

**AN ACT EXTENDING THE MORATORIUM ON APPROVAL OF  
PROGRAMS OF INDEPENDENT INSTITUTIONS OF HIGHER  
EDUCATION.**

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

1 Section 1. Subsection (l) of section 10a-34 of the 2018 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2018*):

4 (l) Notwithstanding the provisions of subsections (b) to (j),  
5 inclusive, of this section to the contrary and subject to the authority of  
6 the State Board of Education to regulate teacher education programs,  
7 [new programs of higher learning and program modifications  
8 proposed by an independent institution of higher education, as  
9 defined in section 10a-173, shall not be subject to approval by the  
10 Office of Higher Education, until July 1, 2018,] for the period beginning  
11 July 1, 2018, to June 30, 2020, inclusive, an independent institution of  
12 higher education, as defined in section 10a-173, shall submit an  
13 application to the Office of Higher Education for any new program of  
14 higher learning or program modification. Such application shall be  
15 deemed approved by the office, provided (1) the institution maintains  
16 eligibility to participate in financial aid programs governed by Title IV,  
17 Part B of the Higher Education Act of 1965, as amended from time to  
18 time, (2) the United States Department of Education has not  
19 determined that the institution has a financial responsibility score that  
20 is less than 1.5 for the most recent fiscal year for which the data  
21 necessary for determining the score is available, and (3) the institution  
22 has been located in the state and accredited as a degree-granting

23 institution in good standing for ten years or more by a regional  
24 accrediting association recognized by the Secretary of the United States  
25 Department of Education and maintains such accreditation status. [All  
26 institutions that are exempt from program approval by the Office of  
27 Higher Education] Any institution that has an application deemed  
28 approved under this subsection shall file with [said] the office not later  
29 than [July first, and annually thereafter,] July 1, 2019, or July 1, 2020, as  
30 the case may be, (A) a list and brief description of any new programs  
31 of higher learning introduced by the institution in the preceding  
32 academic year and any existing programs of higher learning  
33 discontinued by the institution in the preceding academic year, (B) the  
34 institution's current program approval process, and (C) the  
35 institution's financial responsibility composite score, as determined by  
36 the United States Department of Education, for the most recent fiscal  
37 year for which the data necessary for determining the score is  
38 available.

39 Sec. 2. (*Effective July 1, 2018*) Not later than January 1, 2020, the  
40 Office of Higher Education shall develop recommendations for  
41 performance-based standards which may be used to qualify  
42 independent institutions of higher education for exemption from the  
43 requirement that any new programs of higher learning or program  
44 modifications proposed by such institutions be approved by the office,  
45 pursuant to section 10a-34 of the general statutes, as amended by this  
46 act. The performance-based standards may include, but need not be  
47 limited to, (1) the student graduation rate of the institution, (2) the  
48 student loan default rates of students enrolled at the institution, (3) the  
49 rate of employment of graduates of the institution, or (4) any other  
50 performance-based measures that the office deems necessary. The  
51 Office of Higher Education shall submit a report containing such  
52 recommendations, in accordance with the provisions of section 11-4a  
53 of the general statutes, to the joint standing committee of the General  
54 Assembly having cognizance of matters relating to higher education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2018</i>	10a-34(l)
Sec. 2	<i>July 1, 2018</i>	New section