



General Assembly

Amendment

January Session, 2021

LCO No. 9688



Offered by:

REP. ELLIOTT, 88th Dist.

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4 repealed and the following is substituted in lieu thereof (*Effective July 1,*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

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

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

77 on its findings and recommendations to the joint standing committees
78 of the General Assembly having cognizance of matters relating to higher
79 education and the judiciary, in accordance with the provisions of section
80 11-4a of the general statutes. The task force shall terminate on the date
81 that it submits such report or January 1, 2022, whichever is later.

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

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

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

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

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

107 (c) Each institution of higher education shall ensure that every

108 member of the campus mental health coalition is educated about the (1)
109 mental health services and programs offered at each campus by such
110 institution, (2) role and function of the campus mental health coalition
111 at such institution, and (3) protocols and techniques to respond to
112 student mental illness that have been developed with consideration
113 given to the students' race, cultural background, sexual orientation,
114 gender identity, religion, socio-economic status or status as a veteran or
115 service member of the armed forces of the United States.

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

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

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

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

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

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

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

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

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

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

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

203 Sec. 11. Subsection (e) of section 10a-143 of the general statutes is
204 repealed and the following is substituted in lieu thereof (*Effective July 1,*
205 *2021*):

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

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

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

220 Sec. 13. Subsection (g) of section 10a-44d of the general statutes is
221 repealed and the following is substituted in lieu thereof (*Effective July 1,*
222 *2021*):

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

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

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

237 higher education who participates in an intercollegiate athletic
238 program;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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