



General Assembly

February Session, 2020

Raised Bill No. 5117

LCO No. 1205



Referred to Committee on HIGHER EDUCATION AND
EMPLOYMENT ADVANCEMENT

Introduced by:
(HED)

**AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS'
OFFICE RECOMMENDATIONS REGARDING TECHNICAL REVISIONS
TO THE HIGHER EDUCATION STATUTES.**

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

1 Section 1. Subsection (a) of section 10a-34g of the 2020 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) On and after January 1, 2020, any for-profit institution of higher
5 education licensed to operate in the state that requires any student, as a
6 condition of enrollment, to enter into an agreement that (1) limits
7 participation in a class action against such institution, (2) limits any
8 claim the student may have against such institution or the damages for
9 such claim, or (3) requires the student to assert any claim against such
10 institution in a forum that is less convenient, more costly or more
11 dilatory for the resolution of a dispute than a judicial forum established
12 in the state where the student may otherwise properly bring a claim,
13 shall include in its application to the Office of Higher Education for
14 initial or renewed institutional licensure or accreditation pursuant to

15 section 10a-34, a statement (A) disclosing the number of claims made
16 against the institution, including claims made against a parent
17 organization or subsidiary of the institution, by a student currently or
18 formerly enrolled at the institution, (B) [a description of] describing the
19 nature of the rights asserted, and (C) updating the status of such claims.
20 The institution shall submit additional details regarding such claims as
21 the executive director of the Office of Higher Education may require.

22 Sec. 2. Subsection (c) of section 10a-57f of the 2020 supplement to the
23 general statutes is repealed and the following is substituted in lieu
24 thereof (*Effective from passage*):

25 (c) Any out-of-state institution of higher education that does not
26 participate in the nation-wide [] state authorization reciprocity
27 agreement and seeks to operate a distance learning program in the state
28 shall submit an application to the Office of Higher Education on a form
29 prescribed by the office. Each institution shall agree to abide by
30 standards, similar to those in the nation-wide, state authorization
31 reciprocity agreement and established by the office. The office shall
32 approve or reject the institution's application in accordance with the
33 standards established by the office. Authorization by the office to
34 operate a distance learning program in the state shall be valid for a
35 period of one year and may be renewed by the office for additional one-
36 year periods. The office shall establish a schedule of application and
37 renewal fees for all out-of-state institutions of higher education that do
38 not participate in the nation-wide, state authorization reciprocity
39 agreement and are approved by the office. The fee schedule shall be
40 graduated based on the number of full-time equivalent students
41 enrolled at each out-of-state institution of higher education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10a-34g(a)
Sec. 2	<i>from passage</i>	10a-57f(c)

Statement of Purpose:

To make technical revisions to the higher education statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]