

PA13-118

SB1139

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**HIGHER EDUCATION
AND
EMPLOYMENT ADVANCEMENT
PART 3
484 - 730**

2013

REP. WILLIS: You sure?

JANE CIARLEGLIO: (Inaudible)

REP. WILLIS: Okay. Because it was all these arrows.

JANE CIARLEGLIO: Yeah, I know. (Inaudible)

REP. WILLIS: Judy Greiman.

JUDY GREIMAN: Good afternoon, Senator Bye --

REP. WILLIS: Good -- good afternoon. Nice to see you, Judy.

JUDY GREIMAN: Thank you for having us here.

So I am here with Michelle Kalis and I'm Judy Greiman from the Connecticut Conference of Independent Colleges and Father Von Arx who is president of Fairfield and the chair of CCIC sent his regrets. He -- he did submit written testimony but was unable to come today.

SB1139

I'm really just going to speak very, very briefly and then turn it over to Michelle Kalis who is the provost at the University of Saint Joseph. I have submitted (sic) written testimony that gives you just a sense of what's happening in other states on the issue of program approval.

It's -- you know, we've been here before on this issue. It's an issue we care deeply about and have been working with the administration to come up with a streamlined process that will reduce regulation, but also give the Office of Higher Education what it needs for oversight.

We hope to bring you proposed language as soon as possible and we thank you very much for raising this bill and keeping the concept alive (inaudible) we are working hard to come up with something that we can agree to, but we thought it useful to at least give you the background on it to, you know, outline what is happening in other states and Michelle is here to really give you a sense of how the process works in another state -- she's worked in another state and also to outline how programs are approved on her campus, which is a fairly similar process on -- on other campuses and we're obviously available for questions.

MICHELLE KALIS: Thank you, Judy, Madam Chairs and committee members.

As Judy said, I'm Michelle Kalis the president at the University of Saint Joseph and thank you for the opportunity to speak on the approval process for new programs in the state of Connecticut and to support the concept raised by Senate Bill 1139, AN ACT CONCERNING CHANGES TO PROGRAM APPROVAL FOR PRIVATE COLLEGES.

I'm pleased to hear that the Office of Higher Education is considering adopting a more streamlined process for independent colleges and universities. I believe a streamlined process will be -- will be able to ensure quality programs and allow institutions to respond more quickly to the needs of our students.

Before becoming -- coming to Connecticut I worked for ten years at a private, non-profit higher education institution in Massachusetts that was excluded from the state approval process due to its historic nature. This institution did not have to seek approval for

new programs or program modifications as long as the programs were covered by the charter of the college.

As a result, the institution was able to respond to the need for new programs to meet workforce demands and expand into emerging areas in a competitive and aggressive manner. The college responded by creating new and innovative programs. These programs responded to the workforce needs and provided the college with a competitive edge that included the ability to recruit students from other states.

Examples included accelerated formats, which were mainly four-year baccalaureate degrees that were completed in three years, allowing the students to enter the workforce more quickly. We also developed new programs or modified existing programs to include the use of technology in the delivery methods. These included both online and real time video linking between multiple campuses.

These delivery methods improved access to the academic programs for students. As the needs of employers changed we were able to meet the demands by developing programs to increase the level of education of the workforce. For example, we created BS programs for fields with high numbers of associate or certificate trained workers.

These programs were often the first in the state and the region and provided graduates with increased career possibilities. Because the institution was well established the quality of the programs did not suffer. There was extensive internal and external review. All of the programs were subject to approval by the regional accrediting body and many of the

programs required specialized accreditation.

Similarly, the University of Saint Joseph has an extensive internal approval process for all of its new programs. A complete program proposal is developed. The proposal includes a feasibility study with a financial pro forma, the resources required, a timeline for implementation, analysis of competitor programs, analysis of job prospects for the graduates, curriculum outline and new course syllabi.

The proposal is approved by a department and school and it is reviewed by a faculty curriculum committee and often revisions are required. Once approved, the curriculum committee -- it is -- once approved by the curriculum committee it is discussed by the faculty committee as a whole, which is the governance system at the university.

Following approval it is reviewed and approved by the provost and then by the president. Revisions are generally made throughout the process. Finally, it is presented to the academic affairs committee of the Board of Trustees and based upon a recommendation from the committee it is voted on by the full Board of Trustees of the university.

This process generally takes one year or more. New programs must also be submitted to NEASC, the regional accrediting body and are usually reviewed at the time of a full accreditation visit, unless it is considered to be a substantive change, which usually means an institution offering a higher degree. Many programs require specialized accreditation which entails a multiyear process usually with several milestones along the way.

Site teams consisting of experts in the field visit the university for two to three day visits, usually several times during this process. Once approved there is extensive reporting requirements. In my experience in Connecticut state approval for new programs and program modifications for private, non-profit institutions requires different documentation than the regional or specialized accreditors, therefore, additional time and money is spent on creating these documents, and then the approval process itself adds time.

This causes a delay in responding to the needs of the market as well as the students. Further, the value that the current process adds to the development of new programs or program modifications is limited. I currently serve as a member of the Advisory Committee on Accreditation.

I believe all of the members of the ACA due to their -- do their best to provide helpful feedback to new programs and to uphold the standards; however, beyond the input provided by OHE staff during the process I do not believe the ACA members provides input that's significantly increases the quality of the program coming before the group.

Thank you for the opportunity to testify today and I would be happy to answer any questions.

SEN. BYE: Thank you. Thank you for your testimony and I appreciate -- I really appreciate the summary of other states and really succinct how they're managing it.

I have a question -- I think it's for you, Judy, because you're sort of have a national

perspective on this, we have -- I would say the committee has a lot of concerns about institutions that -- that maybe aren't like all the institutions in your independent college agency or, you know, where -- where students -- they're very low graduation rates, where students are losing their Pell Grants, et cetera.

And in the past what we've tried to do -- what -- I think what you're trying to establish is, you know, for the non-profits that have been around for X number of years that they have a different approval process.

What's to prevent other institutions that are new or that -- or a different format from saying we think we should not have to go through program approval either? Like how -- you know, does this open the door to some of the folks that we're trying very hard to regulate do they then have a leg up on not being regulated?

JUDY GREIMAN: Well, I think that in any conversation that -- that I've had with the Office of Higher Education or the Governor Malloy's representatives in terms of looking, for example, a new institution coming to the state. I don't think anybody thinks that new institutions coming to the state should have some period of time in which their programs are reviewed.

You know, the other issue that comes up often is whether proprietary or for-profit institutions should be regulated in a different way than not for-profit institutions and they are in most other states -- or any other state that we've asked that questions and so you can certainly have different -- differing review

and review standards.

So in -- in our conversation with the -- and you know, Dana is here and, you know, we've been talking about non-profit institutions, not for-profit and I don't know what that process is and it's not been a part of what we've been talking about.

SEN. BYE: So in our state -- I mean, in other states they do this regularly? They -- they split it and they say, you know, you regulate - - this is how we're going to regulate the proprietaries of for-profits and this is how we're going to regulate non-profits and there aren't challenges for that?

JUDY GREIMAN: So you have a list of whatever those 36 states where there's no -- no regulation of independent, private, not for profit, independent college academic programs. That -- that list of 36 and then there's, you know, those other accreditations of review. So all of them we have asked certainly what is the not -- what is the way you deal with a not for profit colleges and university programs in your state and that's what -- how we got that information.

We have separately asked over the course of time do you regulate -- does your state regulate for profits in a different way and I don't have the number, but in most cases states are regulating for profit programs in a different way.

SEN. BYE: That's help -- that's helpful to me because I'm very -- we are very concerned about making sure that there's a regulatory environment that protects students.

JUDY GREIMAN: If I could just say -- I guess I can say that another -- if you look at the list of 36 for -- use them as an example, I know -- I mean, I could rattle off, but I could probably get you better information if you wanted, I certainly know that of those 36 that do not have independent not for profit programs come before them that I can name several of those that I know for a fact do on the for profit side, so I don't think -- I don't think there are states where there's no regulation on for profit. There may be, but I don't know of them.

SEN. BYE: Any questions?

Thank you very much. Thanks for coming.

JUDY GREIMAN: Thank you.

SEN. BYE: Next is Jane Ciarleglio. I almost skipped you again.

A VOICE: Those arrows.

SEN. BYE: Welcome.

JANE CIARLEGLIO: Good afternoon, Senator Bye, Representative Willis, Senator Boucher, Representative LeGeyt and distinguished members of the Higher Education and Employment Advancement Committee.

Thank you for the opportunity to offer testimony on Senate Bill 1139, AN ACT CONCERNING CHANGES TO PROGRAM APPROVAL FOR COLLEGES AND UNIVERSITIES. I had hoped to come before you today with a compromise proposal regarding the program approval process.

For those of you who have been on this

committee for some years and for those of you who are serving for the first time this is an issue, as you've just heard, of the utmost importance, not only to the institutions, but to the students, and to the families of the state of Connecticut, as well as the colleges and universities. And we are, I hope, getting closer to an agreement.

I just think it's really important and, you know, you -- you do have my written testimony so maybe we should just talk a little bit about your questions that you asked. I guess I come to this in a little different way. We have a recent example of -- of Rhode Island and you -- you were very involved in the Butler Sawyer school closure there.

Rhode Island has little or no regulations compared to the state of Connecticut. Rhode Island students, in my humble opinion, Butler and Sawyer students really were disadvantaged by the fact that they had little or no regulation. In Connecticut we have, as you know, in the last two weeks helped up to 87 of the students that were enrolled and disenfranchised by that school closure.

So for me, I think that it's not the idea of regulation that is bad, it is that quality and standards for students and to the point of Saint Joseph's there's a very long review in -- in most colleges and universities and under this new plan I think that we're -- we're pretty close to.

The university who has an excellent program that they present would be able to be approved probably within, you know, 15 to 30 days, so that it's not the -- you know, you have to be very, very careful that all institutions, I

believe, are treated in the same fashion and -- and this -- and the institutions that do in fact have good programs that are up to snuff that have the quality of the professionals that are able to sit for licensure exams -- we've had those -- those instances that have come before us in the last couple of years that's all we're trying to avoid is to make sure that everybody has the students and the families in mind.

And to that, you know, I've attached some examples. I don't -- I'm not in the business of calling out institutions and I -- and, you know, -- but it's -- it's for student protection and for transparency and that's what I think the focus of this work together with CCIC and the administration is so -- so just so everybody is clear, you know, we want to do things faster too. We absolutely want students to be able to have programs and to turn -- and to be able to graduate and -- and enter into the workforce as soon as possible.

So I think with a little more work hopefully we'll -- we'll get there. I would be more than happy to answer any of your questions.

REP. WILLIS: Thank you, Jane. And thank you for your comments. Obviously, as you pointed out in your testimony we've been a long time at struggling with doing this and it's hard. I mean, it's -- it's a tough one to get our hands on. One the one hand, we don't want to burden schools who have great programs to offer, slow them down, disadvantage students who are waiting or need these programs, and at the same time you want to make sure that our students are protected.

Most of your review on program review in terms

of criteria what you looked for is it -- its
faculty --

JANE CIARLEGLIO: Yes, we have academic standards
that are currently in regulations, so that it's
important to note that every -- every standard
then -- every institution is measured by the
same academic standards and so -- and I think
that's important.

REP. WILLIS: How do you answer when they say -- the
independent colleges say but -- Wesleyan and
Yale and Trinity and the long standing, they've
gotten grandfathered as apparently they have in
Massachusetts?

JANE CIARLEGLIO: Well, that's correct. That's a
historical fact. Again, without -- I'm not
trying to -- to call any universities out, but
there have been institutions that we have
reviewed in the last several years that if they
-- under an arbitrary date -- and there's been
two or three of them I think over the years
that we've had issues -- some that you know
about -- that would have been exempt, and I --
I think that that's a problem, and I don't
think that students are served and that's the
only reason that we think that every
institution should be measured under the same
standards and they're high standards. There's no
question about it.

Connecticut has very high standards. We do.
And -- and I guess I've never apologized for
that. Should we make the process easier and
faster? No one thinks that more than I do
believe me and I think that that's what's
important, but I do -- I do think that -- that
standards especially, you know, faculty
curriculum, financial where with all is
important.

REP. WILLIS: Thank you. I know this is not part of program approval, but one of the things we did hear last year -- or we did at legislation was aligning, you know, Department of Labor sharing information with our state universities so when they developed these programs they're clear with students and families that there's actually jobs in those fields here in Connecticut.

That's not something that you ever look at to see if someone is offering a program in their schools that there's no jobs for in Connecticut? Do you?

JANE CIARLEGLIO: We -- that's not a standard we can actually --

REP. WILLIS: Yeah, no --

JANE CIARLEGLIO: -- you know, but --

REP. WILLIS: I -- it has been brought to my attention recently and I don't know how we get our answer. That's a different issue in legislation. I think maybe going forward in the future, but, you know, I think that it's irresponsible of -- of schools -- private or public -- to be having someone pay for an education and there's no hope for a job.

JANE CIARLEGLIO: Sometimes we do scratch our heads and say -- but, you know, in -- it's -- you know, it's certainly for the independent institutions whether they're for profit or not there's, you know -- that's really not our business, that's their business.

REP. WILLIS: Oh, and that's -- I don't know how we get our hands around that so.

Okay. Any other questions or comments?

Yes, I almost called you Senator Walker.
Representative Walker.

REP. WALKER: Thank you. Thank you.

And thank you for your testimony.

Can you just -- I -- because I'm trying to get
my hands around what is it that's broken here?
Can you just explain to me what is broken?

JANE CIARLEGLIO: Well, I -- I think that if you ask
independent colleges they -- some institutions
want to get out from under regulation by the
Office.

REP. WALKER: So this bill is for the benefit of the
independent colleges?

JANE CIARLEGLIO: Yeah. And -- and having said that
though, there is -- I will certainly
acknowledge there is a faster process with a
statutory change that we could go through that
would probably benefit everybody.

REP. WALKER: But the -- the testimonies that I'm
hearing is that -- that from the independent
colleges is that they don't want it, so that's
why I'm trying to figure out --

JANE CIARLEGLIO: No, I'm saying we -- we are in the
midst here of perhaps having a solution and a
compromise that we can present to you. We're
not there yet apparently, so we're still
continuing to work with them.

REP. WALKER: Okay. So then let me go back to my
question again.

JANE CIARLEGLIO: Yep.

REP. WALKER: In your mind --

JANE CIARLEGLIO: Yes.

REP. WALKER: -- not in anybody else's --

JANE CIARLEGLIO: Yes.

REP. WALKER: -- what is broken?

JANE CIARLEGLIO: I believe that we can have a more efficient program approval process for independent -- for all institutions in the state of Connecticut.

REP. WALKER: So the approval process that we have now is inefficient?

JANE CIARLEGLIO: I think -- yes, I think it's fair to say that.

REP. WALKER: And that's your department?

JANE CIARLEGLIO: Yes. Having said that though, I -
- that does not include, to be fair, having anyone get out from under regulation. I think we can have a faster, more efficient process and not give up program approval, quality issues and standards along the way, so I think we can do both.

REP. WALKER: And the way we approve CSU and the Community Technical and UCONN is the same way?

JANE CIARLEGLIO: Well, each institution -- much like the independent institutions that you just heard, and that goes for the CSU system, have different processes for how they develop

programs and bring them to --

REP. WALKER: The Office of Higher Education.

JANE CIARLEGLIO: Right. So they can still -- they would still have their own processes -- we -- that wouldn't have anything to do with us. It's that -- it's that final determination with standards that we would -- we would look at.

REP. WALKER: And the -- I guess the other question I have is that the fee that we have in there is placed on the institution that tries to do a program -- or an improvement of their -- of their program?

JANE CIARLEGLIO: New programs -- it's brand new institutions coming into the state, there's not array of fees are in there.

REP. WALKER: But for the -- the institutions that are existing now for them to, let's say, improve their -- their bioscience whatever class?

JANE CIARLEGLIO: You would put a new program in place?

REP. WALKER: Right. To -- to adjust to the stem that we're -- we're trying to do --

JANE CIARLEGLIO: Yes.

REP. WALKER: -- they would be charged a fee to improve their classwork?

JANE CIARLEGLIO: Well, they would be charged a fee for any new program that they bring before us, yes. Much like I think all but five or six states.

REP. WALKER: And you don't see that that's charging

a fee for any new programs would not be a negative because we would be --

JANE CIARLEGLIO: But for the institution, sure. I'm just -- you asked me the question about the fees, that's what that fee structure that's in that bill would do. This is sort of separate from that. This is actually the whole process.

REP. WALKER: Okay. I guess, when -- when I asked what was broken that was -- you said the process.

JANE CIARLEGLIO: Well, that's -- that's the significant -- that's what we're talking about in Senate Bill 1139.

The Governor's bill -- that's what I think you were talking about had the fee structure in it. That's a different bill than this. That's what I was trying to address.

REP. WALKER: 1139?

JANE CIARLEGLIO: 1139 doesn't talk about fees. The Governor's Bill 844 does.

REP. WALKER: Okay.

JANE CIARLEGLIO: Okay.

REP. WALKER: But 11 -- 1139 is just --

JANE CIARLEGLIO: Does not --

REP. WALKER: -- the process?

JANE CIARLEGLIO: Correct.

REP. WALKER: Okay. Thank you.
Thank you, Madam Chair.

REP. WILLIS: Thank you very much.

Questions from Senator Cassano.

SEN. CASSANO: Just out of ignorance and curiosity, we're seeing development of many of the "online college and college programs." How does regulation fit into their programs?

JANE CIARLEGLIO: Well, our regulations state that anybody that -- that can offer a degree in the state of Connecticut has to have an online process -- I mean, an online process -- an on ground presence and you have to adhere to our standards, so they cannot award a degree in Connecticut without going through the regulatory process the same as anybody else.

SEN. CASSANO: But they can offer courses?

JANE CIARLEGLIO: Well, yeah.

SEN. CASSANO: And if they can offer courses and they can say they're transferable to -- are they?

JANE CIARLEGLIO: That's -- that's the issue that we're trying to address and we really -- you really have to do that -- as you know, through -- through the federal government or through the states having contracts because, you know, it's deemed all, you know, anywhere.

SEN. CASSANO: Okay. I -- I just -- you see so much about students getting burned by these --

JANE CIARLEGLIO: Yep.

SEN. CASSANO: -- programs that --

JANE CIARLEGLIO: That is why we -- we say all the

time the license and accredited institutions in the state of Connecticut are all on our website and students ought to beware that's where you go to make sure that you have an -- that you go to an institution that has quality standards.

SEN. CASSANO: Thank you.

REP. WILLIS: Thank you.

Any other questions or comments from members of the committee?

Thank you, Jane.

JANE CIARLEGLIO: Thank you.

REP. WILLIS: And talks will continue on this.

Moving to the public list is David Downes followed by Jeff Asher.

SEN. BYE: Hi, David. Welcome.

DAVID DOWNES: Thank you.

Madam Chairs, members of committee, my name is David Downes. I am the director ad adult education for West Hartford Public Schools and vice president of CAACE, which is the Connecticut Association for Adults and Continuing Education. I have submitted testimony on three bills. The key one is the 6562 bill having to do with providing adult education transition to college remedial services and I'll start with that.

The other two are -- are kind of quick, but I do want to bring up -- it's kind of a devil in the details kind of thing for us in adult education programs in that the bill as it is

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REP. HADDAD: Yeah, and what percent of that -- of the vote was that?

SAM HOLLISTER: It was -- it was about 65 percent of the vote.

REP. HADDAD: Right. Thank you very much. I -- I appreciate the -- your coming to testify today and it's helped me to understand what we're doing here. I appreciate it.

SEN. BYE: Thank you so much --

SAM HOLLISTER: Thank you.

SEN. BYE: -- for coming.

And we have one last speaker, Richard Strauss. And then we will -- so committee members are aware, then we will immediately convene the meeting after this speaker.

Yes, and move over in a bit.

Okay. Thank you, Richard.

RICHARD STRAUSS: All set?

Good afternoon. My name is Rich Strauss. I'm the executive director of the Connecticut Academy of Science and Engineering.

Senator Bye, Representative Willis, members of the committee, I'm here to testify on House Bill 1139, AN ACT CONCERNING CHANGES TO PROGRAM APPROVAL FOR COLLEGES AND UNIVERSITIES.

As you may recall, the Academy provided a briefing on our workforce study -- or your workforce study on January 17th and the study included a recommendation dealing with

elimination of program approval. Following presenting the briefing there were discussions regarding the recommendations so the purpose of the testimony is just to clarify the recommendation in -- in the report.

Basically, the recommendation suggested that you consider eliminating program approval for independent colleges, but also wanted to make a point that the issue of consumer protection also needed to be considered in your decision making process. You have the testimony. If you have any questions I'm more than happy to answer them.

SEN. BYE: Thank you very much.

REP. WILLIS: Hi, Rich.

RICHARD STRAUSS: Hi.

REP. WILLIS: How are you?

RICHARD STRAUSS: Good.

REP. WILLIS: I -- I just have one question and I never asked this before, but when CASE was doing its study and looking at, you know, workforce needs -- skilled workforce needs and so forth, how did the program approval get on your agenda? I mean, it just seems like a -- who brought that to the attention of the CASE board?

RICHARD STRAUSS: Well, actually, I think there were a series of different aspects of the study that -- that resulted in that. One, as you're aware, we conducted interviews with many of the major players and organizations in the state that have to deal with the workforce issues and higher education issues, so there was an

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interview with Judy Breiman at CCIC, so that's where that aspect came up.

But additionally, myself -- I participated on several committees as a part of the process so we were involved with the National Governor's Association Policy Academy on Advanced Manufacturing and the subcommittee work on workforce development within the Connecticut Employment and Training Commission, and during -- during the -- the meetings that we had it was continually raised about the -- the ability of universities to respond to the needs of business and industry, so that tied in with what we were hearing from CCIC.

And then also the -- the aspects of then how do you build in the issues of consumer protection, so that's --

REP. WILLIS: Got -- got it.

RICHARD STRAUSS: -- that's really how it came about.

SEN. BYE: Thank you. I have to call the meeting -- the public hearing to close, so if there's no one else here to testify. There's no one else here to testify then the hearing is closed.

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To: Higher Education and Employment Advancement Committee

From: Richard H. Strauss, Executive Director, Connecticut Academy of Science and Engineering

Date: March 19, 2013

SUBJECT: TESTIMONY: HB-1139 – An Act Concerning Changes to Program Approval for Colleges and Universities

REF: CASE Report: "Strategies for Evaluating the Effectiveness of programs and Resources for Assuring Connecticut's Skilled Workforce Meets the needs of Business and Industry Today and in the Future"

**FOLLOW-UP ON RECOMMENDATION REGARDING STATE APPROVAL
OF INDEPENDENT COLLEGE PROGRAMS**

On January 17, 2013, following the Connecticut Academy of Science and Engineering (CASE) Briefing on the Workforce Study to the Higher Education and Employment Advancement Committee, CASE has been engaged in discussions on the issues concerning the study's suggested recommendation on the requirement for State Board of Education approval of independent college programs:

"Support the elimination of the program approval requirement for all independent colleges being approved by the State Board of Education. The program approval process should be based upon the individual institution's governance process. This change will help streamline the process for colleges and universities to respond to market and employer needs while reflecting the recent reorganization in state government." [CASE Report; Executive Summary (Page xv); and body of the report (Page 89)]

BACKGROUND INFORMATION

The following provides background into the development of the CASE recommendation:

1. Meeting the Needs of Business and Industry: Throughout the study process, information was gathered regarding the importance of aligning higher education with the needs of business and industry. This involves having the independent colleges, as well as the state's university system, being able to quickly develop and offer programs to meet both the education needs of their students and the businesses that they develop relationships with. In an increasingly globally competitive environment, quick response is key. This message was heard by members of the CASE Research Team through participation on several workforce related committees during the study process including the Workforce Development subcommittee of the Connecticut Employment and Training Commission, and the National Governors' Association Policy Academy on Advanced Manufacturing.
2. Guest Speakers: Additionally, guest speakers providing presentations for study committee meetings echoed the need for having higher education better meet the workforce needs of business and industry, while still taking into consideration the principal missions of higher education institutions.
3. Connecticut Higher Education System Reorganization: Reorganization of the state's higher education system necessitated assigning program approval for independent colleges to a new governing body since the Board of Governors for Higher Education was eliminated. The solution was to assign this task to the State Board of Education whose responsibilities deal primarily with Pre-K through high school and adult education.

FINDINGS: (Report pages 79-80)

The findings presented in the report on program approval are as follows:

- Under current Connecticut law, approval of new and revised academic programs at any of the state's degree-granting independent nonprofit colleges, out-of-state higher education institutions, and public universities is reviewed by the Advisory Committee on Accreditation, administered by the Office of Higher Education.
- Program approval decisions for In-state and out-of-state independent higher education institutions is made by the State Board of Education
- Program approval decisions for public universities is made by the Board of Regents.
- During the 2012 legislative session, HB-5221, "An Act Concerning Changes to Program Approval for Colleges and Universities," was raised but not adopted.
 - ✓ This bill proposed eliminating the requirement that nonprofit independent institutions of higher education authorized to operate in this state for more than twenty years obtain approval from the State Board of Education to implement new and revised academic programs ([Link to HB-5221](#)).
- Currently, depending on the timing of State Board of Education meetings and an institution's academic calendar, the program review and approval process can take at least four months and can delay the start of a new program for up to a year.
- According to the Connecticut Conference of Independent Colleges (CCIC), Connecticut's program approval process is significantly more stringent and complex than that of most other states ([Link to CCIC State Survey](#)):
 - ✓ 39 states had absolutely no approval process for independent colleges; and of the eleven remaining states, four had only a review process rather than a formal approval process.
 - ✓ The seven states that require a formal approval process include Connecticut, Illinois, Maryland, Massachusetts, New Hampshire, New York, and Ohio.
 - ✓ Similar cross-sectional findings concerning individual state licensure and approval processes can be found in a similar report published by the Education Commission of the States.
- The removal of impediments to program approval could afford independent universities improved responsiveness to regional labor market conditions and in doing so improve the dynamics of the state's education pipeline.

PROPOSAL CONSIDERATIONS

- The proposal to remove state approval for new or revised academic degree programs of independent colleges is not without one important caveat.
 - ✓ The quality of an educational program is an important aspect that potential students must consider when selecting where to pursue postsecondary studies.
 - ✓ It is often difficult to find independent measures of higher education that report workforce outcomes and wages. This presents a challenge that warrants some level of consumer protection but does not necessarily justify the need for a state program approval process.

- Concept for Consideration: A suggested revision of the state statute would address both the concerns regarding the approval process noted by the CCIC and the need to take into consideration the issues regarding consumer protection.
 - ✓ One prospective solution would be to require that all independent colleges in Connecticut participate in the proposed state longitudinal data system (SLDS).
 - ✓ Participation in the proposed SLDS would allow for the creation of publicly available statistics on workforce outcomes and average wages for graduates of each degree program offered by the independent universities.
 - ✓ The proposed system would allow independent higher education institutions to quickly respond to regional labor market conditions by removing the need for state approval of degree programs while assuring regulators that consumers would have the information necessary to make informed choices.
 - ✓ This solution aligns with the underlying purpose of this report in that it enhances responsiveness of existing workforce training systems while producing additional data that allows for increased transparency.

The focus of the CASE recommendation was to provide independent colleges with the authority to react to the market by meeting the needs of business and industry through their own governance structure. While consumer protection issues were mentioned in the analysis, eliminating state program approval would also need to take into consideration consumer protection mechanisms regarding program quality.

The recommendation is targeted at the current requirement of state approval for new and revised programs, not at the institutional licensure level. Institutional licensure was not addressed in the report, nor the entity that should have the responsibility for institutional licensure review and approval. Therefore, it is noted that while the CASE report suggests that the State Board of Education, whose responsibilities are primarily devoted to Pre-K through high school, should not be the entity responsible for higher education program approval, the report does not suggest an alternative for dealing with institutional licensure. Conditions of institutional licensure may be an alternative for allowing independent colleges to develop and offer programs without specific state approval, while also imposing some overall requirements on the authority of individual institutions with regard to program approval.



21 Talcott Notch Road, Suite 1, Farmington, Connecticut 06032
 Phone: (860) 678-0005 • Fax: (860) 678-0006
 www.theccic.org

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**Testimony for the
 Higher Education & Workforce Advancement Committee
 From
 Judith B. Greiman
 Connecticut Conference of Independent Colleges
 March 19, 2013**

On behalf of the member institutions of the Connecticut Conference of Independent Colleges (CCIC), I am submitting testimony in support of the concept raised by SB 1139, An Act Concerning Changes to Program Approval for Private Colleges. We do not support the language as written. We do, however, fully support the concept of reducing regulation of independent college academic programs.

Connecticut's program approval process for the non-profit independent higher education sector is different and more restrictive than in most other states. Data collected by CCIC show that thirty-six states have no regulatory authority over the approval of academic programs offered by private non-profit independent colleges (see complete list attached). Of the fourteen states that do regulate new academic programs offered by non-profit independent colleges, the requirements for approval vary widely. In seven of these cases (FL, KY, MD, PA, VT, VA, & WA) the requirements are straight forward (requiring simple registration or a staff-level review) or state statute exempts a majority of the private non-profit institutions that operate in the state. Pennsylvania passed a law last year that exempts most institutions that have been accredited for at least ten years from such review. Therefore, only six states have a program approval process that is equally or more complex than Connecticut's current process and two of these states, Ohio and Massachusetts, are considering granting a full exemption for institutions authorized to grant degrees for a certain number of years (see attachment).

Private non-profit colleges and universities in Connecticut strive to provide relevant and sought after majors and degree and certificate programs. They believe it is important to meet employer needs and student demand. They connect with the employer community through advisory relationships, internships, research collaborations, guest teaching opportunities and statewide economic development efforts. In developing new programs, they assess the academic foundations and rigor, institutional fit, available teaching, support and faculty resources and market viability. Proposed programs at these regionally accredited institutions go through various extensive on-campus reviews. Only the academically and financially strong programs are ultimately offered.

While Office of Higher Education (OHE) staff have worked hard to minimize the required process, it is still a process that inhibits our ability to respond to the market. Additionally, given the timing of OHE and State

Albertus Magnus College, Connecticut College, Fairfield University, Goodwin College,
 Mitchell College, Quinnipiac University, Rensselaer at Hartford, Sacred Heart University, Saint Joseph College, St. Vincent's College,
 Tnny College, University of Bridgeport, University of Hartford, University of New Haven, Wesleyan University, Yale University

Board of Education meetings and the time it takes for a college to advertise a program, this can mean that a school loses an entire academic year before being able to admit students to a new program.

It is important to note that these are programs that receive no state funding and that are fully vetted at the campus level and, often, by discipline specific national organizations. In offering a program, these institutions risk both their finances and their reputations. It is also important to note that the process as now configured following the 2011 legislative changes to higher education statutes requires private colleges to obtain approval of new academic programs by two boards (the home campus board and the State Board of Education) while the CSUS and Connecticut Community Colleges must only obtain approval by one such board (the Board of Regents which now serves as the home campus board). *It does not make sense to have programs not supported by the State going through more hoops than those that are state-supported.*

We recognize that the State has an interest in making sure that there are sound programs offered in Connecticut. We have listened to concerns expressed about completely removing regulatory authority and believe that there is a middle ground that would reduce the process but allow the State to step in if needed. We are pleased to report that we are in discussion with the administration about crafting a more streamlined process and hope to bring agreed upon language to you soon.

In this difficult economic time, it is appropriate to review what state regulation adds value. More importantly, it is appropriate to clear barriers from colleges and universities that are trying to be responsive to the needs of Connecticut employers.

**36 States That Do Not Require State Approval for New Programs Offered by
Non-Profit Independent Higher Education Institutions**

Alabama
Alaska
Arizona
Arkansas
California
Colorado
Delaware
Florida
Georgia
Hawaii
Idaho
Indiana
Iowa
Kansas
Louisiana
Maine
Michigan
Minnesota
Mississippi
Missouri
Montana
Nebraska
Nevada
New Mexico
North Carolina
North Dakota
Oklahoma
Oregon
Rhode Island
South Carolina
South Dakota
Tennessee
Texas
Utah
West Virginia
Wisconsin
Wyoming

States with a Streamlined Process or Limited Authority to Approve Academic Programs of Non-Profit Institutions of Higher Education

Florida

- The Commission for Independent Education within the Florida Department of Education has statutory responsibilities in matters relating to nonpublic, postsecondary, educational institutions. However, state statute exempts from the jurisdiction or purview of the commission all non-profit institutions located and chartered in the state that are accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees and that are eligible to participate in the state-supported financial aid program.

Kentucky

- The Council on Postsecondary Education has the statutory authority to license all nonprofit colleges and universities, including private degree-granting institutions, which operate in Kentucky, as well as proprietary, baccalaureate degree-granting institutions. However, the program approval process for private, non-profit institutions has been delegated in large part to the governing board of each of the institutions. The Council retained its approval authority for programs in select areas such as engineering and teacher preparation.
- The Council adopted an updated procedure for public institutions in the fall of 2011 but no changes were made for private, non-profit institutions.

Maryland

- The Maryland Higher Education Commission has licensing and approval authority for all public and private institutions of postsecondary education.
- The program review process is fairly straightforward: An institution submits the proposal to the Secretary of Higher Education. Commission staff perform a preliminary review of the proposal to ensure its completeness and adherence to regulations. The Secretary informs all institutions and segments of the proposal, triggering a 30-day comment period. The program is added to the website of academic programs currently under review. If no objections are received within 30 days, then the final decision is rendered within 30 days after the review/comment period.

Pennsylvania

- Program approval is conducted by the Pennsylvania Department of Education's Office of Postsecondary Education for those Institutions of Higher Education with restricted charters or certificates of authority.
- Legislation passed in 2012 and signed by the Governor at the end of June eliminates the need for an institution with a "restricted" charter that is Middle States accredited and in existence in Pennsylvania for at least ten years to receive Pennsylvania Department of Education program or degree approval and evens the playing field for all colleges and universities.

Vermont

- The Vermont Department of Education is authorized to evaluate applications to offer courses and degrees for postsecondary credit. However, state statute exempts the majority of postsecondary institutions from seeking State Board approval of new programs. All postsecondary institutions that are accredited are exempt.

Virginia

- The Private and Out-of-State Postsecondary Education (POPE) unit of the Academic Affairs division of the State Council of Higher Education for Virginia is responsible for the certification of private and out-of-state postsecondary educational institutions operating in Virginia.
- However, all institutions of higher education formed, chartered, or established in the Commonwealth of Virginia that have maintained a main campus under the same ownership for 10 years and have remained fully accredited by an accrediting body recognized by the U.S. Department of Education are exempt from the requirements of certification or approval by the State Council of Higher Education for Virginia (SCHEV). The exemption entitles these institutions to conduct academic affairs or business without seeking or obtaining SCHEV approval.

Washington

- The Washington Higher Education Coordinating Board has licensing and approval authority for private institutions of postsecondary education however institutions are exempt from the requirements for degree authorization if they have been operating in Washington for 15 years and have been accredited regionally or nationally for 10 years.

States with Complex Review Process for Academic Program Approval:Illinois:

- The Illinois Board of Higher Education has authority to approve operating and degree-granting authority for all public and independent institutions of higher education.
- Any institution established after 1961 is required to obtain authorization to grant degrees for each new degree program it plans to offer. An institution must apply for and obtain degree-granting authority for each major and each level in which it plans to award degrees.

Massachusetts

- Massachusetts Department of Higher Education conducts Academic Policy and Program Approval for new academic programs at Massachusetts public colleges and universities and independent institutions chartered after 1943. Twenty-four private non-profit institutions are exempt.
- The Department has different program approval processes for those independent institutions that are regionally accredited without sanction than for those that do not have such accreditation, but, at a minimum, every new program requires a staff review, a public hearing, and a vote by the board. A separate set of rules is in place for Massachusetts' public colleges.
- The Massachusetts' private non-profit institutions report that the current process can take up to 18 months for approval of a new program.
- The association that represents these institutions is in discussions with Governor Patrick's office about exempting from the process all institutions that have been accredited and in existence in Massachusetts for at least ten years. A bill is circulating in the state legislature to this end.

New Hampshire

- The Division of Higher Education within the New Hampshire Department of Education is responsible for academic program review however whether or not an institution is subject to this review process varies widely by the type of institution and the nature of its charter.

New Jersey

- Non-profit colleges and universities chartered before April 1, 1887 do not have to seek program approval from the state. Six of fourteen private non-profit institutions in the state are therefore exempt.
- According to the Academic Issues Committee Manual of the New Jersey Presidents' Council, the non-exempt institutions must prepare a program announcement ("PA") for each new degree program and distribute the PA to the president of each New Jersey institution of higher education for a 30-day comment period. If the new program demands significant added resources or raises significant issues of duplication of offerings with other institutions, the new program is subject to review by the Presidents' Council and the Secretary of Higher Education as are programs at a level higher than authorized by programmatic mission for the institution.

New York

- The Office of College and University Evaluation within the Office of Higher Education of the New York State Department of Education requires all colleges and universities to register new programs or changes to an existing program with the Department. Certain graduate programs and teacher preparation programs require additional review.

Ohio

- The Ohio Board of Regents' recently finalized a new program approval process.
- At the same time, the Chancellor is currently considering a proposal to amend section 3333-1.08 of the Ohio Administrative Code to allow for continuous authorization for a non-profit higher education institution that is regionally accredited, keeps its accreditation current, and has been authorized previously for at least 20 years. There would be no state review for new academic programs offered at an authorized level (i.e., bachelor's or master's).

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Testimony for the Higher Education & Workforce Advancement Committee
From
Michelle M. Kalis, Ph.D.
Provost, University Saint Joseph
March 19, 2013

Thank you for the opportunity to speak to you on the approval process for new programs in the state of Connecticut and to support the concept raised by SB 1139, An Act Concerning Changes to Program Approval for Private Colleges. I am pleased to hear that the Office of Higher Education is considering adopting a more streamlined approval process for independent Colleges and Universities. I believe a streamlined process will be able to ensure quality programs and allow institutions to respond more quickly to the needs of our students.

Before coming to Connecticut, I worked for 10 years at a private, non-profit higher education institution in Massachusetts that was excluded from the state approval process due to its historic nature. This institution did not have to seek approval for new programs or program modifications as long as the programs were covered by the charter of the College. As a result, the institution was able to respond to the need for new programs to meet workforce demands and expand into emerging areas in a competitive and aggressive manner. The College responded by creating new and innovative programs. These programs responded to the workforce needs and provided the College with a competitive edge that included the ability to recruit students from other states. Examples included accelerated formats, which were mainly four year baccalaureate degrees that were completed in three years, allowing the students to enter the workforce more quickly. We also developed new programs or modified existing programs to include the use of technology in the delivery methods, these included both online and real-time video linking between multiple campuses. These delivery methods improved access to the academic programs for students. As the needs of employers changed, we were able to meet the demands by developing programs to increase the level of education of the workforce. For example, we created B.S. programs for fields with high numbers of Associate or Certificate trained workers. These programs were often the first in the state and region and provided graduates with increased career possibilities. Because the institution was well established the quality of the programs did not suffer. There was extensive internal and external review. All of the programs were subject to approval by the regional accrediting body and many of the programs required specialized accreditation.

Similarly, the University of Saint Joseph has an extensive internal approval process for all of its new programs. A complete program proposal is developed. The proposal includes a feasibility study with a financial proforma, the resources required, a timeline for implementation, analysis of competitor programs, analysis of job prospects for the graduates, curriculum outline and

new course syllabi. The proposal is approved by a Department and/or School and is the reviewed by a faculty Curriculum Committee and often revisions are required. Once approved by the Curriculum Committee it is discussed and voted on by the Faculty Committee of the Whole, which is the faculty governance system at USJ. Following approval it is reviewed and approved by the Provost and the President. Revisions are generally made throughout the process. Finally, it is presented to the Academic Affairs Committee of the Board of Trustees and based upon a recommendation from the Committee it is voted on by the full Board of Trustees of the University. This process generally takes one year or more.

New programs must also be submitted to NEASC and are usually reviewed at the time of a full accreditation visit unless it is considered to be a substantive change, which usually means an institution offering a higher degree. Many programs require specialized accreditation, which entails a multi-year process, usually with several milestones along the way. Site teams, consisting of experts in the field, visit the university for 2-3 day visits, usually several times during the process and feedback is provided to improve the program. Once approved there are extensive reporting requirements that ensure quality of the program. In my experience in Connecticut, state approval for new programs and program modifications for private, non-profit institutions requires different documentation than the regional or specialized accreditors. Therefore, additional time and money is spent on creating these documents and then the approval process itself adds time to the process. This can cause a delay in responding to the needs of the market as well as students.

Further, the value that the current process adds to the development of new programs or program modifications is limited. I currently serve as a member of the Advisory Committee on Accreditation. I believe all of the members of the ACA do their best to provide helpful feedback to new programs and to uphold the standards. However, beyond the input provided by the OHE staff during the process, I do not believe the ACA members provide input that significantly increases the quality of the programs coming before the group.

Thank you for the opportunity to testify today and I would be happy to answer any questions.



STATE OF CONNECTICUT
Office of Higher Education

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Testimony
by
Jane A. Ciarleglio
Executive Director
Office of Higher Education
before the
Higher Education and Employment Advancement Committee
March 19, 2013

Senator Bye, Representative Willis, Senator Boucher, Representative LeGeyt and distinguished members of the Higher Education and Employment Advancement Committee, thank you for the opportunity to offer testimony on Senate Bill 1139 - AN ACT CONCERNING CHANGES TO PROGRAM APPROVAL FOR COLLEGES AND UNIVERSITIES.

I had hoped to come before you today with a compromise proposal regarding the program approval process. For those of you who have been on this committee for some years, and for those who are serving for the first time, this is an issue, of the utmost importance to the students and families of the State of Connecticut as well as to our colleges and universities.

The academic program approval process is first and foremost a consumer protection role that ensures when a student enrolls in a program at one of our Connecticut institutions, that program has an infrastructure to support the delivery of that program; and most importantly, the curriculum delivers content that ensures the student has a knowledge base in a specific field and is career ready when they graduate.

Having said that, I would like you to know that we are in continued conversation with our independent colleges and universities, the Governor's Office, and higher education leadership about a final compromise that we hope you will approve. I am sorry that we cannot bring the compromise specifics to you today, but we all believe that by ironing out the differences with the industry, always with a mindful eye towards consumer protection, we can present a final resolution to you very shortly.

The question of response time in a regulatory review is important to any regulated industry, and we are in agreement that there are ways to streamline the process, but without sacrificing consumer protection. While not too embarrass any one institution, I have attached a few real examples of why transparency and adherence to standards are of such great importance.

I would be happy to answer any questions you may have.

Examples

We currently have an application for a master's degree program which our review found does not meet standards for faculty qualifications. Upon bringing this to the institution's attention, they re-evaluated their faculty choice to teach in this program.

Another example: We recently reviewed a program that originally proposed offering medical training in a field that required a lengthy clinical component. Under current law, this clinical component could not occur in the state of Connecticut. In our initial review, no provision had been made to address how and where students would be able to complete a quality and safe clinical. Would students be advised they would have to seek a clinical outside of Connecticut? Who was willing to offer a clinical? What support services would be provided to the student in seeking a clinical outside of Connecticut? All of these questions – essential to quality medical training – were addressed by the institution only after our review brought them to their attention.

And, finally, I would like to share with you a proposal we received for an associate of science degree in dental hygiene where the admission requirements allowed for math and science pre-requisites to be accepted with a C-. The Office of Higher Education, along with our curriculum evaluator, indicated that these low admission standards did not adequately and objectively evaluate a student for success in the program. This is another example of how current regulations address a graduate's ability to pass a licensure exam in their field.

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 22
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announce the tally.

THE CLERK:

Substitute House Bill 6374.

Total Number Voting 143

Necessary for Adoption 72

Those voting aye 112

Those voting nay 31

Absent and not voting 7

SPEAKER SHARKEY:

The bill passes. Will the Clerk please call
Calendar number 629.

THE CLERK:

Calendar number 629 on page 32 of the Calendar,
favorable report of the joint standing Committee on
Higher Education and Employment and Advancement,
substitute Senate Bill 1139, AN ACT CONCERNING CHANGES
TO PROGRAM APPROVAL FOR THE INSTITUTIONS OF HIGHER
EDUCATION.

SPEAKER SHARKEY:

Distinguished Chairman of the Higher Education
Committee, Representative Willis, you have the floor,
Ma'am.

REP. WILLIS (64th):

Thank you. Good afternoon, Mr. Speaker.

SPEAKER SHARKEY:

Good afternoon, Madam.

REP. WILLIS (64th):

Mr. Speaker, I move for the acceptance of the joint committee's favorable report and passage of the bill.

SPEAKER SHARKEY:

That would be --

REP. WILLIS (64th):

In concurrence.

SPEAKER SHARKEY:

Thank you.

REP. WILLIS (64th):

Yes. In concurrence with the Senate.

SPEAKER SHARKEY:

The question before the Chamber is on acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate. Will you remark, Madam?

REP. WILLIS (64th):

Yes, I will. Thank you, Mr. Speaker. This bill will modify the academic program approval process for Connecticut's independent institutions of higher education. Mr. Speaker, the Clerk has an amendment,

LCO 7517. I move that the reading of the amendment be waived and I be given leave of the Chamber to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 7517 which has been previously designated Senate Amendment A.

THE CLERK:

Senate Amendment A, LCO 7517 introduced by Representative -- or by Senator Bye and Representative Willis.

SPEAKER SHARKEY:

The Gentlewoman seeks leave of the Chamber to summarize. Is there objection? Is there objection? You may proceed with summarization, Madam.

REP. WILLIS (64th):

Thank you very much, Mr. Speaker. This amendment strikes the underlying bill and also any fiscal impact. Presently the State Board of Education has the final approval process for the approval for accreditation. This bill instead will require the Office of Higher Education to make the final decisions including holding public hearings.

This will expedite the process as they will reduce the approval time process down to 45 days. It

will also eliminate the requirement that the Board of Regents approve UCONN's new and modified degree program. I move adoption.

SPEAKER SHARKEY:

Thank you, Madam. The question before the Chamber is adoption of Senate Amendment A. Will you remark? Representative Alberts of the 50th.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. I agree with the Chair's assessment of these two bills. At this time we need to give our higher education institutions as much flexibility as possible and this bill that is before us right now gives us that flexibility. So I urge my colleagues to support it. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, Sir. Do you care to remark further on Senate Amendment A? Representative Sawyer of the 55th.

REP. SAWYER (55th):

Thank you, Mr. Speaker. I too would like to lend my support because when we are looking at a streamlining, Mr. Speaker, this makes a major difference in higher education.

What we know is technology is changing so fast

today and in order for some of these classes to be changed, tweaked, modified to make the process onerous was at best slowing things down. And what this -- what the good work of the Chairman of the Committees and with the universities we -- they were able to put together a package that satisfies not only the State colleges but also our flagship university. And I would like to thank the Gentlelady for all of her work on this. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, Madam. Do you care to remark further on the bill that's before us? I'm sorry. On Senate Amendment A. Representative O'Neill of the 69th.

REP. O'NEILL (69th):

Yes. Thank you, Mr. Speaker. If I may, just a couple of questions to the proponent of the amendment.

SPEAKER SHARKEY:

Please proceed, Sir.

REP. O'NEILL (69th):

Obviously this is a very substantial change from both the underlying file copy as I understand it as well as the process that has been followed in the State of Connecticut for as long as I can remember. And I guess I would just first of all like some

guidance as to what are the differences -- because I'm -- I'm looking at this amendment now really for the first time, between the underlying file copy and the amendment in terms of what changes the amendment makes to the underlying file copy. And -- and there are a couple of points that I guess I'm -- I'm curious about.

The underlying file copy as far as I could tell applied to a certain class of institutions. It looks to me like the amendment applies to a much broader class of educational institutions. Through you, Mr. Speaker, am I correct in that?

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker. Yes, you are indeed correct.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

And with respect to the -- the process that we're going to be following I mean it looks like we're changing the entity that makes the decision to the Office of Higher Education which is distinct from the

State Board of Education. And I guess I'm wondering why are we doing that? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker. As a result of the consolidation of higher education the approval process used to come from the Department of Higher Education. When we consolidated we put that approval process because we felt there -- there would be a conflict between the Office of Higher -- the Board of Regents approving programs for independents and their own institutions. So this really creates a process that I think is much fairer, that allows the -- the independents to not have to go to the Board of Regents and then on to get approval through the State Board of Education.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

You know -- thank you, Mr. Speaker. And with respect to the -- the timeline that's called for, the 45 days as I believe was mentioned what is the time roughly that it takes to get an approval for a course

offering at the present time under the existing system? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker. Presently it is three months.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

So we're -- we're talking about cutting the timeframe in -- in half. Is -- 45 days versus three months? Is that correct? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker. Yes, that is indeed correct.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

And the -- this applies I take it to all of the institutions for the -- for example the State colleges or does it not apply to State colleges? Through you,

Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker. Through you, Mr. Speaker. No, it's just for the independent colleges.

REP. O'NEILL (69th):

Okay. And when we're --

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. And when you're use -- and the use of the word independent colleges, my understanding is in the education statute independent colleges has a very specific meaning. Is it nonpublic -- all nonpublic type colleges or is the independent colleges as that phrase is used in our education statutes -- higher education statutes? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Madam -- Mr. Speaker, nonpublic.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. And I guess one of the concerns that I have is the safeguards in terms of the offerings that are being made because education is a big business basically in the private sector. And the students who are going to be borrowing money for the most part, in many cases running up significant debt to the federal government, debt that cannot be discharged in bankruptcy are basically going to be buying things from various vendors who are going to be able to get approval for the products that they are selling to students.

And who are as I say going to be borrowing a lot of money to be able to buy those products in many cases. I guess I'm concerned about the degree to which the fact that this is an approved course, that the State of Connecticut has stamped it approved gives people the sense that they're getting something for their money.

And so I -- I -- I'm wondering what is -- how -- are we going to be able to say with the same level of confidence that we are able today to say that there has been a careful review to determine whether this

product that's being put into the market by this corporation basically that's selling it to the students who are induced to borrow a lot of money to buy that product, that they are in fact getting something that's worth that kind of money. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker. I think this is a much more effective procedure to be using. The consolidation I think made the process a little bit more convoluted. I think we can be insured that the Office of Higher Education will do, you know, a much more diligent job than having a bifurcated process that we had now through the Board of Regents and then on to the State Board of Education.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. And I heard mention of a public hearing being -- being an option. Is that anticipated to be a routine thing that there should be a public hearing or is it expected that that would be

a rare thing? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker. That would be if a application was denied there would be an opportunity for an appeal process and -- and there would be a panel set up to oversee that appeal.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

And is there any aspect of this that would allow for some measure of public input? In other words, I understand that there will be an application made, there's a State agency that's going to be reviewing in this case the Office of Higher Education. Is there any opportunity for a public intervention here for the public to kind of become aware of that we're -- someone's going to be authorizing let's say a course in basket weaving and -- and for people to say wait a minute, you know that -- that's not something that the State of Connecticut ought to be authorizing and licensing people to sell as a -- as an educational product. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you. The final decisions do include a public hearing process.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. I didn't quite catch that. Does the final decision in all of the approvals require a public hearing at some point? Through you, Mr. Speaker.

REP. WILLIS (64th):

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, the answer to that is no.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

Okay. So is there any point -- for example is there going to be a notice published somewhere that -- so that people can know what these applications are so

that if they want to find out about what's going on and perhaps even comment on it will there be an opportunity of that sort? Through you, Mr. Speaker.

REP. WILLIS (64th):

Through you, Mr. --

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker. Applications are posted on the Office of Higher Ed's website.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

Okay. So if for example -- and this is one of the things that concerns me. If -- if there were programs that were being offered by the State universities, colleges, community colleges and someone was trying to set up something that was directly competitive to those programs and or but a diluted water down version of that type of program, would someone at the State higher -- one of the constituent units of some sort would they be able to or people on their behalf in effect be able to say hey wait a second we shouldn't be doing that. It's -- it's --

we're kind of working at cross purposes.

We're spending money running a program and now we're going to have competition directly against it that's going to provide a -- a lesser type of program. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker. This -- we're talking about not the constituent units of public higher education. We are talking are independent, private institutions in the State of Connecticut.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. I -- I -- I think I understood that. What I'm -- I'm looking at is let's say that XY LLC educational corporation wants to start running programs -- offering programs that are directly competitive with programs that are being offered by let's say a community college. And -- but it's -- it's -- and in looking at it might have the same name but has far fewer requirements and -- and provides a lower quality of -- of education.

Would someone be -- would there be enough knowledge, enough of an opportunity so that someone familiar with both programs and especially someone who works for the community college, say hey wait a second this program is going to be competing with what -- what the State of Connecticut is already paying for. Should we be authorizing that sort of watered down type of program and competition. That -- that's what I'm aiming at. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

I'm not sure of -- wasn't able to hear all of your comments because of the noise in the Chamber. But right now the State -- the institutions can do that through the Office of Higher Education as I understand it.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

Okay. So the Connecticut's State universities, colleges and so forth will have an opportunity to be involved or at least comment and participate to some degree in looking at these programs? There is some

place where they can do that in this new system. Is that correct? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker. No, it's not part of the process now and this does not -- this legislation does not change that.

SPEAKER SHARKEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. I don't want to belabor the point I guess I'm just very concerned that we're changing something that is in effect a kind of consumer protection that we have for students who go to private schools of one kind or another in the State of Connecticut and we're going to streamline it so that there's going to be a less of a standard as to what it takes to be able to offer courses and that students are -- I think need to be protected because all of these courses have the same kinds of nice sounding names but what they contain may not be the same thing.

And I just hope that in our desire to be

expeditious and streamline things we don't leave the students out there buying products and indebting themselves substantially without getting their monies worth. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, Sir. Do you care to remark further on Senate Amendment A? Do you care to remark further on Senate Amendment A? If not, let me try your minds. All those in favor of Senate Amendment A please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay. The ayes have it. The amendment is adopted. Care to remark further on the bill as amended? Would you care to remark further on the bill as amended? Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. It's a good bill. Ought to pass.

SPEAKER SHARKEY:

Thank you, Sir. Do you care to remark further on the bill as amended? If not, staff and guests to the well of the House. Members take your seats. The

machine will be opened.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the Chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? The members please check the board to make sure your vote is properly cast including myself. If all the members have voted the machine will be locked and the Clerk will take a tally. Clerk please announce the tally.

THE CLERK:

In concurrence with the Senate, Senate substitute Bill number 1139 as amended by Senate A.

Total Number Voting	143
Necessary for Adoption	72
Those voting aye	142
Those voting nay	1
Absent and not voting	7

SPEAKER SHARKEY:

The bill as amended passes in concurrence with the Senate. Will the Clerk please call Calendar number 55.

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
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**VOL. 56
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I'm sorry. Page 12, Calendar 379, Substitute for Senate Bill Number 1139, AN ACT CONCERNING CHANGES TO PROGRAM APPROVAL FOR INSTITUTIONS OF HIGHER EDUCATION, Favorable Report of the Committee on Higher Education and Employment Advancement.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Good evening, Madam President.

THE CHAIR:

Good evening.

SENATOR BYE:

I move acceptance of the joint committee's Favorable Report and passage of the bill and waive its reading.

THE CHAIR:

Sorry. The motion is on acceptance and passage. Will you remark, ma'am?

SENATOR BYE:

Yes, Madam President.

The LCO is in possession of -- of, the Clerk is in possession of LCO 7517; I ask that it be called.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 7517, Senate Amendment Schedule "A," offered by Senator Bye and Representative Willis.

THE CHAIR:

Senator Bye.

SENATOR BYE:

I move the amendment, Madam President.

THE CHAIR:

The motion is on adoption. Will you remark, ma'am?

SENATOR BYE:

Yes, Madam President.

This is a 'strike-all amendment, and what this amendment slash bill does is it streamlines a program review process for our higher education institutions. It maintains the authority of the Office of Higher Ed to review applications for programs and program changes. They have 45 days to decide if a program needs further review.

It also allows the Office of Higher Education to use a national accreditation as a -- a way to approve higher education institutions' programs and higher education institution changes.

And it also spells out how the Board of Regents and UConn report various changes in their programs to the Office of Higher Education, and they maintain oversight over any program changes that they have.

Through you, Madam President.

Will you remark further?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, I rise to support this amendment and support the notion that we do, should be streamlining this process and allowing our institutions of higher education to take more responsibility for this area, for sure.

But I do have one question, if I could, through you, to the distinguished Chairman of the Higher Education Committee, if I would.

THE CHAIR:

Will you please proceed, ma'am?

SENATOR BOUCHER:

Thank you, Madam President.

And through you.

There is a, the last section of this bill that has some language that I just needed some clarification, if I could, and it is in Section 22 -- well, actually, it's Section 23, which is a new section. Starting on Lines 835, and particularly as it states that the institution of higher education should not be held liable for any breach of confidentiality, use, retention or destruction of such student data or records that results from the actions or omissions of such board, department or agency, or any person providing access to such student data or records obtained by such board, department or agency.

So and -- and it goes on further to state that for the purposes of the section, confidential student data or records includes but not limited to personally identifiable information as defined in the regulations implementing the Family Educational Rights and Privacy Act of 1974.

Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President.

I appreciate my Ranking Member's question because it's a very important question that we talk about this part

of the bill, because it is an amendment from committee.

As -- as you -- through you, Madam President -- as Senator Boucher knows, as we try to do planning around higher education as we award scholarships in our higher education system, we want to understand how various programs, colleges, scholarships, ways that we're trying to get more students degrees are working. And to that end, the Board of Regents, the Office of Higher Education, and our independent colleges have been collecting data so that we can have an overall look at our system.

Some states only have four private colleges; our little State of Connecticut has over 40. So not having the collaboration of our private colleges would give us a very incomplete picture of our higher education system. So they have been working in collaboration with the state to provide data so we can get a picture of how students are progressing in higher education in the private colleges. But doing that, they're entrusting the state with private data that's highly protected.

So what this does is it says if the private institutions provide the state with data in a way that follows the privacy laws, that if then when the data is in the possession of the state there was some kind of breach, they would not be held liable. And I think this was a very fair request on their behalf.

Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

I appreciate the explanation. Indeed, we had quite an extensive conversation and discussion around the ability for us to track students, to track the success and also of our programs.

Additionally, if I could ask one further question, through you, Madam President. If I could, I just wanted some clarification at, as this amendment does contain, as the original bill did, the establishment of a nine-member academic review commission to review and adjudicate appeals of licensure.

Originally, we had an OFA note that showed a cost of a thousand dollars, but I believe that the current bill does not show that cost, so if for clarification through you, if that could be explained.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President.

As we looked at the amendment, which is slightly different than the previous bill, it registered no fiscal note. And so we are taking the Office of Fiscal Analysis at their word. It does have this commission that has volunteers, so as the bill stands now, it does not have a fiscal note.

Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

And I thank the good Chairwoman for her explanation. I think that does answer the question well.

The bill does modify the academic program approval process for independent institutions of higher education, and this is a good thing, I believe. And I think expediting the process also is very valuable. We do certainly have a good educational system with high standards, and I think we need to continue to allow them to evolve, improve, and update their

curriculum and processes, given what the needs are for the state. And if we can make that process faster and more efficient, it is a good thing for our state to engage in.

But as was discussed previously, too, it was interesting, particular in this last section, when there was concern about confidentiality issues and exposure to liability. It harkens back to our previous discussion, when we were trying to get some limitation on liability for our consultants for school security that did not make it into the final school security bill. And there were good reasons for those many comments that were made on this side of the aisle for that, because as we can see very clearly now, we do have different standards, depending on which issue we're talking about. And so I'm hoping that maybe we can also revisit that issue at some point, future point.

But this is a very good bill and I think it should be supported by the Circle. I think it really helps our institutions of higher learning, whether they be public or private.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator Bye.

SENATOR BYE:

Thank you, Madam President.

Just three quick thank-yous, to the Office of Higher Education, to the Independent College Organization, as well as to the Governor's Office for their input on this bill so that all parties had -- had input so we could make a good bill.

And if there's no objection, I'd ask that --

THE CHAIR:

Excuse me, ma'am; this is on the Senate --

SENATOR BYE:

Oh, on the amendment?

THE CHAIR:

-- Amendment "A."

SENATOR BYE:

Oh, so sorry.

THE CHAIR:

Senator Amendment --

SENATOR BYE:

Through you --

THE CHAIR:

-- "A."

SENATOR BYE:

-- Madam President.

THE CHAIR:

So I will try your minds. All those in favor of
Senate Amendment "A," please say aye.

SENATORS:

Aye.

THE CHAIR:

Senator "A" is adopted.

Now Senator Bye.

SENATOR BYE:

Thank you, Madam President.

I ask if there's no objection that this be moved to
Consent.

THE CHAIR:

Seeing no objection, so ordered, ma'am.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk would call next from
Calendar Page 13, Calendar 411, Substitute for Senate
Bill Number 960.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 13, Calendar 411, Substitute for Senate Bill
Number 960, AN ACT AUTHORIZING MUNICIPALITIES TO
PROTECT HISTORIC PROPERTIES AND DISTRICTS, Favorable
Report of the Committee on Planning and Development.

THE CHAIR:

Good evening. Senator Cassano.

SENATOR CASSANO:

Good evening, Madam President.

I move acceptance of the Joint Favorable committee
report and move passage of the bill.

THE CHAIR:

The motion is on acceptance and passage. Will you
remark, sir?

Thank you, Madam President.

Madam President, if we might now move to a vote on today's Consent Calendar; if the Clerk would read the items and then call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On today's Consent Calendar, Page 1, Calendar Number 595, House Joint Resolution Number 103.

On Page 2, Calendar Number 596, House Joint Resolution Number 104; also on Page 2, Calendar Number 597, House Joint Resolution Number 105.

On Calendar Page 4, Number 160, Senate Bill 232.

On Page 7, Calendar Number 273, Senate Bill 1093.

On Page 12, Calendar Number 379, Senate Bill 1139.

On Page 13, Calendar Number 411, Senate Bill 960.

And on Page 39, Calendar Number 164, Senate Bill 326.

THE CHAIR:

Thank you.

At this time the machine will be open. Please call for a roll call vote on the Consent Calendar.

Thank you.

THE CLERK:

An immediate roll call has been ordered in the Senate. Senators please return to the Chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar.

THE CHAIR:

Senator Crisco. Senator Crisco.

Thank you.

If all members voted; all members have voted? The machine will be closed.

Mr. Clerk, will you please call the -- the tally.

THE CLERK:

On the Consent Calendar.

Total Voting	36
Those voting Yea	36
Those voting Nay	0
Absent, not voting	0

THE CHAIR: .

Consent Calendar passes.

At this point, I'd ask for a -- any points of personal privilege. Any points of personal privilege at this time?

Senator Looney.

SENATOR LOONEY:

Yes; thank you, Madam President.

For one point of a personal privilege.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Yes; thank you, Madam President.

Madam President, I wanted to offer congratulations to our -- our chief caucus counsel, Joe Quinn, whose son Conor was married over the weekend, his -- his new