



## 2014 CCIC Legislative Update

This update summarizes legislation passed this year that impacts CCIC member institutions as well as highlights other relevant actions taken during the 2014 legislative session. The legislative session ended on May 7, 2014.

### Budget Overview

While legislators and Governor Malloy had hoped for a sizable surplus for this year that would allow for a tax rebate and new spending for a number of programs, tax revenues declined significantly resulting in a reduced surplus projection for this year from \$505 million to \$43 million and the expectation of a \$285 million hole in the budget they were crafting for the fiscal year that begins July 1. This necessitated some last minute tweaking of the budget that had been adopted by the Appropriations Committee in April. The adopted \$19 billion budget increases spending nearly 2.5% above current levels. If spending patterns in the 2015 budget are maintained, the state will **face a \$1.3 billion deficit in 2016**.

### Key Legislation that Passed

#### Impacting Connecticut Independent Colleges and Universities

##### Public Act 14-47: AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES AND REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 2015

- Makes adjustments to the general fund appropriations to state agencies for the 2014 and 2015 fiscal years. Funding for line items impacting the independent colleges are as follows:

Line Item	FY 14	FY 15
Governor's Scholarship Fund Appropriation (§1)	\$42,011,398	\$42,023,498
Carry forward designated to Governor's Scholarship Fund (§19)	N/A	\$1,600,000
Reimbursements to Towns for Private Tax-Exempt Property (PILOT) (§1)*	\$115,431,737	\$123,431,737

\*An additional \$2 million for PILOT for Colleges and Hospitals is appropriated in the implementer bill [PA 14-217](#) (§233), for a total of \$125,431,737 for FY 15.

##### Public Act 14-217: AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2015

- Changes to **Mashantucket Pequot & Mohegan Fund**: Under current law, \$135 million of the Indian gaming revenue the state receives from the Mashantucket Pequot tribe is transferred to the Mashantucket Pequot and Mohegan Fund and distributed by the Office of Policy and Management (OPM) for grants to towns. The bill eliminates the \$135 million cap and instead, each fiscal year

beginning with FY 15, requires the transfer to equal the appropriation to the Mashantucket Pequot and Mohegan Fund for Grants to Towns.

- Requires a **Comprehensive Tax Study** be completed by panel of experts convened by the co-chairs of the Finance Revenue and Bonding Committee who are charged with studying the state's overall state and local tax structure. Among other things, the panel must evaluate the feasibility of the following options relating to the tax-exempt status of non-profit hospitals and colleges:
  1. creating a tiered property tax payment system that includes any property owned by the (a) state; (b) an institution, facility, or hospital for which the state made a payment in lieu of taxes to the host municipality; or (c) nonprofit entity;
  2. assessing a "community benefit fee" on any tax-exempt property;
  3. taxing property owned by an institution, facility, or hospital for which the state made a payment in lieu of taxes; and
  4. requiring institutions, facilities, or hospitals to report the value of their real and personal property.

The panel must organize itself into subcommittees on (1) personal income taxes, including estate and gift taxes; (2) business taxes, including excise taxes; (3) consumer taxes; and 4) property taxes. The panel must submit its findings for further action and recommendations to the Governor and the committee by January 1, 2015. It may recommend extending its reporting deadline, but no later than January 1, 2016. Appointments to the 15 member panel shall be made by the Finance Committee chairs and the Governor. (§137)

- Makes adjustments to the general fund appropriation for the **Reimbursements to Towns for Private Tax-Exempt Property (PILOT)**, for a total of \$125,431,737 for FY 15. (§233)

## Impacting Higher Education Generally

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### Special Act 14-11: AN ACT CONCERNING A PLAN FOR PARTICIPATION IN A STATE AUTHORIZATION RECIPROCIITY AGREEMENT REGARDING DISTANCE LEARNING PROGRAMS

- Requires the Office of Higher Education to (1) develop a plan to enter into a multistate or regional reciprocity agreement that will allow for participation by the state and Connecticut institutions of higher education in a nation-wide **state authorization reciprocity agreement (SARA)** establishing uniform standards for distance learning programs across states and eliminating the need for a state participating in such nation-wide state authorization reciprocity agreement to assess the quality of a distance learning program offered by an out-of-state institution of higher education through such participating state's traditional authorization, licensing and accreditation process, and (2) report on such plan to the joint standing committee of the General Assembly having cognizance of matters relating to higher education in accordance with the provisions of section 11-4a of the general statutes not later than January 1, 2015.

### Public Act 14-11: AN ACT CONCERNING SEXUAL ASSAULT, STALKING AND INTIMATE PARTNER VIOLENCE ON CAMPUS

- Expands the scope of the policies and prevention and awareness programming for sexual assault by applying them to (a) stalking and (b) campus employees.
- Requires all institutions, after a reported incident, to immediately provide **concise written notification to each victim regarding his or her rights** and options under the institution's policy or policies.
- Allows all institutions to permit **anonymous reporting**.

- Requires all higher education institutions to report annually to the Higher Education Committee concerning their policies, prevention and awareness programming and campaigns, and the number of incidents and disciplinary cases involving sexual assault, stalking, and intimate partner violence. It also requires institutions to include information about stalking and family violence in their annual uniform campus crime reports.
- Requires all higher education institutions to establish a **campus resource team** to review their policies and recommend protocols for providing support and services to students and employees who report being victims and it establishes membership and education requirements for the team.
- Establishes additional (1) education requirements for the institution's Title IX coordinator and special police force, campus police force, or campus safety personnel and (2) training requirements for members of the state or local police who respond to campus incidents.
- Requires all higher education institutions to enter into a memorandum of understanding (MOU) with at least one community-based sexual assault crisis service center and one community-based domestic violence agency. The MOU must (1) establish a partnership with the service and agency and (2) ensure that victims can access free and confidential counseling and advocacy services, either on or off campus.
- For a detailed summary, click [here](#).

#### **Public Act 14-21: AN ACT CONCERNING THE ENGLISH LANGUAGE LEARNER EDUCATOR INCENTIVE PROGRAM**

- Redesigns an existing **teachers' loan reimbursement program**, administered by the Office of Higher Education (OHE), as an incentive grant and loan reimbursement program for college and university students studying to be teachers.
- Both the existing and proposed programs targeted those seeking credentials as bilingual education teachers or teachers of English to speakers of other languages. The bill: 1) targets the program to undergraduates enrolled in teacher preparation programs rather than certified teachers; 2) removes the cap on the number of participants; 3) revises the eligibility requirements; 4) revises how funds are distributed; 5) reduces the maximum amount of funds a recipient may receive by \$5,000 (from \$25,000 to \$20,000); 6) removes employment commitment requirements, and 7) changes the name of the program from the “English language learner educator loan reimbursement program” to the “English language learner educator incentive program.”

#### **Public Act 14-65: AN ACT CONCERNING REVISIONS TO THE HIGHER EDUCATION STATUTES AND MILITARY OCCUPATIONAL LICENSING DATA**

- Makes changes to higher education statutes to conform with name and definition changes enacted in 2013.
- Changes the deadline, from October 1, 2016 to January 1, 2016, by which the **Planning Commission for Higher Education** must submit its first annual report on implementation status and goal progress to the governor. It also removes the requirement that BOR prepare the annual report on behalf of the commission.
- Amends sHB 5299, as amended by House Amendment “A” and passed by the House, which requires various governmental licensing authorities to certify, waive, grant, or award certain licenses, registrations, examinations, training, or credit to veterans or armed forces or National Guard members (i.e., service members) with military experience or qualifications similar to those otherwise required. The bill alters when the licensing authorities must inquire about applicants' service member status and the information they must submit in annual reports to the Department of Labor (DOL) and the Veterans' Affairs Committee. The bill requires the Board of Regents for Higher Education (BOR) and the UConn Board of Trustees (BOT) to submit a separate report with different information than the other licensing authorities' and makes their first annual report due at a later date.

#### Public Act 14-91: AN ACT ESTABLISHING UNIFORM STATE ACADEMIC DEGREE STANDARDS

- Requires UConn and the Board of Regents to follow regulations promulgated by the Office of Higher Education for the purpose of Academic Program Approval.
- The bill authorizes \$103.5 million in new bonding under the **Connecticut State University System (CSUS) 2020** infrastructure program.

#### Public Act 14-131: AN ACT CONCERNING THE FINDINGS OF THE MILITARY OCCUPATIONAL SPECIALTY TASK FORCE

- Requires higher education institutions to **award college credit for military occupational specialty training to service members enrolled at the institution**. The applicant must have experience in a military occupation the institution recognizes as substituting or meeting the requirements of a particular course of study.
- Requires the Board of Regents for Higher Education (BOR) and the UConn board of trustees, in consultation with higher education institutions in the state, to develop and adopt guidelines on awarding college credit for a student's military training, coursework, and education by July 1, 2016. The guidelines must include course equivalency recommendations adopted by the American Council on Education and other institutions or organizations deemed reputable by BOR and the UConn board.
- Until the guidelines are adopted, requires any higher education institution that awards college credit for such training, when assigning college credit to a military occupation, to use course equivalency recommendations adopted by the American Council on Education, a portfolio assessment process when appropriate, or the institution's transfer and articulation policies. Upon adoption of the guidelines, the governing body of each higher education institution must develop and implement policies governing the awarding of college credit for a student's military training, course work, and education. (§11)

#### Public Act 14-186: AN ACT CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES AND THE PROTECTION OF CHILDREN

- Requires any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer employed by a public or private institution of higher education who is eighteen years of age or older, excluding student employees, to be a **mandated reporter** of child abuse or neglect.

#### Public Act 14-217: AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2015

- Establishes **CHET Baby Scholars Program** which will offer new parents up to a \$250 investment in a tax-free college savings account to encourage college savings right from the start. The bill also allows taxpayers to contribute any part of their state income tax refund to an individual CHET account, including accounts created under the Baby Scholars program. To help taxpayers interested in making such contributions, the revenue services commissioner must include information in the instructions accompanying tax returns indicating how taxpayers may contact the treasurer about CHET and CHET Baby Scholars or providing links to her website. (§§ 27-33)
- Establishes the **“Go Back to Get Ahead”** program, administered by the Board of Regents for Higher Education (BOR) to encourage the following individuals to return to a higher education institution and earn a degree: those who (1) dropped out of an associate's or bachelor's degree program prior to its completion or (2) received an associate's degree and seek to advance their educational attainment. Under the bill, eligible participants may receive, within available resources and subject

to BOR guidelines, up to three free three-credit courses required to complete an associate's or bachelor's degree program. Eligible participants must:

1. reside in Connecticut;
  2. have either (a) previously enrolled in an associate's or bachelor's degree program at any public **or private college or university** and left before completing it or (b) received an associate's degree and seek to enroll in a bachelor's degree program;
  3. have not attended any college or university for at least 18 months, as of June 30, 2014; and
  4. enroll in an associate's or bachelor's degree program by September 30, 2016 at a Connecticut State University System institution, a Connecticut community college, or Charter Oak State College. (§176)
- Requires the Commission on Children to establish a **two-generational school readiness plan**, within available appropriations, and by December 1, 2014 report on the plan to the Children's, Education, Higher Education and Employment Advancement, and Appropriations committees. The plan must promote long-term learning and economic success for low-income families by addressing intergenerational barriers to school and workforce readiness using (1) high-quality preschool, (2) intensified workforce training, (3) targeted education and (4) related support services. The commission's plan shall also include recommendations for:
    1. promoting and prioritizing access to high-quality early childhood programs for children aged birth to five years who are living at or below 185% of the federal poverty level;
    2. providing the parents of such children with (a) the opportunity to acquire their high school diplomas, (b) adult education, and (c) technical skills to increase their employability and sustainable employment; and
    3. funding the plan's implementation through the use of the temporary assistance for needy families program and other federal, state, and private sources. (§198)
  - Allows the Department of Education (SDE), Board of Regents for Higher Education (BOR), and UConn Board of Trustees (BOT), in consultation with the Department of Banking (DOB), to develop a plan to provide students in public high schools and state higher education institutions **financial literacy instruction**, including the impact of using credit and debit cards. The financial literacy instruction may occur (1) during a public high school student's final year and (2) by the end of the second semester for students at state higher education institutions. The bill requires (1) SDE, BOR, and BOT, to work with the DOB to secure federal, state, or private funding to implement the plan and (2) the SDE commissioner, BOR president, BOT chairman, and DOB commissioner to report on the plan status to the Banks Committee by January 1, 2015. (§199)
  - Increases the **remedial support** the four Connecticut State Universities and 12 regional community-technical colleges (CTCs) must offer to make students college-ready. It requires these institutions to offer a three-tiered remediation system to eligible students using supports and programs that are both embedded in and independent of required coursework. Current law prohibits CSUS and CTCs, beginning in fall 2014, from offering any remedial support to eligible students, unless it is embedded support or part of an intensive college readiness program. (§209)

#### **Special Act 14-19: AN ACT CONCERNING A PLAN FOR CAREER READINESS AND MANUFACTURING APPRENTICESHIP PREPARATION PROGRAMS AT THE TECHNICAL HIGH SCHOOLS**

- Requires the technical high school system, in collaboration with the Labor Department, the state Department of Education, the Board of Regents for Higher Education, and industry and business representatives, to develop a plan not later than January 1, 2015, to utilize the manufacturing centers at the technical high schools after regular school hours and on weekends for (1) career-readiness programs for students of Connecticut high schools or institutions of higher education or adults seeking to reenter the workforce, and (2) offering instruction approved by the office within the Labor Department that is responsible for apprenticeship training to teach the skills necessary for a person to succeed in a manufacturing apprenticeship program certified in accordance with

regulations adopted by the Labor Commissioner and registered with the Connecticut State Apprenticeship Council established under section 31-22n of the general statutes.

#### **Public Act 14-231: AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES**

- For new students who reside in on-campus housing beginning in 2014-2015 requires that in addition to being vaccinated against meningitis, they must submit evidence of having received a **meningococcal conjugate vaccine not more than five years before enrollment as a condition of such residence**. Same exceptions to getting the vaccination remain. (§39)

#### **Impacting Teacher Preparation Programs (Public and Private)**

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#### **Public Act 14-39: AN ACT ESTABLISHING THE OFFICE OF EARLY CHILDHOOD, EXPANDING OPPORTUNITIES FOR EARLY CHILDHOOD EDUCATION AND CONCERNING DYSLEXIA AND SPECIAL EDUCATION**

- Requires that, beginning July 1, 2015, **all teacher preparation programs that lead to professional teacher certification include instruction on detection and recognition of, and evidence-based interventions for, students with dyslexia**. (§2)
- Modifies existing School Readiness Program Staff Qualifications by authorizing the Office of Early Childhood commissioner to determine whether a staff member has earned (a) an associate's degree with 12 credits or more in early childhood education or child development and (b) a bachelor's degree with 12 credits or more in early childhood education or child development. (§13)
- **Removes SBE's authority to accredit colleges' and universities' childhood development associate credentials and associate's and bachelor's degree programs in early childhood education, reserving this duty for BOR or the OHE. It also removes SDE's and DSS's roles in approving and accrediting staff qualification requirements. Requires programs be approved by OEC.**
- Allows school readiness program employees employed on or before June 30, 2015 to remain employed in their positions despite stricter staff requirements that take effect on July 1, 2015. Such grandfathered employees must hold (1) a bachelor's degree in early childhood education or child development or (2) a bachelor's degree and 12 credits or more in early childhood education or child development. It also removes the requirement that such school readiness program employees who leave one program to work at another submit documentation to SDE of progress toward meeting heightened staff requirements.
- Permits an individual who is not employed by a school readiness program prior to July 1, 2015, but who holds the same academic qualifications as grandfathered employees, to submit documentation of these qualifications to OEC for review. OEC may determine that these qualifications satisfy heightened staff requirements beginning July 1, 2015.

#### **Public Act 14-230: AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES**

- Extends the legal indemnity currently given to teachers, administrators, school board members, and others to teacher mentors and teacher reviewers. This means these employees are held harmless by their employer for acts or omissions that cause death or injury to another person or property if the employee's acts where (1) not wanton, reckless, or malicious and (2) within the scope of his or her employment.
- Establishes a grant program for “summer learning programs” administered by SDE. (§13)
- Makes modifications to the program requirements for approval of alternate route to certification programs for school administrators (§15).

### Public Act 14-38: AN ACT CONCERNING THE RECOMMENDATIONS OF THE UNIFORM REGIONAL SCHOOL CALENDAR TASK FORCE, LICENSURE EXEMPTIONS FOR CERTAIN AFTER SCHOOL PROGRAMS AND EXPANDING OPPORTUNITIES UNDER THE SUBSIDIZED TRAINING AND EMPLOYMENT PROGRAM

- Creates a new apprenticeship grant program under the Subsidized Training and Employment Program (STEP) to provide grants for small businesses and manufacturers to hire high school and college students. (§3)

### Public Act 14-98: AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION AND OTHER PURPOSES, AND CONCERNING MISCELLANEOUS PROGRAMS, INCLUDING THE SMART START PROGRAM, THE WATER IMPROVEMENT SYSTEM PROGRAM, SCHOOL SECURITY GRANTS, THE REGENERATIVE MEDICINE RESEARCH FUND, THE CONNECTICUT MANUFACTURING INNOVATION FUND AND THE BOARD OF REGENTS FOR HIGHER EDUCATION INFRASTRUCTURE ACT

- Makes changes to the **Stem Cell Research Fund** that include:
  1. broadening the scope of the existing Stem Cell Research Fund to include regenerative medicine;
  2. changing the fund's name to the Regenerative Medicine Fund;
  3. requiring Connecticut Innovations, Inc. to administer the fund; and
  4. authorizing bonds for the fund. (§33)
- Establishes the **Connecticut Manufacturing Innovation Fund to provide financial assistance** in the form of grants, extensions of credit, loans, loan guarantees, equity investments, or other forms of financing for:
  1. further developing or modernizing manufacturing equipment;
  2. supporting advancements in manufacturing;
  3. supporting advanced manufacturing research and development;
  4. supporting expansion and training by eligible recipients;
  5. attracting new manufacturers to the state;
  6. supporting education and training programs that help meet the anticipated skilled workforce demands;
  7. matching or leveraging federal funds to help Connecticut universities increase research efforts; or
  8. funding a voucher program for technical assistance.

An “eligible recipient” for financial assistance from the fund is (1) an aerospace, medical device, or other company or nonprofit organization specializing in or providing technologically advanced commercial products or services; (2) an entity looking to leverage federal grant funds to support manufacturing advancement; or (3) a certified education or training program designed to meet future workforce needs.

The bill creates an 11-member advisory board that must establish an application and approval process with guidelines and terms for financial assistance awarded from the fund. It is also responsible for approving all expenditures from the fund.

The bill allows the advisory board to establish, and DECD to develop regulations for, a voucher program to help recipients access technical experts at universities, nonprofits, and other organizations. These experts can provide specialized expertise to help solve a recipient's engineering, marketing, and other challenges. (§§47-49)

- Requires the DECD commissioner to, by February 1, 2015, establish and administer a program to promote and support the **development of bioscience and biotechnology businesses in the Southeastern Connecticut Planning Region**. The program established must include: 1) outreach to entrepreneurs, regional community and business leaders, and bioscience and biotechnology experts to (a) determine their needs and objectives and (b) inform them of state resources and programs available to help form bioscience and biotechnology businesses in the planning region; 2) a marketing plan for bioscience and biotechnology development in the region, including the goals, timetable, and budget for the plan and how the organization will identify and market regional assets, such as the region's facilities and talent pool; and 3) a working group of 10-15 business and community leaders from the planning region that will encourage networking and planning among professionals from different fields, support the development and occupancy of the incubator at CURE Innovation Commons, assess the program, and make recommendations regarding its development and implementation to DECD. (§212)

## Impacting Labor

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### Public Act 14-128: AN ACT CREATING PARITY BETWEEN PAID SICK LEAVE BENEFITS AND OTHER EMPLOYER-PROVIDED BENEFITS

- Simplifies the method for determining if a nonmanufacturing business is exempt from providing paid sick leave by requiring that the business determine if it meets the annual 50-employee threshold base on the number of employees on its payroll for the week containing October 1.
- Prohibits businesses from taking certain actions to avoid providing paid sick leave. Specifically, a business cannot fire, dismiss, or transfer an employee from one job site to another to come under the 50-employee threshold. Workers aggrieved by such practices may file a complaint with the labor commissioner, as the law allows.
- Changes the timeframe for accruing paid sick leave too allow employers to start the benefit year on any date, rather than only on January 1.

## Impacting Energy Policy

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### Public Act 14-94: AN ACT CONCERNING CONNECTICUT'S RECYCLING AND MATERIALS MANAGEMENT STRATEGY, THE UNDERGROUND DAMAGE PREVENTION PROGRAM AND REVISIONS TO ENERGY AND ENVIRONMENTAL STATUTES

- Authorizes institutions of higher education to participate in a purchasing pool for electricity administered by the Department of Energy and Environmental Protection. The DEEP Commissioner, on behalf of any state agency, municipality, or institution of higher education that elects to participate in a purchasing pool for electricity, is authorized to solicit proposals from electric suppliers for electric generation services under the guidelines in the bill to (1) buy electricity for state and municipal operations and (2) meet the state's energy policy goals described in the commissioner's comprehensive energy strategy. (§9)

## Other Bills of Interest

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### PA 14-1: AN ACT CONCERNING WORKING FAMILIES' WAGES

- Increases the minimum wage to \$10.10 effective January 1, 2017.

### PA 14-88: AN ACT CONCERNING BROWNFIELD REMEDIATION AND DEVELOPMENT

- Gives property owners investigating and remediating contaminated property more options for complying with the Department of Energy and Environmental Protection's (DEEP) requirements for completing such tasks.
- Exempts from the state's Property Transfer Act building materials being removed or abated as part of cleanup projects.
- Allows DECD to forgive brownfield loans made to private developers under certain conditions.
- For a more detailed summary, click [here](#).

#### **PA 14-2: AN ACT CONCERNING THE CONNECTICUT AEROSPACE REINVESTMENT ACT**

- Supports an agreement the Governor's Office reached with United Technologies Corporation (UTC) under which the company will invest up to \$500 million to upgrade and expand its aerospace research and development and manufacturing facilities over the next five years. During the same time period, UTC expects to invest up to \$4 billion in research and other capital expenditures in the state, impacting more than 75,000 Connecticut jobs.
- For a more detailed summary, click [here](#).

#### **PA 14-12: AN ACT CONCERNING THE GOVERNOR'S RECOMMENDATIONS TO IMPROVE ACCESS TO HEALTH CARE**

- Upholds existing requirements for advanced practice registered nurses (APRNs) to maintain a collaborative practice agreement with a physician during his or her first three years of practice. Thereafter, the APRN will be authorized to practice alone or in collaboration with a physician or other health care provider and may perform acts of diagnosis and treatment of alterations in health statutes, and prescribe, dispense and administer medical therapeutics, corrective measures and drugs.
- For a more detailed summary, click [here](#).

### **Key Legislation that Did Not Pass**

#### **HB 5583: AN ACT CONCERNING THE PAYMENT OF REAL PROPERTY TAXES BY CERTAIN INSTITUTIONS OF HIGHER LEARNING AND HOSPITAL FACILITIES**