



House of Representatives

File No. 777

General Assembly

January Session, 2021

(Reprint of File No. 302)

House Bill No. 6402
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
June 2, 2021

AN ACT CONCERNING HIGHER EDUCATION.

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

1 Section 1. Subsection (b) of section 10a-149d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2021*):

4 (b) Not later than July 1, 2016, the Board of Regents for Higher
5 Education and the Board of Trustees for The University of Connecticut,
6 in consultation with the institutions of higher education in the state,
7 shall develop and adopt guidelines on awarding college credit for a
8 student's military training, coursework and education. Such guidelines
9 shall include course equivalency recommendations adopted by the
10 American Council on Education or by other institutions or
11 organizations deemed reputable by the Board of Regents for Higher
12 Education and the Board of Trustees for The University of Connecticut.
13 Until the adoption of such guidelines, any institution of higher
14 education that awards college credit for such training, coursework and

15 education shall use course equivalency recommendations adopted by
16 the American Council on Education, a portfolio assessment process
17 when appropriate or the institution's transfer and articulation policies
18 when assigning college credit to a military occupation. Upon adoption
19 of such guidelines, the governing body of each institution of higher
20 education in the state shall develop and implement policies governing
21 the awarding of college credit for a student's military training,
22 coursework and education. Not later than July 1, 2022, and every five
23 years thereafter, the governing body of each institution of higher
24 education in the state shall review and update its policies governing the
25 award of college credit for a student's military training, coursework and
26 education.

27 Sec. 2. (*Effective from passage*) (a) There is established a task force to
28 study the costs and benefits of establishing a Postsecondary Prison
29 Education Program Office within the Department of Correction. Such
30 study shall include, but need not be limited to, an examination of (1) any
31 existing office dedicated to postsecondary prison education within the
32 state and, if such office exists, such office's responsibilities, (2) the
33 process and standards for approving education programs at
34 correctional facilities, (3) the ability for virtual education programs at
35 correctional facilities, (4) the administrative process that the department
36 uses for students who submit complaints about the education programs,
37 (5) the process and standards that the department uses to approve
38 curriculum and course materials for students in correctional facilities,
39 (6) whether the department participates in the state's education,
40 workforce and employment longitudinal data system, (7) the space
41 available in correctional facilities to provide prison education
42 programming, (8) the demand for space in correctional facilities for
43 prison education programming, and (9) the strategies utilized by other
44 state or county correctional agencies to increase the number of
45 individuals who will have access to prison education programs using
46 federal Pell grant awards.

47 (b) The task force shall consist of the following members:

- 48 (1) Three appointed by the speaker of the House of Representatives;
- 49 (2) Three appointed by the president pro tempore of the Senate;
- 50 (3) Two appointed by the majority leader of the House of
51 Representatives;
- 52 (4) Two appointed by the majority leader of the Senate;
- 53 (5) Two appointed by the minority leader of the House of
54 Representatives;
- 55 (6) Two appointed by the minority leader of the Senate;
- 56 (7) The undersecretary for criminal justice at the Office of Policy and
57 Management, or the undersecretary's designee; and
- 58 (8) The Commissioner of Correction, or the commissioner's designee.
- 59 (c) Any member of the task force appointed under subdivision (1),
60 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
61 of the General Assembly.
- 62 (d) All initial appointments to the task force shall be made not later
63 than thirty days after the effective date of this section. Any vacancy shall
64 be filled by the appointing authority.
- 65 (e) The speaker of the House of Representatives and the president pro
66 tempore of the Senate shall select the chairpersons of the task force from
67 among the members of the task force. Such chairpersons shall schedule
68 the first meeting of the task force, which shall be held not later than sixty
69 days after the effective date of this section.
- 70 (f) The administrative staff of the joint standing committee of the
71 General Assembly having cognizance of matters relating to higher
72 education shall serve as administrative staff of the task force.
- 73 (g) Not later than January 1, 2022, the task force shall submit a report
74 on its findings and recommendations to the joint standing committees

75 of the General Assembly having cognizance of matters relating to higher
76 education and the judiciary, in accordance with the provisions of section
77 11-4a of the general statutes. The task force shall terminate on the date
78 that it submits such report or January 1, 2022, whichever is later.

79 Sec. 3. (NEW) (*Effective July 1, 2021*) (a) As used in this section and
80 sections 4 to 7, inclusive, of this act:

81 (1) "Services" or "mental health services" means counseling, therapy,
82 rehabilitation, crisis intervention or emergency services for the
83 screening, diagnosis or treatment of mental illness;

84 (2) "Programs" or "mental health programming" means education,
85 outreach, research or training initiatives aimed at students for the
86 prevention of mental illness, including, but not limited to, poster and
87 flyer campaigns, electronic communications, films, guest speakers,
88 conferences or other campus events; and

89 (3) "Institution of higher education" means any institution of higher
90 education in the state, but does not include Charter Oak State College
91 or any institution of higher education that solely provides programs of
92 higher learning through its Internet web site.

93 (b) Not later than January 1, 2022, each institution of higher education
94 shall establish a campus mental health coalition with representatives
95 from each of its campuses. The campus mental health coalition shall
96 consist of individuals appointed by the president of each institution of
97 higher education, who are reflective of the demographics of the student
98 body at such institution, including, but not limited to, at least one
99 member from such institution's (1) administration, (2) counseling
100 services office, if any, (3) health services office, if any, (4) senior and mid-
101 level staff, (5) student body, (6) residential life office, if any, (7) faculty,
102 and (8) any other individuals designated by the president, including,
103 but not limited to, a community provider of mental health services.

104 (c) Each institution of higher education shall ensure that every
105 member of the campus mental health coalition is educated about the (1)

106 mental health services and programs offered at each campus by such
107 institution, (2) role and function of the campus mental health coalition
108 at such institution, and (3) protocols and techniques to respond to
109 student mental illness that have been developed with consideration
110 given to the students' race, cultural background, sexual orientation,
111 gender identity, religion, socio-economic status or status as a veteran or
112 service member of the armed forces of the United States.

113 (d) Each campus mental health coalition shall (1) conduct an
114 assessment of the presence of mental health services and programs
115 offered by the institution of higher education, except such assessment
116 shall not be required for an institution of higher education that is
117 accredited by the International Accreditation of Counseling Services or
118 another nationally or regionally recognized accrediting body for mental
119 health services, (2) review the results of such assessment and develop a
120 plan to address any weaknesses in such services and programs offered
121 by the institution, and (3) review and recommend improvements to (A)
122 the variety of mental health services available to students at the
123 institution, including, but not limited to, on-campus services, telehealth
124 services provided in accordance with section 19a-906 of the general
125 statutes, or any services offered through community-based mental
126 health care providers or emergency mobile psychiatric service
127 providers, (B) the comprehensiveness of mental health services
128 available to students, and (C) the campus-wide policies and procedures
129 regarding student mental health adopted pursuant to section 6 of this
130 act.

131 Sec. 4. (NEW) (*Effective July 1, 2021*) The executive director of the
132 Office of Higher Education and the Commissioner of Mental Health and
133 Addiction Services, in consultation with an epidemiologist or other
134 specialist with expertise in mental health issues at institutions of higher
135 education, may jointly offer training workshops for the campus mental
136 health coalitions established pursuant to section 3 of this act regarding
137 best practices for the assessment and provision of mental health services
138 and programming at institutions of higher education.

139 Sec. 5. (NEW) (*Effective July 1, 2021*) Not later than January 1, 2022,
140 any institution of higher education that lacks resources on campus for
141 the provision of mental health services to students shall enter into and
142 maintain a memorandum of understanding with at least one
143 community-based mental health care provider or, in consultation with
144 the Department of Mental Health and Addiction Services, with an
145 emergency mobile psychiatric service provider for the purpose of
146 providing students access to mental health services on or off campus
147 and assistance to institutions in developing mental health
148 programming.

149 Sec. 6. (NEW) (*Effective July 1, 2021*) Not later than January 1, 2022,
150 the governing board of each institution of higher education shall adopt,
151 and update as necessary, campus-wide policies and procedures
152 regarding student mental health. Such policies and procedures shall
153 include, but not be limited to, (1) the types of mental health services and
154 mental health programming available to students each academic year,
155 (2) protocols for leaves of absence that can be applied for medical
156 reasons, and (3) the resources available for crisis response, imminent
157 danger and psychiatric hospitalization.

158 Sec. 7. (*Effective July 1, 2021*) Not later than January 1, 2022, the Board
159 of Regents for Higher Education shall require a grant writer, among
160 other duties, to identify and apply for available grant funding to
161 implement or improve mental health services and programs offered by
162 the regional community-technical colleges to address student mental
163 illness.

164 Sec. 8. (*Effective from passage*) The Comptroller, in consultation with
165 the Board of Regents for Higher Education and the Board of Trustees of
166 The University of Connecticut, shall study and develop a plan to expand
167 access to the group hospitalization and medical and surgical insurance
168 plan established pursuant to subsection (a) of section 5-259 of the
169 general statutes and the retiree health insurance plan for part-time
170 professional employees of the state system of public higher education.
171 Not later than January 1, 2022, the Comptroller shall submit, in

172 accordance with the provisions of section 11-4a of the general statutes,
173 to the joint standing committee of the General Assembly having
174 cognizance of matters relating to higher education the plan developed
175 pursuant to this section. Such study shall include, but need not be
176 limited to, (1) determining the feasibility of and the costs associated with
177 expanding the eligibility requirements for such health insurance plans
178 to include (A) part-time professional employees who have taught not
179 less than ninety credit hours in aggregate within the state system of
180 higher education, and (B) retired, part-time professional employees who
181 have taught not less than one hundred eighty credit hours in aggregate
182 within the state system of higher education, regardless of whether such
183 credit hours were completed at the rate of nine credits a semester; and
184 (2) a method for payment of the employer's portion of the premium
185 charged for such employee's coverage that does not require such
186 employee to wait until the end of an academic semester to be
187 reimbursed for such portion.

188 Sec. 9. Section 10a-77 of the general statutes is amended by adding
189 subsection (i) as follows (*Effective July 1, 2021*):

190 (NEW) (i) The Board of Regents for Higher Education shall not assess
191 or charge a graduation fee to any student enrolled in a regional
192 community-technical college for the purpose of graduating from such
193 regional community-technical college.

194 Sec. 10. Section 10a-99 of the general statutes is amended by adding
195 subsection (i) as follows (*Effective July 1, 2021*):

196 (NEW) (i) The Board of Regents for Higher Education shall not assess
197 or charge a graduation fee to any student enrolled in the Connecticut
198 State University System for the purpose of graduating from a state
199 university within such system.

200 Sec. 11. Subsection (e) of section 10a-143 of the general statutes is
201 repealed and the following is substituted in lieu thereof (*Effective July 1,*
202 *2021*):

203 (e) The board shall fix fees for examinations and for such other
204 purposes as the board deems necessary on behalf of Charter Oak State
205 College and may make refunds and other disposition of same as
206 provided by law or regulation. The board may make contracts, leases or
207 other agreements in connection with its responsibilities. The Board of
208 Regents for Higher Education shall not assess or charge a graduation fee
209 to any student enrolled in Charter Oak State College for the purpose of
210 graduating from such college.

211 Sec. 12. Section 10a-105 of the general statutes is amended by adding
212 subsection (l) as follows (*Effective July 1, 2021*):

213 (NEW) (l) The Board of Trustees of The University of Connecticut
214 shall not assess or charge a graduation fee to any student enrolled in The
215 University of Connecticut for the purpose of graduating from such
216 university.

217 Sec. 13. Subsection (g) of section 10a-44d of the general statutes is
218 repealed and the following is substituted in lieu thereof (*Effective July 1,*
219 *2021*):

220 (g) Not later than [January 1, 2021] February 1, 2022, and annually
221 thereafter, the council shall submit a report, in accordance with the
222 provisions of section 11-4a, to the joint standing committee of the
223 General Assembly having cognizance of matters relating to higher
224 education regarding (1) the number and percentage of high-impact
225 courses for which open educational resources have been developed, (2)
226 the degree to which institutions of higher education promote the use
227 and access to open educational resources, (3) the amount of grants
228 awarded by the council and the number of open educational resources
229 developed by grant recipients, and (4) its recommendations for any
230 amendments to the general statutes necessary to develop open
231 educational resources.

232 Sec. 14. (NEW) (*Effective July 1, 2021*) (a) As used in this section:

233 (1) "Student athlete" means a student enrolled at an institution of

234 higher education who participates in an intercollegiate athletic
235 program;

236 (2) "Intercollegiate athletic program" means a program at an
237 institution of higher education for sports played at the collegiate level
238 for which eligibility requirements for participation by a student athlete
239 are established by a national association for the promotion or regulation
240 of college athletics;

241 (3) "Compensation" means the receipt, whether directly or indirectly,
242 of any cryptocurrency, money, goods, services, other item of value, in-
243 kind contributions and any other form of payment or remuneration;

244 (4) "Endorsement contract" means a written agreement under which
245 a student athlete is employed or receives compensation for the use by
246 another party of such student athlete's person, name, image or likeness
247 in the promotion of any product, service or event;

248 (5) "Sports agent" means a duly licensed person who negotiates or
249 solicits a contract on behalf of a student athlete in accordance with the
250 Sports Agent Responsibility and Trust Act, 15 USC 7801, et seq., as
251 amended from time to time;

252 (6) "NCAA" has the same meaning as provided in section 10a-55k of
253 the general statutes;

254 (7) "Institutional marks" means the name, logo, trademarks, mascot,
255 unique colors, copyrights and other defining insignia of an institution
256 of higher education;

257 (8) "Institution of higher education" means an institution of higher
258 education, as defined in section 10a-55 of the general statutes, and a for-
259 profit institution of higher education licensed to operate in this state;

260 (9) "Official team activities" means all games, practices, exhibitions,
261 scrimmages, team appearances, team photograph sessions, sports
262 camps sponsored by the institution of higher education and other team-
263 organized activities, including, but not limited to, individual

264 photograph sessions, news media interviews and other related activities
265 as specified by the institution of higher education; and

266 (10) "Prohibited endorsements" means receipt of compensation by, or
267 employment of, a student athlete for use of the student athlete's person,
268 name, image or likeness in association with any product, category of
269 companies, brands or types of endorsement contracts that the institution
270 of higher education prohibits endorsing by policy.

271 (b) On or after September 1, 2021, or the date on which an institution
272 of higher education in the state adopts or updates its policy in
273 accordance with subdivision (3) of subsection (f) of this section,
274 whichever is earlier, any student athlete who is enrolled at such
275 institution of higher education may earn compensation through an
276 endorsement contract or employment in an activity that is unrelated to
277 any intercollegiate athletic program and obtain the legal or professional
278 representation of an attorney or sports agent through a written
279 agreement, provided such student athlete complies with the policy or
280 policies adopted by his or her institution of higher education regarding
281 student athlete endorsement contracts and employment activities.

282 (c) Each institution of higher education shall adopt one or more
283 policies regarding student athlete endorsement contracts and
284 employment activities. Such policy or policies shall include provisions
285 for: (1) Requiring a student athlete to disclose and submit a copy to his
286 or her institution of higher education of each endorsement contract,
287 written agreement for employment and representation agreement
288 executed by the student athlete; (2) prohibiting a student athlete from
289 entering into an agreement that conflicts with the provisions of any
290 agreement to which the institution of higher education is a party,
291 provided such institution shall disclose to the student athlete or the
292 student athlete's attorney or sports agent the provisions of the
293 agreement that are in conflict; (3) prohibiting a student athlete from
294 using or consenting to the use of any institutional marks during such
295 student athlete's performance of the endorsement contract or
296 employment activity; (4) prohibiting a student athlete's performance of

297 the endorsement contract or employment activity from interfering with
298 any official team activities or academic obligations; and (5) identifying
299 any prohibited endorsements.

300 (d) No provision of this section shall be construed to (1) require an
301 institution of higher education or an athletic association or conference,
302 including, but not limited to, the NCAA to compensate a student athlete
303 for use of his or her name, image or likeness; (2) require a student athlete
304 or any other person to compensate an institution of higher education or
305 an athletic association or conference, including, but not limited to, the
306 NCAA for a student athlete's endorsement contract or employment
307 activity that is in accordance with the provisions of subsection (b) of this
308 section; (3) qualify any scholarship that a student athlete receives from
309 an institution of higher education as compensation; (4) qualify a student
310 athlete as an employee of an institution of higher education; (5) require
311 an institution of higher education to take any action in violation of the
312 Discrimination Based on Sex and Blindness Act, 20 USC 1681, et seq., as
313 amended from time to time; (6) prohibit a student athlete from engaging
314 in an employment activity that entails coaching or performing a sport,
315 provided such activity is not related to any intercollegiate athletic
316 program; or (7) prohibit an institution of higher education from using a
317 student athlete's name, image or likeness in connection with official
318 team activities.

319 (e) No athletic association or conference, including, but not limited
320 to, the NCAA, on the basis of a student athlete's endorsement contract,
321 employment activity or representation by an attorney or sports agent
322 pursuant to subsection (b) of this section, shall (1) prohibit or prevent an
323 institution of higher education or its intercollegiate athletic program
324 from participating in intercollegiate sports, (2) restrict or revoke a
325 student athlete's eligibility to participate in an intercollegiate athletic
326 program, (3) prohibit or prevent a student athlete from earning
327 compensation from such endorsement contract or employment activity,
328 or (4) prohibit or prevent a student athlete from representation by a duly
329 licensed attorney or sports agent.

330 (f) (1) No institution of higher education, on the basis of a student
 331 athlete's endorsement contract, employment activity or representation
 332 by an attorney or sports agent pursuant to subsection (b) of this section,
 333 shall (A) prohibit or prevent such student athlete from earning
 334 compensation from such endorsement contract or employment activity,
 335 (B) prohibit or prevent such student athlete from representation by a
 336 duly licensed attorney or sports agent, or (C) restrict or revoke such
 337 student athlete's eligibility for a scholarship or to participate in the
 338 intercollegiate athletic program at such institution.

339 (2) Notwithstanding section 1-210 of the general statutes with respect
 340 to public institutions of higher education, no institution of higher
 341 education shall disclose any record of the compensation received by a
 342 student athlete from an endorsement contract or employment activity
 343 entered into or engaged in pursuant to subsection (b) of this section
 344 unless the institution receives the written consent of the student athlete
 345 for each disclosure.

346 (3) Not later than September 1, 2021, the governing board of each
 347 institution of higher education shall adopt or update its policies, as
 348 necessary, to carry out the purposes of this section.

349 (g) No provision of subsections (d) and (f) of this section shall be
 350 construed to prevent an institution of higher education or an athletic
 351 association or conference, including, but not limited to, the NCAA, from
 352 prohibiting a student athlete's participation in an intercollegiate athletic
 353 program, revoking a student athlete's eligibility for a scholarship or
 354 taking any other punitive or legal action if such student athlete's
 355 endorsement contract, employment activity or representation by an
 356 attorney or sport agent does not comply with the provisions of
 357 subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	10a-149d(b)
Sec. 2	from passage	New section

Sec. 3	<i>July 1, 2021</i>	New section
Sec. 4	<i>July 1, 2021</i>	New section
Sec. 5	<i>July 1, 2021</i>	New section
Sec. 6	<i>July 1, 2021</i>	New section
Sec. 7	<i>July 1, 2021</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>July 1, 2021</i>	10a-77
Sec. 10	<i>July 1, 2021</i>	10a-99
Sec. 11	<i>July 1, 2021</i>	10a-143(e)
Sec. 12	<i>July 1, 2021</i>	10a-105
Sec. 13	<i>July 1, 2021</i>	10a-44d(g)
Sec. 14	<i>July 1, 2021</i>	New section

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 - Revenue Loss	95,000 to 140,000	95,000 to 140,000

Note: Various=Various

Municipal Impact: None

Explanation

The bill, which makes various changes regarding higher education, results in an annual revenue loss to the Board of Regents' Charter Oak State College, totaling approximately \$95,000 to \$140,000 annually beginning in FY 22, associated with prohibiting any constituent unit institution from charging a graduation fee. The other components of the bill are not anticipated to result in a fiscal impact to the state or municipalities.

The graduation fee prohibition in Sections 9-12 affects only Charter Oak State College within the Board of Regents as the other units do not charge a graduation fee. The annual revenue loss to the Board of Regents is estimated to be \$95,000 to \$140,000 based on Charter Oak's recent numbers of students who have been charged the fee, a graduation fee of \$225 in FY 22 (unchanged in recent years), and enrollment levels. Since Charter Oak enrollment has been volatile, the estimate reflects a range of 429 to 619 students paying the graduation fee, which is ten percent lower and higher than recent numbers of students who have paid the fee.

The elimination of the Charter Oak graduation fee results in

approximately a 13 to 20 percent reduction in the college's projected fee revenue, or a total revenue reduction of 0.5 to 1 percent.

House "A" eliminates the original bill and its associated fiscal impact, and results in the impact described above.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to changes in the number of students pursuing graduation at Charter Oak State College.

OLR Bill Analysis**HB 6402 (as amended by House "A")*****AN ACT CONCERNING HIGHER EDUCATION.**

TABLE OF CONTENTS:

SUMMARY§ 1 — COLLEGE CREDIT FOR MILITARY TRAINING

Requires each higher education institution's governing body to review and update its policies on awarding college credit for a student's military training, coursework, and education

§ 2 — PRISON EDUCATION PROGRAM OFFICE TASK FORCE

Establishes a 16-member task force to study the possible establishment of a Postsecondary Prison Education Program Office

§ 3 — CAMPUS MENTAL HEALTH COALITIONS

Requires certain higher education institutions, by January 1, 2022, to establish a mental health coalition to assess the presence of mental health services and programs

§§ 4-6 — EVALUATION OF THE EFFECTIVENESS OF HIGHER EDUCATION INSTITUTION MENTAL HEALTH SERVICES AND PROGRAMS

Requires the OHE executive director and DMHAS commissioner, in consultation with an epidemiologist or other student mental health specialist, to jointly offer training workshops for assessment best practices in order for each higher education institution to evaluate the effectiveness of mental health services and programs offered at each of its campuses; requires certain institutions to maintain a memorandum of understanding with at least one community-based mental health care provider; requires each institution's governing board to adopt, and update as necessary, a student mental health policy by January 1, 2021

§ 7 — GRANT WRITER FOR MENTAL HEALTH FUNDING

Requires BOR to employ a grant writer to apply for grant funding to improve mental health services at community-technical colleges

§ 8 — STUDY OF HEALTH INSURANCE BENEFITS FOR PART-TIME CONNECTICUT STATE SYSTEM OF HIGHER EDUCATION EMPLOYEES AND RETIREES

Requires the state comptroller, in consultation with BOR and UConn BOT, to study and develop a plan to extend eligibility for participating in the state's medical group plan to certain part-time, professional employees and retirees

§§ 9-12 — PROHIBITION OF THE CHARGING OF GRADUATION FEES AT PUBLIC HIGHER EDUCATION INSTITUTIONS

Prohibits assessing or charging a graduation fee to students enrolled in a regional community-technical college, the CSUS, Charter Oak State College, or UConn

§ 13 — OPEN EDUCATIONAL RESOURCE COUNCIL REPORTING DEADLINE

Delays the Connecticut OER Coordinating Council's first annual reporting deadline; exempts unexpended funds appropriated to the OER Coordinating Council from lapsing at the end of the fiscal year

§ 14 — STUDENT ATHLETE COMPENSATION

Allows student athletes to earn compensation through an endorsement contract or employment in an activity unrelated to any intercollegiate athletic program

BACKGROUND

SUMMARY

This bill makes numerous changes to higher education laws, as described below.

EFFECTIVE DATE: Varies, see below.

*House Amendment "A" replaces the underlying bill, which required the Office of Higher Education to study higher education issues in the state and report to the legislature.

§ 1 — COLLEGE CREDIT FOR MILITARY TRAINING

Requires each higher education institution's governing body to review and update its policies on awarding college credit for a student's military training, coursework, and education

The bill requires, by July 1, 2022, and every five years thereafter, each higher education institution's governing body to review and update its policies on awarding college credit for a student's military training, coursework, and education.

By law, the Board of Regents for Higher Education (BOR) and the UConn Board of Trustees (BOT), in consultation with higher education institutions in the state, were required to develop and adopt guidelines on awarding college credit for a student's military training, coursework, and education. Upon guideline adoption, the governing body of each

higher education institution was required to develop and implement policies governing the awarding of college credit for these matters.

EFFECTIVE DATE: July 1, 2021

§ 2 — PRISON EDUCATION PROGRAM OFFICE TASK FORCE

Establishes a 16-member task force to study the possible establishment of a Postsecondary Prison Education Program Office

The bill establishes a 16-member task force to study the costs and benefits of establishing a Postsecondary Prison Education Program Office within the Department of Correction (DOC).

Scope

Under the bill, the task force study must examine at least the following topics:

1. any existing office dedicated to postsecondary prison education in Connecticut and its responsibilities, if this type of office exists;
2. the process and standards for approving education programs at correctional facilities;
3. the ability for virtual education programs at correctional facilities;
4. DOC's administrative process for students who submit education program complaints;
5. DOC's process and standards for approving curriculum and course materials for students in correctional facilities;
6. whether DOC participates in the state's education, workforce, and employment longitudinal data system;
7. available space for providing prison education programming in correctional facilities;
8. the demand for space in correctional facilities for prison education programming; and

9. strategies utilized by other state or county correctional agencies to increase the number of people who will have access to prison education programs using federal Pell grant awards.

Membership

Under the bill, the task force must have the following 16 members:

1. three each appointed by the House speaker and Senate president pro tempore;
2. two each appointed by the House and Senate majority and minority leaders;
3. the Office of Policy and Management's undersecretary for criminal justice or his or her designee; and
4. the DOC commissioner or his designee.

The bill allows any members appointed by legislative leaders to be General Assembly members. Additionally, it requires all appointments to be made by July 31, 2021, and any vacancy to be filled by the appointing authority.

Leadership, Staff, and Deadlines

The bill requires the House speaker and Senate president pro tempore to choose the task force chairpersons from among its membership. These chairpersons must schedule the task force's first meeting, to be held by August 30, 2021. The Higher Education and Employment Advancement Committee's administrative staff must serve as the task force staff.

Under the bill, the task force must report its findings and recommendations to the Higher Education and Judiciary committees by January 1, 2022. The task force terminates on the date it submits the report or on January 1, 2022, whichever is later.

EFFECTIVE DATE: Upon passage

§ 3 — CAMPUS MENTAL HEALTH COALITIONS

Requires certain higher education institutions, by January 1, 2022, to establish a mental health coalition to assess the presence of mental health services and programs

Membership

The bill requires each higher education institution in Connecticut, excluding Charter Oak State College or online institutions, by January 1, 2022, to establish a mental health coalition to assess the presence of mental health services and programs offered by the institution. The assessment requirement does not apply to a school accredited by the International Accreditation of Counseling Services or another nationally or regionally recognized accrediting body for mental health services.

Under the bill, the president of each institution must appoint individuals to the coalition that reflect their institution's student body demographics, including, at least one member from their institution's (1) administration; (2) counseling services office, if any; (3) health services office, if any; (4) senior and mid-level staff; (5) student body; (6) residential life office, if any; (7) faculty; and (8) any other individuals the president designates, including a community provider of mental health services.

Duties

The bill requires each higher education institution to ensure that coalition members are educated on the (1) mental health services and programs offered at each institution's campus; (2) the coalition's role and function at the institution; and (3) protocols and techniques to respond to student mental illness that have been developed with consideration given to the students' race, cultural background, sexual orientation, gender identity, religion, socio-economic status, or status as a veteran or service member of the U.S. armed forces.

The bill requires each mental health coalition to do the following:

1. conduct an assessment of the presence of mental health services and programs offered by the institution of higher education (unless exempt from this requirement, see above);

2. review the results and develop a plan to address weaknesses in the institution's services and programs (presumably this requirement does not apply to exempt institutions); and
3. review and recommend improvements to (a) the variety of mental health services available to the institution's students, including on-campus services, telehealth services, or a community-based provider arranged through an agreement; (b) the comprehensiveness of mental health services available to students, including recommendations for obtaining accreditation from a nationally or regionally recognized accrediting body for mental health services; and (c) the campus-wide policies and procedures adopted under this bill (see § 6).

The bill defines (1) mental health services as counseling, therapy, rehabilitation, crisis intervention, or emergency services for the screening, diagnosis, or treatment of mental illness and (2) mental health programs such as education, outreach, research or training initiatives aimed at students for the prevention of mental illness. Examples of programs include poster and flyer campaigns, electronic communications, films, guest speakers, conferences, or other campus events.

EFFECTIVE DATE: July 1, 2021

§§ 4-6 — EVALUATION OF THE EFFECTIVENESS OF HIGHER EDUCATION INSTITUTION MENTAL HEALTH SERVICES AND PROGRAMS

Requires the OHE executive director and DMHAS commissioner, in consultation with an epidemiologist or other student mental health specialist, to jointly offer training workshops for assessment best practices in order for each higher education institution to evaluate the effectiveness of mental health services and programs offered at each of its campuses; requires certain institutions to maintain a memorandum of understanding with at least one community-based mental health care provider; requires each institution's governing board to adopt, and update as necessary, a student mental health policy by January 1, 2021

Assessment Tool Development and Implementation (§ 4)

The bill requires, by January 1, 2022, and every four years thereafter, the Office of Higher Education (OHE) executive director and

Department of Mental Health and Addiction Services (DMHAS) commissioner, in consultation with an epidemiologist or other specialist with expertise in the study of student mental health, to jointly offer training workshops for campus mental health coalitions on best practices for assessing and providing mental health services and programming at each higher education institution.

Provider Partnerships (§ 5)

The bill requires, by January 1, 2022, a higher education institution that lacks campus resources for providing mental health services to students to enter into and maintain a memorandum of understanding with at least one community-based mental health care provider or, in consultation with DMHAS, with an emergency mobile psychiatric service provider to (1) provide students access to mental health services on or off campus and (2) assist institutions in developing mental health programming.

Institutional Student Mental Health Policy (§ 6)

The bill requires each higher education institution's governing board to adopt, and update as necessary, a student mental health policy by January 1, 2021. The policy must include (1) the mental health services and programming provided to students each academic year, (2) the availability of, and eligibility requirements for, student mental health leave, and (3) the resources available for crisis response, imminent danger, and psychiatric hospitalization.

EFFECTIVE DATE: July 1, 2021

§ 7 — GRANT WRITER FOR MENTAL HEALTH FUNDING

Requires BOR to employ a grant writer to apply for grant funding to improve mental health services at community-technical colleges

The bill also requires, by January 1, 2022, the Board of Regents for Higher Education to employ a grant writer to identify and apply for available grant funding to implement or improve mental health services and programs offered by the regional community-technical colleges to address student mental illness.

EFFECTIVE DATE: July 1, 2021

§ 8 — STUDY OF HEALTH INSURANCE BENEFITS FOR PART-TIME CONNECTICUT STATE SYSTEM OF HIGHER EDUCATION EMPLOYEES AND RETIREES

Requires the state comptroller, in consultation with BOR and UConn BOT, to study and develop a plan to extend eligibility for participating in the state's medical group plan to certain part-time, professional employees and retirees

This bill requires the state comptroller, in consultation with the Board of Regents (BOR) and UConn Board of Trustees (BOT) to study and develop a plan to extend eligibility for participation in the state's group medical insurance plan to:

1. part-time, professional state system of higher education employees who have taught at least 90 credit hours in the aggregate at any university in the system and
2. retired, part-time professional employees who have taught not less than 180 credit hours in aggregate within the system, regardless of whether the hours were completed at the rate of nine credits a semester.

The study must (1) determine the feasibility and cost of including such employees and retirees and (2) address a method for payment of the employer's portion of the premium that does not require the employee to wait to be reimbursed until the end of the semester.

By January 1, 2022, the comptroller must report on the study to the Higher Education and Employment Advancement Committee.

By law, any part-time, professional employee of the state's public higher education system may choose to participate in the state's group medical insurance plan. Employees who participate must pay the premiums for the coverage plan they select. In practice, these employees must meet a 20 hour per week employment threshold as established in the state comptroller's issued guidance in order to be eligible to participate.

EFFECTIVE DATE: Upon passage

§§ 9-12 — PROHIBITION OF THE CHARGING OF GRADUATION FEES AT PUBLIC HIGHER EDUCATION INSTITUTIONS

Prohibits assessing or charging a graduation fee to students enrolled in a regional community-technical college, the CSUS, Charter Oak State College, or UConn

This bill prohibits BOR from assessing or charging a graduation fee to students enrolled in (1) a regional community-technical college, (2) the CSUS, or (3) Charter Oak State College.

The bill extends the same prohibition to the UConn Board of Trustees for UConn students' graduation fees.

EFFECTIVE DATE: July 1, 2021

§ 13 — OPEN EDUCATIONAL RESOURCE COUNCIL REPORTING DEADLINE

Delays the Connecticut OER Coordinating Council's first annual reporting deadline; exempts unexpended funds appropriated to the OER Coordinating Council from lapsing at the end of the fiscal year

This bill delays the Connecticut Open Educational Resource (OER) Coordinating Council's first annual reporting deadline from January 1, 2021, to February 1, 2022. It also exempts unexpended funds appropriated to the OER Coordinating Council from lapsing at the end of the fiscal year.

By law, the Connecticut OER Coordinating Council is required to establish an OER program to lower the cost of textbooks and course materials for high-impact courses at state higher education institutions. "High-impact" courses are instruction courses for which OERs would make a significant positive financial impact on the students taking the course due to the number of students taking the course or the market value of the course's required printed textbook or other resources.

EFFECTIVE DATE: July 1, 2021

§ 14 — STUDENT ATHLETE COMPENSATION

Allows student athletes to earn compensation through an endorsement contract or employment in an activity unrelated to any intercollegiate athletic program

Generally, beginning September 1, 2021, the bill allows student athletes enrolled at a higher education institution in the state to (1) earn compensation through an endorsement contract or employment in an activity unrelated to an intercollegiate athletic program, and (2) obtain the legal or professional representation of an attorney or sports agent through a written agreement, provided he or she complies with their higher education institution's policy on student athlete endorsement contracts and employment activities. Under the bill, if an institution adopts or updates its policy before September 1, 2021, then the above authorizations apply on the date of policy adoption.

Under the bill, a "student athlete" is a student enrolled at a higher education institution participating in a sports program at the collegiate level for which eligibility participation requirements are established by a national association for the promotion or regulation of college athletics (i.e., an intercollegiate athletic program). A "sports agent" is a duly licensed person who negotiates or solicits a contract on behalf of a student athlete in accordance with the federal Sports Agent Responsibility and Trust Act.

An "endorsement contract" is a written agreement under which a student athlete is employed or receives compensation for the use by another party of the student athlete's person, name, image, or likeness in the promotion of any product, service, or event. "Compensation" includes the direct or indirect receipt of cryptocurrency, money, goods, services, other items of value, in-kind contributions, and other forms of payment or remuneration.

Institutional Policy on Endorsement Contracts and Employment Activities

Under the bill, each higher education institution must adopt at least one policy on student athlete endorsement contracts and employment activities. The policy must:

1. require student athletes to disclose and submit a copy of each executed endorsement contract, written employment agreement,

and representation agreement to the institution;

2. prohibit a student athlete from entering into an agreement that conflicts with the provisions of an agreement to which the institution is a party, provided the institution must disclose the conflicting provisions to the student athlete or his or her attorney and sports agent;
3. prohibit a student athlete from using or consenting to the use of any institutional marks (i.e., a higher education institution's name, logo, trademarks, mascot, unique colors, copyrights, and other defining insignia) while performing the endorsement contract or employment activity;
4. prohibit a student athlete's performance of the endorsement contract or employment activity from interfering with any academic obligations or official team activities (i.e., all games, practices, exhibitions, scrimmages, team appearances, team photograph sessions, sports camps sponsored by the higher education institution, and other team-organized activities, including individual photograph sessions, news media interviews, and other related activities as specified by the institution); and
5. identify any prohibited endorsements (i.e., the use of the student athlete's person, name, image, or likeness in association with any product, category of companies, brands, or types of endorsement contracts).

The bill also requires, by September 1, 2021, each higher education institution's governing board to adopt or update its policies to carry out the bill's student athlete provisions.

Compensation Exclusions

The bill specifies that it does not require a higher education institution or an athletic association or conference, including the National Collegiate Athletic Association (NCAA), to compensate a

student athlete for use of his or her name, image, or likeness.

The bill also specifies that an institution or athletic association is not due compensation from a student athlete or other person in situations where a student athlete's endorsement contract or employment activity does not comply with the bill's requirements, including the requirement that student athletes comply with their institution's endorsement contracts and employment activities policy.

Institution's Responsibilities and Student Rights

The bill specifies that it does not:

1. qualify a student athlete's scholarship from a higher education institution as compensation or deem a student athlete an institution's employee;
2. require an institution to take any action that would violate the federal Discrimination Based on Sex and Blindness Act;
3. prohibit a student athlete from engaging in an employment activity that entails coaching or performing a sport, if it is unrelated to an intercollegiate athletic program; or
4. prohibit an institution of higher education from using a student athlete's name, image, or likeness in connection with official team activities.

Prohibitions on Institutions and Athletic Associations and Conferences

Institutions and athletic associations or conferences are prohibited from doing the following, based on a student athlete's endorsement contract, employment activity, or attorney or sports agent representation:

1. restricting a student's eligibility to participate in an intercollegiate athletic program,
2. prohibiting or preventing the student from earning

compensation from an endorsement contract or employment activity, or

3. prohibiting or preventing the student from being represented by an attorney or sports agent.

Additionally, the bill prohibits athletic associations and conferences, on the basis of a student's contract, activity, or representation, from preventing an institution from participating in intercollegiate sports. And institutions are prohibited, on the basis of such a contract, activity, or representation, from restricting or revoking a student athlete's eligibility for a scholarship.

Under the bill, if a student's contract, activity, or representation does not comply with the bill's requirements, an institution or an athletic association or conference is not prohibited from (1) prohibiting a student athlete's participation in an intercollegiate athletic program, (2) revoking his or her eligibility for a scholarship, or (3) taking any other punitive or legal action.

Freedom of Information Act (FOIA) Disclosure Exemption

The bill notwithstanding FOIA and prohibits higher education institutions from disclosing any record of the compensation a student athlete receives from an endorsement contract or employment activity, unless the institution receives the athlete's written consent.

EFFECTIVE DATE: July 1, 2021

BACKGROUND

Related Bills

HB 5468 (File 333), favorably reported by the Higher Education and Employment Advancement Committee, contains the same provisions on college credits awarded for military training as § 1 of the bill.

HB 6228 (File 92), favorably reported by the Higher Education and Employment Advancement Committee, contains the same provisions on establishing a prison education program office as § 2 of the bill.

HB 6461 (File 264), favorably reported by the Higher Education and Employment Advancement Committee, contains similar provisions on the campus mental health coalitions and the evaluation of higher education institution mental health services and programs as §§ 3-7 of the bill.

HB 6231 (File 300), favorably reported by the Higher Education and Employment Advancement Committee, contains similar provisions on health insurance for part-time CSUS faculty as § 8 of the bill.

HB 5109 (File 253), favorably reported by the Higher Education and Employment Advancement Committee, contains very similar provisions on the prohibition of the charging of graduation fees at public higher education institutions as §§ 9-12 of the bill.

HB 6405 (File 86); favorably reported by the Higher Education and Employment Advancement Committee, contains the same provisions on the extension of the OER Coordinating Council's first annual reporting deadline as § 13 of the bill.

sHB 6228 (File 92), favorably reported by the Higher Education and Employment Advancement and Judiciary committees, establishes a postsecondary prison education program office within DOC.

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 19 Nay 3 (03/22/2021)