



House Bill No. 6402

Public Act No. 21-132

AN ACT CONCERNING HIGHER EDUCATION.

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

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 Subsection (b) of section 10a-149d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(b) Not later than July 1, 2016, the Board of Regents for Higher Education and the Board of Trustees for The University of Connecticut, in consultation with the institutions of higher education in the state, shall develop and adopt guidelines on awarding college credit for a student's military training, coursework and education. Such guidelines shall include course equivalency recommendations adopted by the American Council on Education or by other institutions or organizations deemed reputable by the Board of Regents for Higher Education and the Board of Trustees for The University of Connecticut. Until the adoption of such guidelines, any institution of higher education that awards college credit for such training, coursework and education shall use course equivalency recommendations adopted by the American Council on Education, a portfolio assessment process when appropriate or the institution's transfer and articulation policies when assigning college credit to a military occupation. Upon adoption of such guidelines, the governing body of each institution of higher

House Bill No. 6402

education in the state shall develop and implement policies governing the awarding of college credit for a student's military training, coursework and education. Not later than July 1, 2022, and every five years thereafter, the governing body of each institution of higher education in the state shall review and update its policies governing the award of college credit for a student's military training, coursework and education.

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

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

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

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

House Bill No. 6402

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

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

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

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

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

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

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

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

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

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

(g) Not later than January 1, 2022, the task force shall submit a report on its findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to higher

House Bill No. 6402

education and the judiciary, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or January 1, 2022, whichever is later.

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

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

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

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

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

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

House Bill No. 6402

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

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

Sec. 4. (NEW) (*Effective July 1, 2021*) The executive director of the Office of Higher Education and the Commissioner of Mental Health and Addiction Services, in consultation with an epidemiologist or other specialist with expertise in mental health issues at institutions of higher education, may jointly offer training workshops for the campus mental

House Bill No. 6402

health coalitions established pursuant to section 3 of this act regarding best practices for the assessment and provision of mental health services and programming at institutions of higher education.

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

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

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

Sec. 8. (*Effective from passage*) The Comptroller, in consultation with the Board of Regents for Higher Education and the Board of Trustees of

House Bill No. 6402

The University of Connecticut, shall study and develop a plan to expand access to the group hospitalization and medical and surgical insurance plan established pursuant to subsection (a) of section 5-259 of the general statutes and the retiree health insurance plan for part-time professional employees of the state system of public higher education. Not later than January 1, 2022, the Comptroller shall submit, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to higher education the plan developed pursuant to this section. Such study shall include, but need not be limited to, (1) determining the feasibility of and the costs associated with expanding the eligibility requirements for such health insurance plans to include (A) part-time professional employees who have taught not less than ninety credit hours in aggregate within the state system of higher education, and (B) retired, part-time professional employees who have taught not less than one hundred eighty credit hours in aggregate within the state system of higher education, regardless of whether such credit hours were completed at the rate of nine credits a semester; and (2) a method for payment of the employer's portion of the premium charged for such employee's coverage that does not require such employee to wait until the end of an academic semester to be reimbursed for such portion.

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

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

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

House Bill No. 6402

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

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

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

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

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

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

(g) Not later than [January 1, 2021] February 1, 2022, and annually thereafter, the council shall submit a report, in accordance with the provisions of section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to higher education regarding (1) the number and percentage of high-impact

House Bill No. 6402

courses for which open educational resources have been developed, (2) the degree to which institutions of higher education promote the use and access to open educational resources, (3) the amount of grants awarded by the council and the number of open educational resources developed by grant recipients, and (4) its recommendations for any amendments to the general statutes necessary to develop open educational resources.

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

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

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

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

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

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

(6) "NCAA" has the same meaning as provided in section 10a-55k of

House Bill No. 6402

the general statutes;

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

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

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

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

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

House Bill No. 6402

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

(d) No provision of this section shall be construed to (1) require an institution of higher education or an athletic association or conference, including, but not limited to, the NCAA to compensate a student athlete for use of his or her name, image or likeness; (2) require a student athlete or any other person to compensate an institution of higher education or an athletic association or conference, including, but not limited to, the NCAA for a student athlete's endorsement contract or employment activity that is in accordance with the provisions of subsection (b) of this section; (3) qualify any scholarship that a student athlete receives from an institution of higher education as compensation; (4) qualify a student athlete as an employee of an institution of higher education; (5) require an institution of higher education to take any action in violation of the Discrimination Based on Sex and Blindness Act, 20 USC 1681, et seq., as amended from time to time; (6) prohibit a student athlete from engaging

House Bill No. 6402

in an employment activity that entails coaching or performing a sport, provided such activity is not related to any intercollegiate athletic program; or (7) prohibit an institution of higher education from using a student athlete's name, image or likeness in connection with official team activities.

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

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

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

House Bill No. 6402

for each disclosure.

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

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