

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 19-26—SB 26

Higher Education and Employment Advancement Committee

AN ACT MAKING PERMANENT THE MORATORIUM ON THE APPROVAL OF PROGRAMS AT INDEPENDENT INSTITUTIONS OF HIGHER EDUCATION

SUMMARY: Prior law exempted certain independent higher education institutions from requirements related to the Office of Higher Education’s (OHE) approval process for new programs and program modifications until July 1, 2020. The act makes this exemption permanent.

Under existing law, unchanged by the act, the exemption applies to such institutions if they:

1. are eligible to participate in the Federal Family Education Loan program;
2. have a financial responsibility score of at least 1.5, as determined by the U.S. Department of Education (USDE), for the most recent fiscal year for which data is available; and
3. have been located in Connecticut and accredited as a degree-granting institution in good standing for at least 10 years by a federally recognized regional accrediting association (see BACKGROUND).

The permanent exemption applies for up to 12 new programs per institution; additional new programs are subject to OHE approval. The act does not cap the number of program modifications per institution.

Existing law requires exempt institutions to file with OHE a program action form created by the office prior to students enrolling in (1) any new program or (2) any program being modified. They must also annually file a description of their prior program approval process and any new programs, including all actions their respective governing boards took concerning new program approvals.

EFFECTIVE DATE: July 1, 2019

BACKGROUND

Financial Responsibility Score

According to the USDE, the composite score reflects the overall relative financial health of institutions along a scale from -1 to 3. A score of 1.5 or more indicates that the institution is considered financially responsible.

Independent Institution of Higher Education

By law, an “independent institution of higher education” is a nonprofit higher education institution established in Connecticut that (1) has degree granting authority, (2) has its main campus in-state, (3) is not included in the Connecticut

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public higher education system, and (4) is not primarily training students for a religious vocation (CGS § 10a-173).

Already Exempt Institutions

In practice, Connecticut College, Trinity College, Wesleyan University, and Yale University are already exempt from OHE's program approval authority. These institutions, classified by OHE as national independents, are longstanding institutions that predate the state's regulation of postsecondary academic programs. Additionally, their charters give the schools the authority to decide which degrees to confer and do not require state approval for additional degrees.