



**Legislative Advisory Committee Meeting  
Newport Marriott Hotel  
Newport, Rhode Island  
Thursday, September 22**

**Legislative Lunch Discussion: What Works in Your State & What Doesn't?  
New England State Legislative Sessions: Summaries & Bills Passed  
2015-16**

*(LAC Bill Sponsors Noted in Italics)*

**Connecticut**

As Connecticut enters the second year of its biennial budget, the state's public higher education system faces reduced funding for Transform CSCU 2020 and block grants. Additionally, due to Connecticut's debt cap, many capital projects at public colleges and universities have been put on hold or cancelled. The University of Connecticut will have \$81 million of capital funds held until 2017-18 and the community college system has seen \$55 million worth of capital projects cancelled.

As the Connecticut General Assembly looks to the next budget cycle, the Office of Higher Education is expecting a 5% to 10% decrease in funding. Programs such as Go Back to Get Ahead face uncertain futures.

Political ambiguity extends to the governor's office and the General Assembly with the possibility that Gov. Dannel Malloy could receive an appointment from a President Hillary Clinton and the state Senate could flip, potentially resulting in a Democratic governor and Republican Lt. governor. Additionally, the discussion of combining the committees on education and higher education and employment continues.

NEBHE Board and Legislative Advisory Committee member Rep. Roberta Willis announced her retirement earlier this year. Her hard work was recognized by her colleagues with the renaming of Governor's Scholarship, which will now be known as the Roberta B. Willis Scholarship.

**Higher Education Legislation Signed into Law**

[Senate Bill No. 24](#)

*(Rep. Willis)*

**PROGRAM APPROVAL FOR INDEPENDENT INSTITUTIONS OF HIGHER EDUCATION**

Exempts academic programs of certain Connecticut independent institutions of higher education from approval by the Office of Higher Education.

[Senate Bill No. 25](#)

**SPECIAL POLICE FORCES ON COLLEGE CAMPUSES**

Permits the establishment of a special police force at each of the regional community-technical colleges, subject to the approval of the Board of Regents.

[Senate Bill No. 26](#)

**PRIVATE OCCUPATIONAL SCHOOLS**

Makes certain changes to the statutes concerning the approval and authorization of private occupational schools. Specifically, the bill conforms state law to federal regulations by defining private occupational schools as “postsecondary career schools,” specifies that private occupational schools include hospital-based occupational schools, hairdressing schools, and barbering schools, and allows the Office of Higher Education’s executive director to oversee the accreditation, authorization and closure of these schools.

[Senate Bill No. 97](#)

**THE PRIVATE OCCUPATIONAL SCHOOL STUDENT PROTECTION ACCOUNT**

Makes minor changes to the student protection account statutes obligating private occupational schools to pay into the student protection account, which reimburses students’ tuition in the event of a school’s failure. Eliminates a provision that adjusted private occupational schools’ required payments to the private occupational school student protection account and instead requires all schools to pay 0.4% of their tuition revenues into the account every quarter, regardless of its balance. The bill also expands the statute to include distance-learning programs.

[Senate Bill No. 333](#)

**THE FOUNDATION OF THE UNIVERSITY OF CONNECTICUT**

Increases the transparency of and accountability for the activities of the foundation of the University of Connecticut and the institutionally related foundations of the Connecticut State University System, the regional community-technical colleges, and Charter Oak State College by requiring additional annual reports and informational filings.

[House Bill No. 5069](#)

**A TWO GENERATION INITIATIVE FOR FAMILIES**

Establishes a study on workforce development issues and directs the working group that oversees the state’s two-generational school readiness and workforce development (meaning support is offered across two generations in the same household) pilot program on the contents of its report.

[House Bill No. 5072](#)

**HIGHER EDUCATION CERTIFICATE PROGRAMS**

Creates consistency among the various sub-baccalaureate certificate programs by establishing written definitions for all sub-baccalaureate certificates earned on a for-credit or noncredit basis and awarded by higher education institutions and private occupational schools and requires the dissemination of this information online to help students make informed enrollment decisions.

[House Bill No. 5332](#)

**THE GOVERNOR’S SCHOLARSHIP PROGRAM**

Makes various changes to the Governor’s Scholarship program, including renaming the Scholarship Program for retiring State Representative Roberta Willis, establishing a maximum award amount for the need award, revising the criteria for determining how funds for need-based awards must be allocated among higher education institutions, earmarks 2.5% of the program’s appropriation for use by the community-technical colleges for financial aid purposes.

[House Bill No. 5376](#)

*(Rep. Haddad, Sen. Flexer, Rep. Willis)*

**CONCERNING AFFIRMATIVE CONSENT**

Requires the inclusion of affirmative consent as a standard in every institution of higher education’s policy or policies regarding sexual assault, stalking and intimate-partner violence.

[House Bill No. 5070](#)

**CONCERNING PARTICIPATION IN THE STANDARD AUTHORIZATION RECIPROcity AGREEMENT REGARDING DISTANCE LEARNING PROGRAMS.**

This bill requires the Office of Higher Education (OHE), by Jan. 1, 2017, to enter into a multistate or regional reciprocity agreement (SARA) to allow Connecticut and its higher education institutions to participate in a nationwide state authorization reciprocity agreement on distance-learning programs. The nationwide agreement must: 1) establish uniform standards across states and 2) eliminate the need for participating states to assess the quality of a program offered by an out-of-state institution.

[House Bill No. 5423](#)

**ENCOURAGING MIDDLE SCHOOL AND HIGH SCHOOL STUDENTS TO CONSIDER CAREERS IN MANUFACTURING AND CONCERNING INFORMATION POSTED ON THE LABOR DEPARTMENT'S APPRENTICESHIP WEBSITE**

This bill requires the education commissioner, in collaboration with the Board of Regents, to establish a committee to coordinate efforts to educate middle school and high school students about manufacturing careers.

Under the bill, the committee must annually: 1) compile a catalog of manufacturing training programs at public and private educational institutions in the state and 2) analyze, in consultation with the manufacturing industry, whether current programs available to Connecticut students are meeting workforce needs. It must annually report its findings to the Commerce and Higher Education committees, with the first report due Feb. 1, 2017.

[House Bill No. 5470](#)

**ESTABLISHING A PILOT PROGRAM FOR MINORITY STUDENTS IN HIGH SCHOOL TO PURSUE A COLLEGE DEGREE IN EDUCATION**

To establish a teacher pathways pilot program to encourage and recruit minority students to pursue a career in education.

## Maine

Maine closed out the second year of the biennium with a budget surplus of \$93 million, which was appropriated to programs that receive funding only when a surplus occurs, in a practice known as “cascading.” Gov. Paul LePage butts heads with the Legislature on this practice, preferring to do away with cascading in favor of depositing these funds into the Budget Stabilization Fund. Nonetheless, this year, the majority of the surplus will be allocated to the FY17 budget.

LePage has drawn national attention over the course of the year for inflammatory remarks regarding drug trafficking in Maine and welfare recipients, and for threatening a Democratic lawmaker. Since the latest event, LePage has vowed to stop speaking with reporters.

The University of Maine system has extended its tuition freeze for a sixth year, despite a \$20 million gap in its 2016-2017 budget. Gov. LePage stated early in 2016 that he would propose a supplemental budget in January 2017, which could include additional appropriations to public higher education institutions.

In the higher education realm, the University of Maine introduced a unique program to extend in-state tuition to select states in an effort to boost enrollment (“Flagship Match”). Students from Massachusetts, New Hampshire, Vermont, Connecticut, New Jersey and Pennsylvania may now enroll at the university with the reduced rate.

### **Higher Education Legislation Signed into Law**

#### LD 215

*(Sen. Langley, Sen. Millett)*

#### **IMPROVING STUDENT RETENTION IN MAINE’S POSTSECONDARY INSTITUTIONS**

Directs Jobs for Maine's Graduates, a state-authorized nonprofit corporation, to provide mentoring and counseling services, course guidance and graduation planning, peer support services and financial guidance to students at postsecondary institutions in the state for the purpose of significantly increasing the percentage of eligible students who obtain a postsecondary degree. Eligible students must have previously been enrolled in a Jobs for Maine's Graduates high school program, been in or currently be in foster care or have earned a high school equivalency diploma within the five years prior to obtaining these services.

#### LD 1443

*(Sen. Langley)*

#### **MERGING THE MAINE EDUCATIONAL LOAN AUTHORITY WITH THE FINANCE AUTHORITY OF MAINE**

Establishes the Finance Authority of Maine as the successor to the Maine Educational Loan Authority.

#### LD 1655

#### **INCREASING THE NUMBER OF SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS PROFESSIONALS IN THE STATE**

The purpose of this bill is to increase the number of students pursuing graduate and undergraduate degrees in the fields of science, computer science, technology, engineering and mathematics. This bill creates the Maine Science, Technology, Engineering and Mathematics Loan Program to be administered by the Finance Authority of Maine. Under the bill, loans with varying interest rates will be provided to participating students depending on their future residency and employment: loans bearing an interest rate of 0% annually will be available to students who remain in or return to the state and work in the fields of science, computer science, technology, engineering and mathematics upon graduation; loans bearing an interest rate of 5% annually will be available to students who remain in or return to the state upon graduation but are not employed in the fields of science, computer science, technology, engineering and mathematics; and loans bearing an interest rate of 8% annually will be available for students who live and work outside the state upon graduation. The bill also authorizes the commissioner of education to grant funds to the program's Maine Science, Technology, Engineering and Mathematics Loan Fund if they become available.

#### LD 428

*(Sen. Langley, Rep. Daughtry, Sen. Millett)*

#### **AMENDING THE POWERS AND DUTIES OF THE STATE BOARD OF EDUCATION**

This bill specifically authorizes the Maine State Board of Education to enter into an interstate reciprocity agreement regarding postsecondary distance education, to administer the agreement and to approve or disapprove an application

to participate in the agreement from a postsecondary institution that has its principal campus in the state. This agreement is known nationwide as the State Authorization Reciprocity Agreement (SARA).

[LD 878](#)

**SUPPORTING COLLEGE AFFORDABILITY IN MAINE**

This bill proposes to enact measures designed to reduce the costs associated with higher education in order to encourage resident students to remain in the state to attend school, and nonresident students to come to the state to attend school.

[LD 1441](#)

*(Sen. Langley)*

**ESTABLISHING THE PUBLIC HIGHER EDUCATION SYSTEMS COORDINATING COMMITTEE**

The bill replaces the Education Coordinating Committee with the Public Higher Education Systems Coordinating Committee to:

1. Promote efficiency, cooperative effort and strategic planning between the governance structures of the University of Maine System and the Maine Community College System and address issues including improving college affordability, promoting student transfer between the systems, reducing the duplication of programs, identifying opportunities for building cross-system economies of scale and sharing of resources and recommending statutory changes to improve the efficiency or effectiveness of the public institutions of higher education;
2. Investigate and pursue opportunities for collaboration and resource-sharing with the Maine Maritime Academy; and
3. With the commissioner of education and the chair of the State Board of Education, investigate and pursue opportunities to improve college preparation, transition and completion for Maine's secondary students.

[LD 856](#)

*(Sen. Langley)*

**AN ACT TO AMEND THE COMPETITIVE SKILLS SCHOLARSHIP PROGRAM TO ALLOW FOR PARTICIPATION IN EARLY COLLEGE AND CAREER AND TECHNICAL EDUCATION PROGRAMS**

This bill expands the Competitive Skills Scholarship Program to include participants who are under 18 years of age if they are full-time secondary students at a public secondary school and enrolled in a career and technical education program at a career and technical education center or a career and technical education region and:

1. Do not have a marketable postsecondary degree;
2. Have income less than 200% of the federal poverty level; and
3. Are applying for education or training for a job in an approved industry.

The bill also directs the commissioner of labor to transfer funds from the Competitive Skills Scholarship Fund to cover postsecondary education expenses for secondary students in a dual-enrollment career and technical education program established pursuant to statute, also known as a "Bridge Year Program."

[LD 1657](#)

**AN ACT TO SIMPLIFY AND EXPAND THE EDUCATIONAL OPPORTUNITY TAX CREDIT**

This law expands the Educational Opportunity Tax credit, which applies to students who attend college in Maine and continue to live and work in Maine upon graduation and to employers who reimburse the loans of students pursuing graduate degrees. Beginning in 2016, the law expanded the tax credit to students who transfer to an accredited Maine college or university regardless of how many transfer credits were earned at a non-Maine college or university as long as they continue to live and work in Maine after graduation. Second, it expands the tax credit to individuals who work at sea upon graduation. Previously, the credit did not apply to individuals who worked outside Maine for more than three months in the year, but now an individual can take the tax credit even if they work outside the state so long as they are employed on a vessel. Finally, the law encourages employers to reimburse their employees for student loans incurred during the pursuit of a graduate degree by including those degrees in the eligibility for the tax credit for employers.

## Other Successful Bills of Note

### [LD 840](#)

*(Sen. Langley, Sen. Millett)*

#### **SUPPORTING THE IMPLEMENTATION OF PROFICIENCY-BASED DIPLOMAS AND STANDARDS-BASED LEARNING**

This act proposes to require the state to advance implementation of proficiency-based diplomas and a standards-based system of [K-12] education by using strategic planning, monitoring and economies of scale to accelerate implementation of the diplomas and system at the local level.

### [LD 853](#)

*(Sen. Langley, Sen. Millett)*

#### **ALLOWING SECONDARY SCHOOLS TO GRANT CERTIFICATES OF ACADEMIC PROFICIENCY**

This bill authorizes school administrative units to award certificates of content area proficiency to students who demonstrate proficiency in each content area of the system of learning results.

## **Massachusetts**

During the 2015-16 legislative session, Massachusetts did not pass into law any higher education or related bills of note. New policies related to higher education, however, were introduced by the Department of Higher Education and surfaced in the FY17 budget.

The Baker administration announced the *Commonwealth Commitment* “2+2” plan, to address college affordability and accelerate degree completion at public institutions. The program provides added financial incentives to Massachusetts’s community college students who transfer to a public four-year college and complete a bachelor’s degree within four years.

The Department of Higher Education estimates that participating students will save an average of \$5,090 over four years. *Commitment* is designed for community college students on track to complete an associate degree within 2.5 years and then transfer to a state university or UMass campus. Students must meet three requirements: enroll full time at a state university or UMass campus; commit to completing a bachelor’s degree within two years; and earn a cumulative 3.0 GPA. Students who fulfill these criteria will receive a 10% rebate for tuition and mandatory fees at the end of each successfully completed semester. “2+2” students also benefit from a freeze on tuition and mandatory fees and, when they enroll in a bachelor’s degree program, receive additional MassTransfer tuition credit.

The Board of Higher Education and the University of Massachusetts were the only education line items to see decreased funding. The University of Massachusetts cut was roughly \$7 million, while the State University and Community College line items saw slight increases of roughly 1%. Additionally, the State University Incentive Grants and High Demand Scholarships, both of which work to align higher education and the workforce, saw cuts of roughly 50% from the FY2016 funding levels. With reduced funding, tuition and mandatory fees at Massachusetts’s public colleges and universities increased 5% to 10% this year.

Notably, state aid to public elementary and secondary schools (Chapter 70) increased by \$72 million, charter school reimbursement by \$21 million, career and technical skills programs by \$3 million and workforce training programs by an additional \$21 million.

A popular policy across New England to help children and families prepare for college also successfully made its way through the Massachusetts budget. A new pilot program will make additional Children’s Savings Accounts (CSAs) available to low-income individuals and families with children in grades 7-12 in five cities throughout Massachusetts through a 2-year public-private partnership.

## New Hampshire

New Hampshire is in flux with crucial gubernatorial and Senate races drawing upon much of the state's political bandwidth. A popular topic for debate is tuition at the state's flagship university and public colleges. In June, Gov. Maggie Hassan announced that tuition at community colleges would be frozen for a fifth year at \$200 per credit, amounting to \$6,000 for a full year's tuition. Meanwhile, tuition will increase in the university system—a hike ranging from \$7 per credit at Granite State College to \$360 per credit at the University of New Hampshire, bringing tuition at UNH to \$17,624 for the 2016-2017 academic year.

This also marked the first year of the University System of New Hampshire's Dual Admission program with the state's community college system, which allows students who plan to transfer to avoid a second application and application fee to a four-year institution. Almost 200 students enrolled in the program.

With both legislative chambers controlled by Republicans, Democratic legislators and Hassan faced challenges on healthcare, energy and workforce issues. In particular, the legislative fiscal committee has delayed the governor's Gateway to Work program, which seeks to reduce common barriers to employment in the state. By repurposing existing federal funds, Gateway to Work would support job-training programs, apprenticeship opportunities, and childcare and youth programs—allowing residents to increase their skills and employability.

### **Higher Education Legislation Signed into Law**

#### [SB 314](#)

*(Sen. Stiles, Rep. Gile)*

#### **MEMBERSHIP OF THE HIGHER EDUCATION COMMISSION**

Provides that two members to be appointed to the higher education commission by the governor and council, on recommendation by the American Council for Professional Education and Training, who shall be residents of the state and shall represent private postsecondary career schools.

#### [HB 301](#)

#### **ESTABLISHING A COMMITTEE TO STUDY NEW HAMPSHIRE'S STATEWIDE LONGITUDINAL DATA SYSTEM AND ANY OTHER DEPARTMENT OF EDUCATION MAINTAINED DATABASE THAT CONTAINS STUDENT LEVEL DATA**

This bill establishes a committee to study New Hampshire's statewide longitudinal data system and any other department of education-maintained database that contains student-level data.

#### [HB 1497](#)

#### **LIMITS ON DISCLOSURE OF INFORMATION USED ON COLLEGE ENTRANCE EXAMS**

This bill requires school districts to destroy personal information of students following the completion and verification of certain tests. It also gives students taking college entrance exams the option to have all their personal information destroyed by the testing entity following the completion and verification of the test.

#### [SB 326](#)

#### **MEMBERSHIP OF THE COMMUNITY COLLEGE SYSTEM OF NEW HAMPSHIRE BOARD OF TRUSTEES**

This bill adds a member to the community college system of New Hampshire board of trustees who is also an employee of the community college system of New Hampshire. This bill also requires members of the community college system of New Hampshire board of trustees to recuse themselves from voting when there is a conflict of interest.

## **Rhode Island**

This year, Rhode Island lawmakers implemented an \$8.9 billion budget that reduces corporate taxes and includes a controversial \$20 million bond to expand Providence's port. Lawmakers fully funded the education aid formula for the sixth consecutive year and increased total K-12 funding by \$49.3 million. This appropriation included adjustments to provide more equity between districts and charter schools, and to provide relief to districts with high concentrations of English language learners.

Regarding higher education, the budget bill froze tuition at the Community College of Rhode Island (CCRI), Rhode Island College and the University of Rhode Island, and added a performance-based component to the funding formulas for these institutions. Additionally, CCRI received a grant of nearly \$800,000 from the U.S. Department of Education to support low-income and first-generation students by offering additional counseling on college admission, financial aid and financial literacy.

Governor Gina Raimondo announced new workforce development initiatives that target growing industries in Rhode Island. With a particular focus on IT, Rhode Island is on track to be the first state where computer science is offered in every school and has partnered with LaunchCode to increase access to coding boot camps. Other workforce projects include a long-term career and technical program established with Electric Boat to prepare workers for careers in marine industries.

### **Higher Education Legislation Signed into Law**

#### **H 8303**

##### **THE RHODE ISLAND BOARD OF EDUCATION ACT**

Requires the Board of Education to adopt a competency-based/proficiency-based learning policy whereby elementary and secondary students can earn credits through demonstration of competency to be approved by June 2017.

#### **H 7370 / S 2453**

*(Rep. Hearn, Sen. Gallo, Sen. DiPalma)*

##### **STUDENT LOAN AUTHORITY**

Authorizes the Rhode Island Student Loan Authority to refinance loans and invest in its own bonds.

#### **S 3074 / H 8310**

##### **BOARD OF GOVERNORS FOR HIGHER EDUCATION**

Adds armed college and university police officers to the list of positions whose appointment, promotion, salaries, tenure and dismissal exceeding 10 persons is subject only to the council on postsecondary education.

#### **S 2328 / H 7890**

*(Rep. Hearn)*

##### **GOVERNOR'S WORKFORCE BOARD**

Specifies that the state's career-pathways system shall include pathways and workforce training programs that fill skill gaps and employment opportunities in the clean-energy sector.

#### **S 2392 / H 7428**

*(Sen. Gallo, Sen. Metts, Rep. McNamara)*

##### **PERFORMANCE INCENTIVE FUNDING ACT**

Adds a performance-based component to the state funding formulas for Rhode Island's public higher education institutions. It directs the Commissioner of Postsecondary Education, along with the Council on Postsecondary Education, to create a performance formula by utilizing certain specific measures.

#### **S 3092**

*(Sen. Gallo)*

##### **ALCOHOL AND/OR DRUG USE AMNESTY FOR REPORTERS OF VIOLENCE AT INSTITUTIONS OF HIGHER EDUCATION**

Requires institutions of higher learning to adopt a policy which grants amnesty for violations of drug/alcohol policies for those who report incidents of violence, including domestic violence, dating violence, stalking and sexual assault.

## **Vermont**

The final months of 2016 will result in big changes to Vermont's political environment, as voters are asked to fill the governor's office, a new speaker of the House and Senate president will be chosen to lead their respective chambers.

Peter Shumlin wraps up his final year as governor, able to tout a balanced state budget. Included in the budget was the first funding increase in a decade to Vermont State Colleges, which directed \$700,000 to assist students who face social and economic challenges. Initiatives supported by the governor but left unfunded were universal Children's Savings Accounts for low-income children and the Step Up Program, which would have provided up to five free courses toward a college degree for high school graduates who have not continued on to college.

Efforts to strengthen Vermont's public college system have resulted in a proposal to merge the administrations of Lyndon State and Johnson State colleges. Officials hope that doing so would maintain the sustainability of both campuses to the benefit of Vermont students. Lyndon State has also engaged in a first-of-its-kind partnership with Northern Essex Community College in Lawrence, Mass., to offer bachelor's degree completion programs at the Vermont resident tuition rate.

### **Higher Education Legislation Signed into Law**

#### **H. 480**

##### **RELATING TO MAKING MISC. TECHNICAL AND OTHER AMENDMENTS TO EDUCATION LAWS**

This act makes a number of technical and other changes to education laws set forth in Title 16. It also creates a Vermont Expanded Learning Opportunities Special Fund, available to the Agency of Education to support structured educational and social programs for children and youth after school and during the summer. A working group of the P-16 Council will develop recommendations relating to designing an Expanded Learning Opportunities Grant Program and to soliciting funding.

#### **S. 44**

##### **CREATING FLEXIBILITY IN EARLY COLLEGE ENROLLMENT NUMBERS AND TO CREATING THE VERMONT UNIVERSAL CHILDREN'S HIGHER EDUCATION SAVING ACCOUNT PROGRAM**

This act permits one or two of the Vermont State Colleges to enroll more than 18 students in an early college enrollment program, provided that the total enrollment among the three participating colleges does not exceed the existing cap of 54. The chancellor and college presidents must develop a system to apportion student slots fairly each year. This act also creates the Vermont Universal Children's Higher Education Savings Account Program. The Vermont Student Assistance Corporation (VSAC) will partner with private philanthropies to establish and fund the program. Each year, beginning in 2016, if funds are available, VSAC will deposit up to \$250 into the Program Fund on behalf of each Vermont resident child born that year. For a child with limited family income, VSAC will double the initial deposit and annually match any money deposited into a Vermont Higher Education Investment Plan account for the child, up to \$250 per child per year. VSAC will also provide ongoing financial education for all program beneficiaries and families. Under the act, a program beneficiary may access the program funds, plus interest, allocated to them for approved postsecondary education costs at an approved institution. The act creates a Program Fund Advisory Committee to identify and solicit funds for the program and advise VSAC on fund disbursement. VSAC must report its progress to the Committees on Education by Jan. 15, 2015 and must annually report on program operation and account management.

#### **S. 71**

##### **GOVERNANCE OF THE VERMONT STATE COLLEGES**

This act amends and updates the statutes relating to the Vermont State Colleges' Board of Trustees. The act changes the composition of the 15-member board by reducing the governor's nine appointments to five and by authorizing the board itself to elect four members. It shortens the terms of the governor's appointees from six to four years, lengthens the board president's term from one to two years, and removes the prohibition on selecting the student member from the same college for more than two consecutive year-long terms. The act also creates a mechanism for removing trustees and updates other provisions to conform to current practice, including requiring the board to adopt policies regarding residency for tuition purposes consistent with state and federal law.