
OLR Bill Analysis

sSB 881 (File 679, as amended by Senate "A" and "B")*

AN ACT CONCERNING WORKFORCE DEVELOPMENT.

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BACKGROUND

Information on the bill's legislative history, in-state student classification, state-assigned student identifiers, financial responsibility scores for higher education institutions, NEBHE's High Value Credentials for New England, Credential Engine, and CP20 WIN

SUMMARY

In general, this bill creates new programs and policies as part of a statewide workforce strategy affecting postsecondary education admissions, student financial assistance, and institutional reporting; public transportation; and data sharing between state entities and between state and non-state entities. It also makes various technical and conforming changes.

*Senate Amendment "A" eliminates provisions on the creation of a new Office of Workforce Strategy (OWS), the establishment of a new CareerConneCT account, an OWS biennial credentials and skills

report, reporting recommendations about workforce training and credential attainment for incarcerated individuals, the renaming of the Connecticut Employment and Training Commission as the “Governor’s Workforce Council,” and the repeal of certain certificate program laws.

The amendment also adds provisions on the Connecticut Automatic Admissions Program (§§ 1 & 2), employee notice of education assistance program availability (§ 4), UConn Early College Experience Course prerequisites (§ 5), policies about college credit for high school coursework (§ 6), Office of Higher Education (OHE) program approval and modification reporting to the legislature (§ 10), regional workforce development board and community action agency reporting to OHE (§ 13), and data sharing and use agreements involving state instrumentalities and non-state entities (§ 15).

Additionally, the amendment makes various minor, conforming, and technical changes.

*Senate Amendment “B” allows higher education institutions to create additional application and acceptance requirements for the automatic admissions program (§ 1); removes the requirement that BOR and participating institutions post the automatic admissions program application on their websites and adds educational resources which must be linked with the application (§ 1); changes circumstances under which student information may be shared with immigration authorities (§ 7); decreases and temporarily eliminates program reporting requirements for independent higher education institutions (§ 9); extends the commencement of new quarterly reporting requirements for certain employers (§ 14); changes required provisions for inclusion in data sharing agreements (§ 15); and makes various minor and technical changes.

EFFECTIVE DATE: July 1, 2021, unless otherwise noted below.

§ 1 — CONNECTICUT AUTOMATIC ADMISSIONS PROGRAM

Requires BOR to establish an automatic admissions program for the CSUs’ bachelor’s degree programs and other in-state participating institutions

Program Establishment and Eligibility Criteria

The bill requires the Board of Regents for Higher Education (BOR) to establish the Connecticut Automatic Admissions Program by April 1, 2022. When establishing the program and adopting the rules, procedures, and forms to implement it, BOR must consult with the four Connecticut State Universities (CSUs) and any other in-state higher education institution that enters into a memorandum of agreement with BOR to participate in the program (“participating institutions”).

Under the bill, the program must require participating institutions to admit an applicant as a full-time, first-year student to a Connecticut in-person bachelor’s degree program if he or she meets the following requirements:

1. meets or exceeds the academic threshold (see “Academic Threshold,” below);
2. qualifies as an in-state student (see BACKGROUND);
3. is enrolled in his or her last school year before graduation in a Connecticut public or approved private high school; and
4. earns a high school diploma, an adult education diploma, or other equivalent credential, if required by a participating institution.

The bill specifies that (1) admission to an institution under the program does not guarantee admission to any specific bachelor’s degree program and (2) no participating institution may consider admission through the program when determining the student’s need- or merit-based financial aid.

Under the bill, a participating institution may conduct a comprehensive review of an applicant who applies through the program. This review may entail requesting additional application materials or result in denying admission. However, the bill requires participating institutions to make an effort to minimize the number of

students subjected to this review if the students meet the above four requirements.

Program Application Process

The bill requires BOR to create a simple, online application form for students to apply to the program's participating institutions. This application:

1. must require students to verify that they meet the qualifications;
2. may require students to provide their state-assigned student identifier, if they have one (although private school students do not have such a number; see BACKGROUND);
3. cannot require an application fee, an essay, or recommendation letters;
4. must embed or link to information and resources about (a) college admissions and financial aid and (b) the net cost of completing a bachelor's degree program, graduation rates, average earnings for graduates of participating institutions, and, if possible, common majors at participating institutions.

Participating Institutions Outside of the Connecticut State University System (CSUS)

The bill allows a nonprofit higher education institution outside of CSUS to participate in the program if it enters a memorandum of agreement with BOR and meets the following qualifications:

1. has graduated at least 100 students with a bachelor's degree in each of the prior four years;
2. maintains eligibility to participate in federal student financial aid programs;
3. has a financial responsibility score of at least 1.5 for the most recent fiscal year with available data, as determined by the U.S. Department of Education (see BACKGROUND); and
4. is accredited as a degree-granting institution in good standing

for at least 10 years by a regional accrediting organization and maintains the accreditation.

Under the bill, each non-CSU participating institution must use the online application form (see “Program Application Process,” above) and comply with the academic threshold requirements (see below). Additionally, the bill allows BOR to charge a reasonable fee to these institutions for program participation; however, it must not exceed BOR’s cost for including the institution in the program, or \$25,000, whichever is less. (It is unclear whether this fee must be a one-time fee or may be recurring.)

Academic Threshold

The bill requires BOR to establish (1) a minimum class rank percentile for program applicants to qualify for automatic admission to participating institutions and (2) a standardized grade point average (GPA) calculation method that must be used to determine class rank percentile.

The bill also requires each participating institution to establish an academic threshold for admission to the institution through the program.

For any non-CSU participating institution, the threshold must be based on one or more of the following:

1. the BOR-established minimum class rank percentile,
2. a minimum GPA calculated using the BOR-established standardized method, or
3. a combination of (a) the BOR-established standardized method of minimum GPA calculation and (b) performance on a nationally recognized college readiness assessment administered to grade 11 students (i.e., the SAT).

Under the bill, CSU participating institutions (1) must establish an academic threshold using the BOR-established minimum class rank

percentile and (2) may establish the other two academic thresholds available to participating institutions.

The bill considers any applicant who has satisfied any one of an institution's academic thresholds to have fulfilled the academic threshold for admission. Additionally, it prohibits participating institutions' governing boards from establishing policies or procedures that require additional academic qualifications beyond what is in the bill.

Nonpublic High School Participation

The bill allows a Connecticut nonpublic high school's supervisory agent to apply to BOR, in a BOR-prescribed form and manner, to participate in the program. BOR must approve any application, so long as the school (1) is accredited by a generally recognized organization or is operated by the U.S. Department of Defense or (2) complies with the bill's GPA and class rank percentile calculation requirements (see § 2, below).

§ 2 — AUTOMATIC ADMISSIONS PROGRAM ELIGIBILITY

Requires boards of education to calculate and notify students of their eligibility for the automatic admissions program using a standardized method

The bill requires each local and regional board of education, starting in the 2022-23 school year, to make certain annual calculations to determine which students qualify for the automatic admissions program. Specifically, each board must do the following:

1. calculate a GPA using the BOR-established standardized method for each student who completes grade 11;
2. determine whether these students' class rank percentile is above or below the BOR-established minimum; and
3. share a student's GPA, and whether the student is above or below the minimum class rank percentile, with the student; his or her parents or guardians; the State Department of Education (SDE); and, upon the student's request, a participating institution for purposes of the program.

The bill specifies that it does not require a board of education to (1) publish or provide any student's class ranking, (2) publish the BOR-established GPA calculation on a student's transcript, or (3) publish whether a student is above or below the BOR-established minimum class rank percentile for the automatic admissions program.

The bill requires each board of education, starting in the 2022-23 school year, to annually notify each student in his or her final year of high school, and their parent or guardian, about whether the student may be admitted to at least one participating institution under the automatic admissions program, based on the academic threshold described above.

§ 3 — CTPASS PROGRAM

Requires the DOT commissioner to establish the CTpass program to allow certain individuals of eligible organizations to use certain public transit services for free or at a reduced cost

The bill requires the Department of Transportation (DOT) commissioner to establish the CTpass program by January 1, 2022, to allow certain employees, clients, students, or customers of an approved class for an eligible organization to use certain public transit services without cost or at reduced cost. These eligible organizations include::

1. a training program listed on the Department of Labor's Eligible Training Provider List,
2. an apprenticeship or pre-apprenticeship program sponsor,
3. a State Board of Education (SBE)-approved alternate route to certification (ARC) program provider,
4. a higher education institution,
5. a private occupational school,
6. an employer,
7. a state or municipal agency, and

8. a public or nonprofit social service provider.

The commissioner must post information about the program and its application process on the department's website in a manner that, in his view, will maximize awareness and participation by the greatest number of eligible organizations.

Under the bill, after an eligible organization submits an application to participate in CTpass, the commissioner may (1) negotiate terms and conditions and enter into a contract with the organization and (2) treat several eligible organizations as a single one for the contract.

The contract's terms and conditions must include (1) the amount of compensation or reimbursement required from the eligible organization, (2) the definition of approved class specific to the eligible organization, and (3) any limitations on times of use or types of public transit services available to the approved class. The compensation or reimbursement negotiated in the contract must be in an amount that the commissioner finds necessary or advisable, so long as it ensures that DOT's transit service expenditures do not increase due to administrative costs incurred operating the program.

The bill requires that a contract under the CTpass program be valid upon the Office of Policy and Management's (OPM's) approval for a maximum two-year term; however, the first contract with an eligible organization must not exceed 12 months. Before renewing a contract with an eligible operator, the DOT commissioner must consider the following to re-evaluate the required compensation or reimbursement amount: (1) prior pass usage information and (2) any transit services expenditure increases incurred by DOT.

By January 1, 2023, and annually thereafter, the bill requires the DOT commissioner to report to the OPM secretary on the financial data and pass usage information for each contract under the CTpass program.

§ 4 — EDUCATION ASSISTANCE PROGRAMS

Requires certain employers to notify employees about education assistance programs they may offer

The bill requires each Connecticut employer with 100 or more employees to notify their employees who live in the state by December 1, 2021, and annually for the next three years, about (1) whether the employer offers an education assistance program and (2) if one is offered, the benefits included and how an employee may enroll. Under the bill, as defined by federal law, an education assistance program is a separate written plan of an employer for the exclusive benefit of its employees to provide them with educational assistance such as payments for tuition, fees, books, supplies, equipment, and qualified education loans (26 U.S.C. § 127).

The bill prohibits an employee from having a cause of action against an employer for not offering this type of program or for failing to notify employees about the program. It requires the Department of Economic and Community Development (DECD) commissioner to make information and resources about these programs available to employers.

§ 5 — UCONN EARLY COLLEGE EXPERIENCE COURSES

Requires UConn to remove Early College Experience (ECE) course prerequisites as much as possible and report to the education commissioner and legislative committees on these efforts and related topics

The bill requires UConn to remove prerequisites, to the extent possible, from each UConn ECE course offered in the state and work with local and regional boards of education to increase access to these courses.

It also requires UConn to report to the education commissioner and the Higher Education and Employment Advancement and Education committees by October 1, 2022, about the following topics:

1. prerequisites for UConn ECE courses;
2. a comparison of UConn's ECE prerequisites to those of similar courses offered by other higher education institutions and for advanced placement, International Baccalaureate, and

Cambridge International programs;

3. enrolled student demographics (presumably for ECE courses);
and
4. UConn's actions taken to increase ECE course access.

§ 6 — COLLEGE CREDIT FOR HIGH SCHOOL COURSEWORK

Requires the governing boards of public state colleges and universities to report on their policies for awarding college credit for exam scores earned in advanced high school courses

The bill requires the UConn Board of Trustees and BOR to report to the education commissioner and the Education and Higher Education committees by February 1, 2022, about their institutions' policies for awarding course credit to undergraduate students for their score on an advanced placement, International Baccalaureate, Cambridge International, or UConn ECE exam taken while enrolled in high school.

§ 7 — STUDENT INFORMATION PROTECTION

Exempts specified student information from disclosure under FOIA; prohibits the sharing of higher education student applications and immigration status with federal immigration authorities; establishes conditions upon which the information may be disclosed

FOIA Exemptions

The bill exempts the following from disclosure under the Freedom of Information Act (FOIA): (1) any information contained in a Free Application for Federal Student Aid or state application for student financial aid and (2) personally identifiable information in higher education institution admissions applications, including applications under the Connecticut Automatic Admissions Program (see § 1 above). This exemption applies to these records held by any department, board, commission, or public higher education institution, or any other agency of the state, as well as any local or regional board of education or state-administered school system.

Records Protection for Undocumented Students and Families

The bill prohibits several individuals and entities from disclosing to any federal immigration authority any confidential information about an individual, including information about his or her admission or financial application or immigration status. These individuals and

entities are officers, employees, or agents of a local or regional board of education or Connecticut higher education institution. Under the bill, this information may be disclosed if it is:

1. authorized in writing by the individual or by his or her parent or guardian if the individual is a minor or not legally competent to consent to the disclosure;
2. necessary for a criminal terrorism investigation; or
3. otherwise required by state or federal law or to comply with a judicial warrant or court order issued by a state or federal judge or magistrate.

By law, “federal immigration authority” refers to any officer, employee, or other person otherwise paid by or acting as an agent of (1) U.S. Immigration and Customs Enforcement (ICE) or any division of ICE or (2) the U.S. Department of Homeland Security or any successor agency charged with enforcing the civil provisions of the Immigration and Nationality Act.

§ 8 — CREDENTIALS DATABASE

Requires OHE to create a database of the credentials offered in Connecticut; beginning by July 1, 2024, requires specified institutions and training providers to submit information about the credentials they offer to be included in the database; creates an advisory council to advise OHE on the database’s implementation; establishes council membership

Credentials Database

By January 1, 2023, OHE’s executive director, in consultation with the advisory council described below, must create a database of the credentials offered in Connecticut. Under the bill, a “credential” is a documented award issued by an authorized body. It includes the following:

1. degrees or certificates awarded by colleges and universities, private occupational schools, or SBE-approved ARC program providers;
2. certifications awarded through an examination process designed to demonstrate that an individual has the knowledge,

- skill, and ability to perform a specific job;
3. government licenses that allow someone to practice a specific occupation based on predetermined qualifications; and
 4. documented completion of an apprenticeship or job training program.

The database must explain the skills and competencies earned through a credential in uniform terms and plain language. In creating the database, the executive director must use the (1) minimum data policy established by the New England Board of Higher Education's (NEBHE's) High Value Credentials for New England initiative (see BACKGROUND) and (2) uniform terms, descriptions, and standards for comparing and linking credentials in Credential Engine's Credential Transparency Description Language-Achievement Standards Network (see BACKGROUND).

The database must, at a minimum, include the following information for each credential:

1. name and type of credential being offered and its credential status type (i.e., active, deprecated, probationary, or superseded);
2. entity that owns or offers the credential;
3. a short description of the credential and the language in which it is offered;
4. a website that provides related information;
5. estimated cost and duration for completion;
6. the industry related to the credential, which may include its code under the North American Industry Classification System;
7. the occupation related to the credential (e.g., its code under the U.S. Bureau of Labor Statistics (BLS) standard occupational classification system or under The Occupational Information

Network); and

8. a listing of online or physical locations where it is offered.

Advisory Council

The bill establishes a council to advise the OHE executive director on the database's implementation. The advisory council must include the state's chief data officer or his designee and representatives from DECD, OHE, OPM, the Department of Labor (DOL), SDE, the Connecticut State Colleges and Universities, UConn, and independent higher education institutions. The DECD commissioner, chief data officer, and OHE executive director, or their designees, must cochair the council and schedule its meetings.

Requirement to Submit Credential Information

Annually, beginning by July 1, 2024, the bill requires specified institutions and training providers to submit information about the credentials they offer to be included in the database. Specifically, this requirement applies to each regional workforce development board, community action agency, higher education institution, private occupational school, SBE-approved ARC program provider, and training program provider listed on DOL's Eligible Training Provider List, excluding any state agencies or departments.

Each of these entities must submit the information in the form and manner the OHE executive director prescribes, including the data described above. Higher education institutions, however, may omit the industry code data for any credentials for which it is not applicable.

The bill also authorizes DOL, in consultation with the advisory council, to require any pre-apprenticeship or apprenticeship program sponsor to submit information about its program to OHE for inclusion in the database.

§§ 9-12 — HIGHER EDUCATION PROGRAM APPROVAL

Decreases, and in some cases eliminates, reporting requirements for independent institutions, BOR, and BOT on new programs and program changes they approve for their respective institutions; requires OHE to report on recommendations for program approval and modification requirements to the Higher Education Committee

Independent Institutions

Current law exempts qualifying independent colleges and universities from OHE's approval process for up to 12 new higher education programs per academic year and any modifications to their existing programs. The bill (1) increases this exemption to an unlimited number of new programs or program modifications until June 30, 2023, but (2) reimposes an exemption limit of up to 15 new programs in any academic year or any proposed program modifications beginning July 1, 2023. Institutions qualify for these exemptions if they:

1. are eligible to participate in the Federal Family Education Loan program;
2. have a financial responsibility score of at least 1.5, as determined by the U.S. Department of Education (this score reflects the overall relative financial health of institutions); and
3. have been located in Connecticut and accredited as a degree-granting institution in good standing for at least 10 years by a federally recognized regional accrediting association.

Additionally, the bill terminates, after June 30, 2024, the requirement that these exempt institutions annually file with OHE a list and description of any new programs introduced, and any existing programs discontinued, in the preceding academic year. As under existing law, the institutions must continue to annually file their (1) program approval process and all actions their respective governing boards took concerning new program approvals, and (2) financial responsibility composite score.

Public Institutions

The bill also terminates, as of June 30, 2024, the Board of Regents for Higher Education (BOR) and UConn Board of Trustees (BOT) reports to OHE on the new programs and program changes they approved. By law, BOR reviews and approves recommendations to establish new academic programs for the universities within the Connecticut State University System, the community colleges, and Charter Oak State

College, and BOT does so for UConn.

OHE Recommendations

The bill requires the OHE executive director to submit recommendations to the Higher Education and Employment Advancement Committee by October 1, 2023, about the program approval and modification requirements in state law.

§ 13 — STUDENT AND TRAINEE DATA COLLECTION

Requires private occupational schools and certain postsecondary training providers to submit specific data to OHE on each of their enrolled students; prohibits OHE from releasing to the public any of this identifiable student information but allows data-sharing under limited circumstances

By January 1, 2023, the bill requires each private occupational school, regional workforce development board, community action agency, and SBE-approved ARC program provider to submit to OHE specified data on each of their enrolled students or trainees who earns a credential offered by these entities. The data must include, at a minimum, gender identity; age; race; ethnicity; course enrollment; course and credential completion; fees and tuition charged; federal student loans received; federal student loan balances; and state-assigned student identifiers, if applicable. (By law, SDE assigns to each student a unique student identifier to track his or her performance in the public school information system.) The schools, boards, agencies, and providers must submit this data in the form and manner OHE prescribes. The bill specifies that it does not require a student or trainee to provide information about gender identity, age, race, or ethnicity if not otherwise required by law.

The bill specifies that any personally identifiable information provided by these entities is exempt from public release under FOIA. However, it allows OHE to share information that these entities provide with another state agency, state, or territory; the federal government; or to support a CP20 WIN data request (see BACKGROUND) for program administration, audit, evaluation, or research, so long as the data recipient agrees to a data sharing agreement if the recipient is not a state agency, another state or territory, or the federal government (see § 15 below).

§ 14 — QUARTERLY REPORTING REQUIREMENTS FOR EMPLOYERS

Requires employers subject to the state's unemployment law to report certain data about each employee in their quarterly wage reports to DOL, with a waiver option; exempts employers' identifying information and employees' personally identifying information from disclosure under FOIA, with certain exceptions

Expanded Reporting Requirement

The bill requires most employers subject to the state's unemployment law to include specified data about each employee in their quarterly wage reports to DOL. (The requirements do not apply to employers with 49 or fewer employees that have an electronic payroll system.)

Specifically, employers must also report the following data for each employee:

1. gender identity, age, race, ethnicity, veteran status, disability status, and highest education completed;
2. home address and address of primary work site;
3. occupational code under the BLS standard occupational classification system;
4. hours and days worked and salary or hourly wage; and
5. employment start date in the current job title and, if applicable, employment end date.

The DOL commissioner may issue guidance defining each of these data fields. The bill phases in these reporting requirements, based on the employer's number of employees, as follows:

1. beginning with the third quarter of 2024 for employers with 100 or more employees;
2. beginning with the third quarter of 2026 for employers with 99 or fewer employees, except as provided below; and
3. beginning in the third quarter of 2028 for employers with 49 or

fewer employees that do not have an electronic payroll system.

The bill states that these provisions may not be construed to require employees to provide information on their gender identity, age, race, ethnicity, or veteran or disability status, if these disclosures are not otherwise required by law.

Electronic Report Submissions and Waivers

The bill allows employers to request a waiver from the electronic reporting requirement for the employee data described above, just as existing law allows them to do for electronic wage reports and reimbursements. As under existing law, employers, or their agents, may submit a written request for a waiver on a DOL-prescribed form at least 30 days before the report is due. The DOL commissioner must grant the request if, based on the submitted information, he finds that the requirement would cause an undue hardship. The commissioner must promptly notify the employer or agent of his decision, which cannot be further reviewed or appealed. A waiver is good for one year.

Confidentiality of Employee Data

Under the bill, the following information is not considered a public record and is exempt from disclosure under FOIA: (1) an employer's name and identifying information and (2) an employee's personally identifying information provided to the DOL commissioner. But the bill allows the commissioner or the department to share this information (1) with another state agency, state or territory, or the federal government or (2) to support a CP20 WIN data request, submitted according to CP20 WIN's policies and procedures, for program administration, audit, evaluation, or research purposes, so long as the data recipient agrees to a data sharing agreement if the recipient is not a state agency, another state or territory, or the federal government (see § 15).

§ 15 — DATA SHARING AGREEMENTS

Allows state instrumentalities to enter into a data sharing agreement with non-state entities when allowed under state and federal law

The bill allows the following state instrumentalities to enter into a

data sharing agreement (hereafter “agreement”) with one or more individuals or organizations, when otherwise allowed by state and federal law: any office, department, board, commission, public higher education institution, or other state instrumentality. The agreement must be considered a public record, and any state instrumentality that enters into one must not release any information that may endanger data security or safety.

The agreement must include the following provisions:

1. The purpose for which the party entering into the agreement with a state instrumentality will use the data, and a restriction that this data may only be used for purposes authorized under the agreement.
2. The specific individuals from the parties to the agreement who may access or use the data.
3. Data provided by the state instrumentality must not be shared with another party unless the other party has entered into an agreement with the instrumentality and has the instrumentality’s approval.
4. Data must not be copied or stored in any location by any party, unless approved by the state instrumentality in the agreement.
5. All data must be securely stored and accessed as prescribed in the agreement.
6. Any party to the agreement must immediately notify the state instrumentality of any breach of the agreement.
7. The data must not be considered property of the party that has entered into an agreement with the state instrumentality.
8. If any provision in the agreement or its application is invalidated by a court, the invalidity does not affect other provisions or applications of the agreement that can be given effect without the invalid provision or application.

9. A party entering into an agreement must not (a) use records or information obtained under it to enforce federal immigration law or (b) share, disclose, or make these records or information accessible in any direct or indirect way to any federal or state agency, or its officer or agent, that enforces federal immigration law.
10. No party entering into an agreement may share, disclose, or make accessible in any direct or indirect manner information or records that are exempt from disclosure under FOIA.
11. An agreement must have an explicit term of length, which may not exceed two years.
12. No algorithm or learning model derived from data provided by a state instrumentality under the agreement may be retained or used by the other party after the agreement expires.
13. Any research using data provided under an agreement must first be approved by a higher education institution's or state instrumentality's review board.

Additionally, the bill prohibits state instrumentalities from entering into an agreement (1) with any party found to have breached an existing or prior agreement with a state instrumentality for five years after the breach, (2) to sell data, to share it for resale, or for any other commercial purpose, or (3) regarding data that is not subject to disclosure under FOIA unless the party to the agreement is able to exempt the data from any local, state, or federal FOI or right-to-know act. It also requires state instrumentalities to deidentify any data shared pursuant to an agreement to the greatest extent possible.

By January 1, 2022, and then annually, the bill requires each state instrumentality to submit a summary of each agreement it has entered into, along with a copy of the agreement, to the legislative committee that has primary cognizance over the instrumentality.

§ 16 — DISCLOSURE OF TAX RETURN INFORMATION FOR RESEARCH OR CP20 WIN DATA REQUESTS

Authorizes DRS to release tax return information for evaluation or research purposes under specified conditions

The bill authorizes the Department of Revenue Services (DRS) commissioner, to the extent allowed by federal law, to disclose tax return information for evaluation or research purposes (1) to another state agency or (2) to support a data request submitted through CP20 WIN, in accordance with CP20 WIN’s policies and procedures, so long as the data recipient enters into a data sharing agreement (see § 15) if the recipient is not a state agency.

By law, “return information” includes:

1. a taxpayer’s identity;
2. the nature, source, or amount of the taxpayer’s income, payments, receipts, deductions, exemptions, credits, assets, liabilities, net worth, tax liability, tax collected or withheld, tax under- or over-reportings, or tax payments;
3. whether the taxpayer’s return was, is being, or will be examined or subjected to other investigation or processing; and
4. any other data received, recorded, prepared, or collected by or furnished to the DRS commissioner regarding (a) a return or (b) a determination of liability for a tax, penalty, interest, fine, forfeiture, or other imposition or offense (CGS § 12-15(h)(2)).

EFFECTIVE DATE: October 1, 2021

§§ 17 & 18 — CHESLA LOAN AND AWARD ELIGIBILITY FOR CERTIFICATE PROGRAM ENROLLMENT

Allows students enrolled in a Connecticut high-value certificate program or their parents to take out student loans and receive certain financial aid with CHESLA; requires CHESLA to establish an account to fund and operate these loans

The bill allows (1) students enrolled in a Connecticut “high-value certificate program,” or their parent, to take out student loans with CHESLA to finance the student’s enrollment and (2) these students to

receive grants, scholarships, fellowships, or other non-repayable assistance from CHESLA. Under the bill, a “high-value certificate program” is a non-credit, subbaccalaureate certificate program offered by a higher education institution or a private occupational school that DECD determines to meet the needs of Connecticut employers. (The bill does not specify how or by when DECD must make these determinations.) A “Connecticut high-value certificate program” is a high-value certificate program offered by a higher education institution or private occupational school in the state.

Additionally, the bill requires CHESLA to establish the Certificate Loan Loss Reserve and Funding account. This separate, nonlapsing account must contain any funds required by law to be deposited in it, including state appropriations or bonds sale proceeds. CHESLA must spend these funds to (1) fund loans that it issues to a borrower to finance Connecticut high-value certificate program enrollment, (2) cover any losses CHESLA incurs from issuing these loans and reasonable and necessary expenses for administering them, and (3) cover any initial implementation expenses before the loans’ origination.

EFFECTIVE DATE: October 1, 2022, for the loan provisions and July 1, 2021, for the CHESLA account provisions.

BACKGROUND

Information on the bill’s legislative history, in-state student classification, state-assigned student identifiers, financial responsibility scores for higher education institutions, NEBHE’s High Value Credentials for New England, Credential Engine, and CP20 WIN

Legislative History

The Senate referred the bill (File 327) to the Education Committee, which reported a substitute (File 679) that removed the following provisions:

1. requiring reports from certain school districts explaining their decision not to utilize the community eligibility provision of the National School Lunch Program;
2. creating new contents and sharing requirements for student

- success plans;
3. adding computer science to the science, technology, engineering, and math (STEM) subject listings in the public high school graduation requirements;
 4. establishing new parameters for student placement in high-level courses by boards of education;
 5. creating a pilot program that allows student enrollment in UConn early college experience courses without prerequisites;
 6. requiring each board of education to adopt a challenging curriculum policy for K-12 students;
 7. requiring completion of the Free Application for Federal Student Aid (FAFSA) as a condition for high school graduation;
 8. increasing the number of credits required to earn an adult education diploma;
 9. raising the age when a student may withdraw from high school;
 10. requiring the education commissioner to recommend strategies to state agencies, boards, and legislative committees to encourage students to pursue postsecondary education;
 11. requiring boards of education to update their weighted grading policies;
 12. creating the Connecticut Automatic Admissions Program for admission to the four Connecticut state universities; and
 13. requiring boards of education to calculate a grade point average and class rank percentile for grade 11 students using a uniform, BOR-approved method to determine eligibility for the automatic admissions program.

The Senate then approved the bill as amended by Senate Amendment "A" (LCO 9435) and immediately referred it to the

Appropriations Committee, which then favorably reported the bill back to the Senate floor.

In-State Student Classification

By law, with limited exceptions, eligibility for in-state student classification is based on an applicant’s domicile, which is his or her “true, fixed and permanent home” and the place where he or she intends to remain and return to when he or she leaves (CGS §§ 10a-28 & 10a-29). One exception allows a person, except for certain nonimmigrant aliens (i.e., people with a visa permitting temporary entrance to the country for a specific purpose), to qualify for in-state tuition if he or she meets the following criteria:

1. resides in Connecticut (i.e., maintains a continuous and permanent physical presence, except for short, temporary absences);
2. attended an in-state educational institution and completed at least two years of high school in Connecticut;
3. graduated from a high school or the equivalent in Connecticut; and
4. is registered as an entering student, or is a student, at UConn, a Connecticut State University, a community-technical college, or Charter Oak State College.

Students without legal immigration status who meet the above criteria must file an affidavit with the institution stating that they have applied to legalize their immigration status or will do so as soon as they are eligible (CGS § 10a-29(9)).

State-Assigned Student Identifier

The State Department of Education assigns a unique student identifier to each student prior to tracking their performance in the public school information system. This system tracks and reports data relating to student, teacher, school, and district performance growth and makes this information available to boards of education for use in

evaluating educational performance and growth of teachers and enrolled students (CGS § 10-10a).

Financial Responsibility Score

According to the U.S. Department of Education, this composite score reflects the overall relative financial health of higher education institutions along a scale from -1 to 3. A score of 1.5 or more indicates that the institution is considered financially responsible.

NEBHE's High Value Credentials for New England

NEBHE's High Value Credentials for New England initiative was designed to provide individuals, institutions, policymakers, and employers with the tools to compare and evaluate credential programs and understand the skills and competencies obtained by earning a credential. The initiative includes a cloud-based Credential Registry that houses, organizes, and links credential information. The minimum data policy establishes the fields that make up the credential profiles in the registry.

Credential Engine

Credential Engine is a nonprofit organization that provides web-based services for creating a centralized credential registry. Its Credential Transparency Description Language provides a common set of terms for defining credentials, credentialing organizations, quality assurance bodies, and competencies.

CP20 WIN

CP20 WIN (i.e., the Connecticut Preschool through Twenty and Workforce Information Network) provides a framework and mechanism for securely sharing longitudinal data across participating agencies. It is designed to provide information to education, workforce, and agency staff and leaders to help improve education and workforce outcomes.

Requests for data from CP20 WIN must be for conducting an audit or evaluation of a federally or state-funded education program and benefit a local or state education authority or agency. Requests must

also comply with existing state and federal limitations on sharing education and unemployment wage data (CGS § 10a-57g).

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable Substitute

Yea 19 Nay 3 (03/22/2021)

Education Committee

Joint Favorable Substitute

Yea 35 Nay 2 (05/03/2021)

Appropriations Committee

Joint Favorable

Yea 32 Nay 15 (05/28/2021)