



General Assembly

**Amendment**

*January Session, 2021*

LCO No. **9546**



Offered by:

REP. ELLIOTT, 88<sup>th</sup> Dist.

REP. HAINES, 34<sup>th</sup> Dist.

To: House Bill No. **6402**

File No. 302

Cal. No. 234

**"AN ACT CONCERNING HIGHER EDUCATION."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (b) of section 10a-149d of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
5 *2021*):

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

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

29       Sec. 2. (NEW) (*Effective July 1, 2021*) Unless otherwise required by an  
30 applicable state or federal law, no institution of higher education in the  
31 state shall (1) inquire about a prospective student's prior arrests,  
32 criminal charges or convictions (A) on an application for admission to  
33 such institution, or (B) for enrollment in any program of study offered  
34 by such institution, or (2) consider a student's prior arrests, criminal  
35 charges or convictions in (A) the admissions process for such student,  
36 or (B) determining the eligibility of such student for any form of  
37 financial aid, grant or scholarship program, including, but not limited  
38 to, institutional financial aid.

39       Sec. 3. (*Effective from passage*) (a) There is established a task force to  
40 study the costs and benefits of establishing a Postsecondary Prison  
41 Education Program Office within the Department of Correction. Such  
42 study shall include, but need not be limited to, an examination of (1) any  
43 existing office dedicated to postsecondary prison education within the  
44 state and, if such office exists, such office's responsibilities, (2) the  
45 process and standards for approving education programs at  
46 correctional facilities, (3) the ability for virtual education programs at  
47 correctional facilities, (4) the administrative process that the department  
48 uses for students who submit complaints about the education programs,  
49 (5) the process and standards that the department uses to approve

50 curriculum and course materials for students in correctional facilities,  
51 (6) whether the department participates in the state's education,  
52 workforce and employment longitudinal data system, (7) the space  
53 available in correctional facilities to provide prison education  
54 programming, (8) the demand for space in correctional facilities for  
55 prison education programming, and (9) the strategies utilized by other  
56 state or county correctional agencies to increase the number of  
57 individuals who will have access to prison education programs using  
58 federal Pell grant awards.

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

60 (1) Three appointed by the speaker of the House of Representatives;

61 (2) Three appointed by the president pro tempore of the Senate;

62 (3) Two appointed by the majority leader of the House of  
63 Representatives;

64 (4) Two appointed by the majority leader of the Senate;

65 (5) Two appointed by the minority leader of the House of  
66 Representatives;

67 (6) Two appointed by the minority leader of the Senate;

68 (7) The undersecretary for criminal justice at the Office of Policy and  
69 Management, or the undersecretary's designee; and

70 (8) The Commissioner of the Department of Correction, or the  
71 commissioner's designee.

72 (c) Any member of the task force appointed under subdivision (1),  
73 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member  
74 of the General Assembly.

75 (d) All initial appointments to the task force shall be made not later  
76 than thirty days after the effective date of this section. Any vacancy shall  
77 be filled by the appointing authority.

78 (e) The speaker of the House of Representatives and the president pro  
79 tempore of the Senate shall select the chairpersons of the task force from  
80 among the members of the task force. Such chairpersons shall schedule  
81 the first meeting of the task force, which shall be held not later than sixty  
82 days after the effective date of this section.

83 (f) The administrative staff of the joint standing committee of the  
84 General Assembly having cognizance of matters relating to higher  
85 education shall serve as administrative staff of the task force.

86 (g) Not later than January 1, 2022, the task force shall submit a report  
87 on its findings and recommendations to the joint standing committees  
88 of the General Assembly having cognizance of matters relating to higher  
89 education and the judiciary, in accordance with the provisions of section  
90 11-4a of the general statutes. The task force shall terminate on the date  
91 that it submits such report or January 1, 2022, whichever is later.

92 Sec. 4. (NEW) (*Effective July 1, 2021*) (a) As used in this section and  
93 sections 5 to 8, inclusive, of this act:

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

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

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

106 (b) Not later than January 1, 2022, each institution of higher education  
107 shall establish a campus mental health coalition with representatives

108 from each of its campuses. The campus mental health coalition shall  
109 consist of individuals appointed by the president of each institution of  
110 higher education, who are reflective of the demographics of the student  
111 body at such institution, including, but not limited to, at least one  
112 member from such institution's (1) administration, (2) counseling  
113 services office, if any, (3) health services office, if any, (4) senior and mid-  
114 level staff, (5) student body, (6) residential life office, if any, (7) faculty,  
115 and (8) any other individuals designated by the president, including,  
116 but not limited to, a community provider of mental health services.

117 (c) Each institution of higher education shall ensure that every  
118 member of the campus mental health coalition is educated about the (1)  
119 mental health services and programs offered at each campus by such  
120 institution, (2) role and function of the campus mental health coalition  
121 at such institution, and (3) protocols and techniques to respond to  
122 student mental illness that have been developed with consideration  
123 given to the students' race, cultural background, sexual orientation,  
124 gender identity, religion, socio-economic status or status as a veteran or  
125 service member of the armed forces of the United States.

126 (d) Each campus mental health coalition shall (1) conduct an  
127 assessment of the presence of mental health services and programs  
128 offered by the institution of higher education, except such assessment  
129 shall not be required for an institution of higher education that is  
130 accredited by the International Accreditation of Counseling Services or  
131 another nationally or regionally recognized accrediting body for mental  
132 health services, (2) review the results of such assessment and develop a  
133 plan to address any weaknesses in such services and programs offered  
134 by the institution, and (3) review and recommend improvements to (A)  
135 the variety of mental health services available to students at the  
136 institution, including, but not limited to, on-campus services, telehealth  
137 services provided in accordance with section 19a-906 of the general  
138 statutes, or any services offered through community-based mental  
139 health care providers or emergency mobile psychiatric service  
140 providers, (B) the comprehensiveness of mental health services  
141 available to students, and (C) the campus-wide policies and procedures

142 regarding student mental health adopted pursuant to section 7 of this  
143 act.

144 Sec. 5. (NEW) (*Effective July 1, 2021*) The executive director of the  
145 Office of Higher Education and the Commissioner of Mental Health and  
146 Addiction Services, in consultation with an epidemiologist or other  
147 specialist with expertise in mental health issues at institutions of higher  
148 education, may jointly offer training workshops for the campus mental  
149 health coalitions established pursuant to section 4 of this act regarding  
150 best practices for the assessment and provision of mental health services  
151 and programming at institutions of higher education.

152 Sec. 6. (NEW) (*Effective July 1, 2021*) Not later than January 1, 2022,  
153 any institution of higher education that lacks resources on campus for  
154 the provision of mental health services to students shall enter into and  
155 maintain a memorandum of understanding with at least one  
156 community-based mental health care provider or, in consultation with  
157 the Department of Mental Health and Addiction Services, with an  
158 emergency mobile psychiatric service provider for the purpose of  
159 providing students access to mental health services on or off campus  
160 and assistance to institutions in developing mental health  
161 programming.

162 Sec. 7. (NEW) (*Effective July 1, 2021*) Not later than January 1, 2022,  
163 the governing board of each institution of higher education shall adopt,  
164 and update as necessary, campus-wide policies and procedures  
165 regarding student mental health. Such policies and procedures shall  
166 include, but not be limited to, (1) the types of mental health services and  
167 mental health programming available to students each academic year,  
168 and (2) protocols for leaves of absence that can be applied for medical  
169 reasons, and (3) the resources available for crisis response, imminent  
170 danger and psychiatric hospitalization.

171 Sec. 8. (*Effective July 1, 2021*) Not later than January 1, 2022, the Board  
172 of Regents for Higher Education shall require a grant writer, among  
173 other duties, to identify and apply for available grant funding to

174 implement or improve mental health services and programs offered by  
175 the regional community-technical colleges to address student mental  
176 illness.

177       Sec. 9. (*Effective from passage*) The Comptroller, in consultation with  
178 the Board of Regents for Higher Education and the Board of Trustees of  
179 The University of Connecticut, shall study and develop a plan to expand  
180 access to the group hospitalization and medical and surgical insurance  
181 plan established pursuant to subsection (a) of section 5-259 of the  
182 general statutes and the retiree health insurance plan for part-time  
183 professional employees of the state system of public higher education.  
184 Not later than January 1, 2022, the Comptroller shall submit, in  
185 accordance with the provisions of section 11-4a of the general statutes,  
186 to the joint standing committee of the General Assembly having  
187 cognizance of matters relating to higher education the plan developed  
188 pursuant to this section. Such study shall include, but need not be  
189 limited to, (1) determining the feasibility of and the costs associated with  
190 expanding the eligibility requirements for such health insurance plans  
191 to include (A) part-time professional employees who have taught not  
192 less than ninety credit hours in aggregate within the state system of  
193 higher education, and (B) retired, part-time professional employees who  
194 have taught not less than one hundred eighty credit hours in aggregate  
195 within the state system of higher education, regardless of whether such  
196 credit hours were completed at the rate of nine credits a semester; and  
197 (2) a method for payment of the employer's portion of the premium  
198 charged for such employee's coverage that does not require such  
199 employee to wait until the end of an academic semester to be  
200 reimbursed for such portion.

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

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

207 Sec. 11. Section 10a-99 of the general statutes is amended by adding  
208 subsection (i) as follows (*Effective July 1, 2021*):

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

213 Sec. 12. Subsection (e) of section 10a-143 of the general statutes is  
214 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
215 *2021*):

216 (e) The board shall fix fees for examinations and for such other  
217 purposes as the board deems necessary on behalf of Charter Oak State  
218 College and may make refunds and other disposition of same as  
219 provided by law or regulation. The board may make contracts, leases or  
220 other agreements in connection with its responsibilities. The Board of  
221 Regents for Higher Education shall not assess or charge a graduation fee  
222 to any student enrolled in Charter Oak State College for the purpose of  
223 graduating from such college.

224 Sec. 13. Section 10a-105 of the general statutes is amended by adding  
225 subsection (l) as follows (*Effective July 1, 2021*):

226 (NEW) (l) The Board of Trustees of The University of Connecticut  
227 shall not assess or charge a graduation fee to any student enrolled in The  
228 University of Connecticut for the purpose of graduating from such  
229 university.

230 Sec. 14. Section 10a-8 of the general statutes is repealed and the  
231 following is substituted in lieu thereof (*Effective July 1, 2021*):

232 (a) The provisions of sections 4-77 and 4-78 shall not apply to the  
233 constituent units of the state system of higher education, and for the  
234 purposes of said sections only, the Board of Regents for Higher  
235 Education shall be deemed the budgeted agency for the Connecticut  
236 State University System, the regional community-technical college



237 system, [and] Charter Oak State College and the central office of the  
238 Connecticut State Colleges and Universities. The Board of Regents for  
239 Higher Education shall develop a formula or program-based budgeting  
240 system to be used by each institution in preparing operating budgets.  
241 The Board of Regents for Higher Education shall prepare a single  
242 budget request itemized by the Connecticut State University System, the  
243 regional community-technical college system, [and] Charter Oak State  
244 College and the central office of the Connecticut State Colleges and  
245 Universities using the formula or program-based budgeting system and  
246 shall submit such budget request displaying all operating funds to the  
247 Secretary of the Office of Policy and Management in accordance with  
248 sections 4-77 and 4-78, subject to procedures developed by the Board of  
249 Regents for Higher Education and approved by said secretary. The  
250 budget request shall set forth, in the form prescribed by the Board of  
251 Regents for Higher Education, a proposed expenditure plan which shall  
252 include: (1) The total amount requested for such appropriation account;  
253 (2) the amount to be appropriated from the General Fund; and (3) the  
254 amount to be paid from the tuition revenues of the regional community-  
255 technical college system, [and] the Connecticut State University System  
256 and Charter Oak State College. After review and comment by the Board  
257 of Regents for Higher Education, the proposed expenditure plans shall  
258 be incorporated into the single public higher education budget request  
259 including recommendations, if any, by said board. Any tuition increase  
260 proposed by the regional community-technical college system, [and] the  
261 Connecticut State University System and Charter Oak State College for  
262 the fiscal year to which the budget request relates shall be included in  
263 the single public higher education budget request submitted by the  
264 Board of Regents for Higher Education for such fiscal year, provided if  
265 the General Assembly does not appropriate the amount requested by  
266 any such system or college, such system or college may increase tuition  
267 and fees by an amount greater than that included in the budget request  
268 in response to which the appropriation was made. The General  
269 Assembly shall make appropriations directly to the constituent units.  
270 Allotment reductions made pursuant to the provisions of subsections  
271 (b) and (c) of section 4-85 shall be applied by the Board of Regents for

272 Higher Education among the appropriations to the constituent units and  
273 the central office without regard to the limitations on reductions  
274 provided in said section, except that said limitations shall apply to the  
275 total of the amounts appropriated. The Board of Regents for Higher  
276 Education shall apply such reductions after consultation with the  
277 Secretary of the Office of Policy and Management. Any reductions of  
278 more than five per cent of the appropriations of any constituent units  
279 shall be submitted to the appropriations committee which shall, within  
280 thirty days, approve or reject such reduction.

281 (b) The boards of trustees of each of the constituent units may transfer  
282 to or from any specific appropriation of such constituent unit a sum or  
283 sums totaling up to fifty thousand dollars or ten per cent of any such  
284 specific appropriation, whichever is less, in any fiscal year without the  
285 consent of the Finance Advisory Committee. Any such transfer shall be  
286 reported to the Finance Advisory Committee within thirty days of such  
287 transfer and such report shall be a record of said committee.

288 Sec. 15. Subsection (b) of section 10a-77 of the general statutes is  
289 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
290 *2021*):

291 (b) The Board of [Trustees of the Community-Technical Colleges]  
292 Regents for Higher Education shall establish and administer a fund to  
293 be known as the Regional Community-Technical Colleges Operating  
294 Fund. Appropriations from general revenues of the state and, upon  
295 request by the board and with an annual review and approval by the  
296 Secretary of the Office of Policy and Management, the amount of the  
297 appropriations for fringe benefits and workers' compensation  
298 applicable to the regional community-technical colleges pursuant to  
299 subsection (a) of section 4-73, shall be transferred from the Comptroller,  
300 and all tuition revenue received by the regional community-technical  
301 colleges in accordance with the provisions of subsection (a) of this  
302 section shall be deposited in said fund. Income from student fees or  
303 related charges; the proceeds of auxiliary activities and business  
304 enterprises, gifts and donations; federal funds and grants for purposes

305 other than research, and all receipts derived from the conduct by the  
306 colleges of their education extension programs and summer school  
307 sessions shall be credited to said fund but shall be allocated to the central  
308 office and institutional operating accounts which shall be established  
309 and maintained for the central office and each community-technical  
310 college. If the Secretary of the Office of Policy and Management  
311 disapproves such transfer, the secretary may require the amount of the  
312 appropriation for operating expenses to be used for personal services  
313 and fringe benefits to be excluded from said fund. The State Treasurer  
314 shall review and approve the transfer prior to such request by the board,  
315 [of trustees.] The board shall establish an equitable policy, in accordance  
316 with section 10a-8, as amended by this act, for allocation of  
317 appropriations from general revenues of the state, fringe benefits  
318 transferred from the Comptroller and tuition revenue deposited in the  
319 Regional Community-Technical Colleges Operating Fund. At the  
320 beginning of each quarter of the fiscal year, the board shall allocate and  
321 transfer, in accordance with said policy, moneys for expenditure in such  
322 institutional operating accounts, exclusive of amounts retained for  
323 central office operations and reasonable reserves for future distribution.  
324 All costs of waiving or remitting tuition pursuant to subsection (f) of this  
325 section shall be charged to the Regional Community-Technical Colleges  
326 Operating Fund. Repairs, alterations or additions to facilities supported  
327 by operating funds and costing one million dollars or more shall require  
328 the approval of the General Assembly, or when the General Assembly  
329 is not in session, of the Finance Advisory Committee. Any balance of  
330 receipts above expenditures shall remain in said fund, except such sums  
331 as may be required for deposit into a debt service fund or the General  
332 Fund for further payment by the Treasurer of debt service on general  
333 obligation bonds of the state issued for purposes of the regional  
334 community-technical colleges.

335 Sec. 16. Subsection (b) of section 10a-99 of the general statutes is  
336 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
337 *2021*):

338 (b) The Board of [Trustees of the Connecticut State University

339 System] Regents for Higher Education shall establish and administer a  
340 fund to be known as the Connecticut State University System Operating  
341 Fund. Appropriations from general revenues of the state and upon  
342 request by the Connecticut State University System and with the annual  
343 review and approval by the Secretary of the Office of Policy and  
344 Management, the amount of the appropriations for fringe benefits  
345 pursuant to subsection (a) of section 4-73, shall be transferred from the  
346 State Comptroller and all tuition revenue received by the Connecticut  
347 State University System in accordance with the provisions of subsection  
348 (a) of this section shall be deposited in said fund. Income from student  
349 fees or related charges, the proceeds of auxiliary activities and business  
350 enterprises, gifts and donations, federal funds and grants, subject to the  
351 provisions of sections 10a-98 to 10a-98g, inclusive, and all receipts  
352 derived from the conduct by a state university of its education extension  
353 program and its summer school session shall be credited to said fund  
354 but shall be allocated to the central office and institutional operating  
355 accounts which shall be established and maintained for the central office  
356 and each state university. Any such gifts and donations, federal funds  
357 and grants for purposes of research shall be allocated to separate  
358 accounts within such central office and institutional operating accounts.  
359 If the Secretary of the Office of Policy and Management disapproves  
360 such transfer, [he] the secretary may require the amount of the  
361 appropriation for operating expenses to be used for personal services  
362 and fringe benefits to be excluded from said fund. The State Treasurer  
363 shall review and approve the transfer prior to such request by the  
364 university. The board [of trustees] shall establish an equitable policy, in  
365 accordance with section 10a-8, as amended by this act, for allocation of  
366 appropriations from general revenues of the state, fringe benefits  
367 transferred from the State Comptroller and tuition revenue deposited in  
368 the Connecticut State University System Operating Fund. At the  
369 beginning of each quarter of the fiscal year, the board shall allocate and  
370 transfer, in accordance with said policy, moneys for expenditure in such  
371 institutional operating accounts, exclusive of amounts retained for  
372 central office operations and reasonable reserves for future distribution.  
373 All costs of waiving or remitting tuition pursuant to subsection (f) of this

374 section shall be charged to the Connecticut State University System  
375 Operating Fund. Repairs, alterations or additions to facilities supported  
376 by the Connecticut State University System Operating Fund and costing  
377 one million dollars or more shall require the approval of the General  
378 Assembly, or when the General Assembly is not in session, of the  
379 Finance Advisory Committee. Any balance of receipts above  
380 expenditures shall remain in said fund, except such sums as may be  
381 required for deposit into a debt service fund or the General Fund for  
382 further payment by the Treasurer of debt service on general obligation  
383 bonds of the state issued for purposes of the Connecticut State  
384 University System.

385 Sec. 17. Subsection (g) of section 10a-44d of the general statutes is  
386 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
387 *2021*):

388 (g) Not later than [January 1, 2021] February 1, 2022, and annually  
389 thereafter, the council shall submit a report, in accordance with the  
390 provisions of section 11-4a, to the joint standing committee of the  
391 General Assembly having cognizance of matters relating to higher  
392 education regarding (1) the number and percentage of high-impact  
393 courses for which open educational resources have been developed, (2)  
394 the degree to which institutions of higher education promote the use  
395 and access to open educational resources, (3) the amount of grants  
396 awarded by the council and the number of open educational resources  
397 developed by grant recipients, and (4) its recommendations for any  
398 amendments to the general statutes necessary to develop open  
399 educational resources.

400 Sec. 18. (NEW) (*Effective July 1, 2021*) (a) As used in this section:

401 (1) "Student athlete" means a student enrolled at an institution of  
402 higher education who participates in an intercollegiate athletic  
403 program;

404 (2) "Intercollegiate athletic program" means a program at an  
405 institution of higher education for sports played at the collegiate level

406 for which eligibility requirements for participation by a student athlete  
407 are established by a national association for the promotion or regulation  
408 of college athletics;

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

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

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

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

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

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

428 (9) "Official team activities" means all games, practices, exhibitions,  
429 scrimmages, team appearances, team photograph sessions, sports  
430 camps sponsored by the institution of higher education and other team-  
431 organized activities, including, but not limited to, individual  
432 photograph sessions, news media interviews and other related activities  
433 as specified by the institution of higher education; and

434 (10) "Prohibited endorsements" means receipt of compensation by, or  
435 employment of, a student athlete for use of the student athlete's person,

436 name, image or likeness in association with any product, category of  
437 companies, brands or types of endorsement contracts that the institution  
438 of higher education prohibits endorsing by policy.

439 (b) On or after July 1, 2021, any student athlete who is enrolled at an  
440 institution of higher education in the state may earn compensation  
441 through an endorsement contract or employment in an activity that is  
442 unrelated to any intercollegiate athletic program and obtain the legal or  
443 professional representation of an attorney or sports agent through a  
444 written agreement, provided such student athlete complies with the  
445 policy or policies adopted by his or her institution of higher education  
446 regarding student athlete endorsement contracts and employment  
447 activities.

448 (c) Each institution of higher education shall adopt one or more  
449 policies regarding student athlete endorsement contracts and  
450 employment activities. Such policy or policies shall include provisions  
451 for: (1) Requiring a student athlete to disclose and submit a copy to his  
452 or her institution of higher education of each endorsement contract,  
453 written agreement for employment and representation agreement  
454 executed by the student athlete; (2) prohibiting a student athlete from  
455 entering into an agreement that conflicts with the provisions of any  
456 agreement to which the institution of higher education is a party,  
457 provided such institution shall disclose to the student athlete or the  
458 student athlete's attorney or sports agent the provisions of the  
459 agreement that are in conflict; (3) prohibiting a student athlete from  
460 using or consenting to the use of any institutional marks during such  
461 student athlete's performance of the endorsement contract or  
462 employment activity; (4) prohibiting a student athlete's performance of  
463 the endorsement contract or employment activity from interfering with  
464 any official team activities or academic obligations; and (5) identifying  
465 any prohibited endorsements.

466 (d) No provision of this section shall be construed to (1) require an  
467 institution of higher education or an athletic association or conference,  
468 including, but not limited to, the NCAA to compensate a student athlete

469 for use of his or her name, image or likeness; (2) require a student athlete  
470 or any other person to compensate an institution of higher education or  
471 an athletic association or conference, including, but not limited to, the  
472 NCAA for a student athlete's endorsement contract or employment  
473 activity that is in accordance with the provisions of subsection (b) of this  
474 section; (3) qualify any scholarship that a student athlete receives from  
475 an institution of higher education as compensation; (4) qualify a student  
476 athlete as an employee of an institution of higher education; (5) require  
477 an institution of higher education to take any action in violation of the  
478 Discrimination Based on Sex and Blindness Act, 20 USC 1681, et seq., as  
479 amended from time to time; (6) prohibit a student athlete from engaging  
480 in an employment activity that entails coaching or performing a sport,  
481 provided such activity is not related to any intercollegiate athletic  
482 program; or (7) prohibit an institution of higher education from using a  
483 student athlete's name, image or likeness in connection with official  
484 team activities.

485 (e) No athletic association or conference, including, but not limited  
486 to, the NCAA, on the basis of a student athlete's endorsement contract,  
487 employment activity or representation by an attorney or sports agent  
488 pursuant to subsection (b) of this section, shall (1) prohibit or prevent an  
489 institution of higher education or its intercollegiate athletic program  
490 from participating in intercollegiate sports, (2) restrict or revoke a  
491 student athlete's eligibility to participate in an intercollegiate athletic  
492 program, (3) prohibit or prevent a student athlete from earning  
493 compensation from such endorsement contract or employment activity,  
494 or (4) prohibit or prevent a student athlete from representation by a duly  
495 licensed attorney or sports agent.

496 (f) (1) No institution of higher education, on the basis of a student  
497 athlete's endorsement contract, employment activity or representation  
498 by an attorney or sports agent pursuant to subsection (b) of this section,  
499 shall (A) prohibit or prevent such student athlete from earning  
500 compensation from such endorsement contract or employment activity,  
501 (B) prohibit or prevent such student athlete from representation by a  
502 duly licensed attorney or sports agent, or (C) restrict or revoke such



503 student athlete's eligibility for a scholarship or to participate in the  
 504 intercollegiate athletic program at such institution.

505 (2) Notwithstanding section 1-210 of the general statutes with respect  
 506 to public institutions of higher education, no institution of higher  
 507 education shall disclose any record of the compensation received by a  
 508 student athlete from an endorsement contract or employment activity  
 509 entered into or engaged in pursuant to subsection (b) of this section  
 510 unless the institution receives the written consent of the student athlete  
 511 for each disclosure.

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

515 (g) No provision of subsections (d) and (f) of this section shall be  
 516 construed to prevent an institution of higher education or an athletic  
 517 association or conference, including, but not limited to, the NCAA, from  
 518 prohibiting a student athlete's participation in an intercollegiate athletic  
 519 program, revoking a student athlete's eligibility for a scholarship or  
 520 taking any other punitive or legal action if such student athlete's  
 521 endorsement contract, employment activity or representation by an  
 522 attorney or sport agent does not comply with the provisions of  
 523 subsection (b) of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	10a-149d(b)
Sec. 2	July 1, 2021	New section
Sec. 3	from passage	New section
Sec. 4	July 1, 2021	New section
Sec. 5	July 1, 2021	New section
Sec. 6	July 1, 2021	New section
Sec. 7	July 1, 2021	New section
Sec. 8	July 1, 2021	New section
Sec. 9	from passage	New section
Sec. 10	July 1, 2021	10a-77

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Sec. 11	<i>July 1, 2021</i>	10a-99
Sec. 12	<i>July 1, 2021</i>	10a-143(e)
Sec. 13	<i>July 1, 2021</i>	10a-105
Sec. 14	<i>July 1, 2021</i>	10a-8
Sec. 15	<i>July 1, 2021</i>	10a-77(b)
Sec. 16	<i>July 1, 2021</i>	10a-99(b)
Sec. 17	<i>July 1, 2021</i>	10a-44d(g)
Sec. 18	<i>July 1, 2021</i>	New section