



House of Representatives

General Assembly

File No. 155

January Session, 2021

House Bill No. 6403

House of Representatives, March 29, 2021

The Committee on Higher Education and Employment Advancement reported through REP. ELLIOTT of the 88th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT REQUIRING LEGISLATIVE APPROVAL FOR THE MERGER OR CLOSING OF INSTITUTIONS WITHIN THE CONNECTICUT STATE COLLEGES AND UNIVERSITIES.

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

1 Section 1. Subsection (a) of section 10a-6 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2021*):

4 (a) The Board of Regents for Higher Education shall: (1) Establish
5 policies and guidelines for the Connecticut State University System, the
6 regional community-technical college system and Charter Oak State
7 College; (2) develop a master plan for higher education and
8 postsecondary education at the Connecticut State University System,
9 the regional community-technical college system and Charter Oak State
10 College consistent with the goals identified in section 10a-11c; (3)
11 establish tuition and student fee policies for the Connecticut State
12 University System, the regional community-technical college system

13 and Charter Oak State College; (4) monitor and evaluate the
14 effectiveness and viability of the state universities, the regional
15 community-technical colleges and Charter Oak State College in
16 accordance with criteria established by the board; (5) [merge or close]
17 recommend a merger or closing of institutions within the Connecticut
18 State University System, the regional community-technical college
19 system and Charter Oak State College in accordance with criteria
20 established by the board, provided (A) such [recommended merger or
21 closing] recommendation shall require a two-thirds vote of the board,
22 [and] (B) notice of such recommended merger or closing shall be sent,
23 in accordance with the provisions of section 11-4a, to the joint standing
24 committee of the General Assembly having cognizance over matters
25 relating to higher education, and [to the General Assembly] (C) such
26 recommended merger or closing shall be approved by a majority vote
27 of both houses of the General Assembly or rejected by a majority vote of
28 either house of the General Assembly not later than one year after
29 receiving notice by the board pursuant to subparagraph (A) of this
30 subdivision or the adjournment of the next regular session of the
31 General Assembly, whichever is later, provided, if the General
32 Assembly fails to act, such recommended merger or closing shall be
33 deemed approved; (6) review and approve mission statements for the
34 Connecticut State University System, the regional community-technical
35 college system and Charter Oak State College and role and scope
36 statements for the individual institutions and campuses of such
37 constituent units; (7) review and approve any recommendations for the
38 establishment of new academic programs submitted to the board by the
39 state universities within the Connecticut State University System, the
40 regional community-technical colleges and Charter Oak State College,
41 and, in consultation with the affected constituent units, provide for the
42 initiation, consolidation or termination of academic programs; (8)
43 develop criteria to ensure acceptable quality in (A) programs at the
44 Connecticut State University System, the regional community-technical
45 college system and Charter Oak State College, and (B) institutions
46 within the Connecticut State University System and the regional
47 community-technical college system and enforce standards through

48 licensing and accreditation; (9) prepare and present to the Governor and
49 General Assembly, in accordance with section 10a-8, consolidated
50 operating and capital expenditure budgets for the Connecticut State
51 University System, the regional community-technical college system
52 and Charter Oak State College developed in accordance with the
53 provisions of said section 10a-8; (10) review and make
54 recommendations on plans received from the Connecticut State
55 University System, the regional community-technical college system
56 and Charter Oak State College to implement the goals identified in
57 section 10a-11c; (11) appoint advisory committees with representatives
58 from public and independent institutions of higher education to study
59 methods and proposals for coordinating efforts of the public institutions
60 of higher education under its jurisdiction with The University of
61 Connecticut and the independent institutions of higher education to
62 implement the goals identified in section 10a-11c; (12) evaluate (A)
63 means of implementing the goals identified in section 10a-11c, and (B)
64 any recommendations made by the Planning Commission for Higher
65 Education in implementing the strategic master plan pursuant to section
66 10a-11b through alternative and nontraditional approaches such as
67 external degrees and credit by examination; (13) coordinate programs
68 and services among the Connecticut State University System, the
69 regional community-technical college system and Charter Oak State
70 College; (14) assess opportunities for collaboration with The University
71 of Connecticut and the independent institutions of higher education to
72 implement the goals identified in section 10a-11c; (15) make or enter into
73 contracts, leases or other agreements in connection with its
74 responsibilities under this part, provided all acquisitions of real estate
75 by lease or otherwise shall be subject to the provisions of section 4b-23;
76 (16) be responsible for the care and maintenance of permanent records
77 of institutions of higher education dissolved after September 1, 1969;
78 (17) prepare and present to the Governor and General Assembly
79 legislative proposals affecting the Connecticut State University System,
80 the regional community-technical college system and Charter Oak State
81 College; (18) develop and maintain a central higher education
82 information system and establish definitions and data requirements for

83 the Connecticut State University System, the regional community-
84 technical college system and Charter Oak State College; (19) report all
85 new programs and program changes at the Connecticut State University
86 System, the regional community-technical college system and Charter
87 Oak State College to the Office of Higher Education; and (20) undertake
88 such studies and other activities as will best serve the higher educational
89 interests of the Connecticut State University System, the regional
90 community-technical college system and Charter Oak State College.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	10a-6(a)

HED *Joint Favorable*

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:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Board of Regents for Higher Education	Various - See Below	See Below	See Below

Note: Various=Various

Municipal Impact: None

Explanation

The bill may prevent or delay for up to 12 to 16 months any savings or costs anticipated to result from any college or university merger or closure approved by the Board of Regents. The bill requires an affirmative vote of the General Assembly within a specified timeframe equal to 12 to 16 months in order for the merger or closure to proceed (or the proposal is deemed accepted), which delays any anticipated costs or savings. The length of the delay would be equal to the amount of time between the General Assembly receiving merger or closure notice and the date of an affirmative vote (or deemed acceptance). If within the voting timeframe one chamber of the General Assembly rejects the merger or closure, the merger or closure will be halted, which prevents the realization of any savings or costs that would have resulted.

The bill also makes a technical change regarding which legislative entities receive merger or closure notice, which results in no fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future. The fiscal impact depends on the length of delay described above and the amount of any one-time or annual savings or costs anticipated to result from a merger or closure.

OLR Bill Analysis**HB 6403*****AN ACT REQUIRING LEGISLATIVE APPROVAL FOR THE MERGER OR CLOSING OF INSTITUTIONS WITHIN THE CONNECTICUT STATE COLLEGES AND UNIVERSITIES.*****SUMMARY**

This bill eliminates the Board of Regents for Higher Education's (BOR's) authority to merge or close institutions within the Connecticut State University and regional community-technical college systems and Charter Oak State College, replacing it with the authority to make merger or closing recommendations to the legislature. The bill also (1) creates new legislative notice requirements that BOR must follow when recommending an institutional merger or closure and (2) establishes mechanisms for the legislature to approve or reject BOR's recommendations.

Under current law, BOR may merge or close the above institutions upon a two-thirds vote of its members and after notifying the General Assembly and the Education Committee about the recommended merger or closure. The bill instead requires (1) BOR to notify only the Higher Education and Employment Advancement Committee and (2) a majority vote of both the House and Senate to approve a BOR-recommended merger or closure.

Under the bill, if the legislature fails to act within one year of receiving notice or by adjournment of the next regular legislative session, whichever is later, then the merger or closure is deemed approved. Conversely, the merger or closure may be rejected by a majority vote of at least one chamber under the bill.

EFFECTIVE DATE: July 1, 2021

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 19 Nay 3 (03/11/2021)