16/2017)