

Provisions of the Governor's Bills

House Bill 6380- the budget bill

- **Allows OPM to reduce higher education budgets to reflect labor-management savings**

Sec. 12. (Effective July 1, 2011) The Secretary of the Office of Policy and Management shall recommend reductions in expenditures to achieve Labor-Management Savings for the fiscal years ending June 30, 2012, and June 30, 2013, in order to reduce expenditures by \$1,000,000,000 for such purpose during each such fiscal year. Notwithstanding any provisions of the general statutes to the contrary, such reductions may, in the secretary's discretion, be applied to any accounts in any appropriated fund for any budgeted agency of the executive, legislative or judicial branch and the constituent units of the state system of higher education, as defined in section 10a-1 of the general statutes.

- **Allows Board of Regents to transfer funds within budget but requires FAC action for any transfer over 15%**

Sec. 41. (Effective July 1, 2011) In order to carry out the duties and requirements of the Board of Regents for Higher Education, the President of the Board of Regents shall, with the approval of the Secretary of the Office of Policy and Management, have the power from time to time to transfer funds from specific appropriations within the Board of Regents for Higher Education, however, no more than fifteen per cent of any appropriation may be transferred without the approval of the Finance Advisory Committee, pursuant to subsection (b) of section 4-87 of the general statutes.

Senate Bill 1000, An Act Reforming the State Budget Process

- **Increases Governor's rescission authority from 5% to 10%**

Sec. 7. (2) If the cumulative monthly financial statement issued by the Comptroller pursuant to section 3-115 includes a projected General Fund deficit greater than one per cent of the total of General Fund appropriations, the Governor, within thirty days following the issuance of such statement, shall file a report with such joint standing committees, including a plan which [he] the Governor shall implement to modify such allotments to the extent necessary to prevent a deficit. No modification of an allotment requisition or an allotment in force made by the Governor pursuant to this subsection shall result in a reduction of more than [three] five per cent of the total appropriation from any fund or more than [five] ten per cent of any appropriation, except such limitations shall not apply in time of war, invasion or emergency caused by natural disaster. (c) If a plan submitted in accordance with subsection (b) of this section indicates that a reduction of more than [three] five per cent of the total appropriation from any fund or more than [five] ten per cent of any appropriation is required to prevent a deficit, the Governor may request that the Finance Advisory Committee approve any such reduction, provided any modification which would result in a reduction of more than [five] ten per cent of total appropriations shall require the approval of the General Assembly.

- **Requires Comptroller and Commissioner of DAS to put a plan together to include higher education in CORE-CT.**

Sec. 15. (NEW) (*Effective July 1, 2011*) (a) Notwithstanding any provision of the general statutes, the Comptroller, in carrying out accounting processes and financial reporting that meet constitutional needs, shall provide for the budgetary and financial reporting needs of the Legislative Department and the Judicial Department and the constituent units of the state system of higher education, as defined in section 10a-1 of the general statutes, as may be necessary through the CORE-CT system.

(b) Notwithstanding any provision of the general statutes, the Comptroller and the Commissioner of Administrative Services shall develop a plan for providing for the human resources requirements of the Legislative Department and the Judicial Department and the constituent units of the state system of higher education, as defined in section 10a-1 of the general statutes, as may be necessary through the CORE-CT system. Such plan shall be implemented not later than June 30, 2013.

- **Removes Position Control for Non-Faculty Positions**

Sec. 16. (NEW) (*Effective July 1, 2011*) Notwithstanding any other provisions of the statutes to the contrary, nonfaculty hiring within the public higher education system and positions within the Division of Criminal Justice shall follow the same review and approval process as other agencies within the executive branch.

House Bill 6388, An Act Implementing the Governor's Budget Recommendation Concerning OPM

- **Allows more positions to qualify as managerial positions**

Sec. 15. Subsection (g) of section 5-270 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(g) "Managerial employee" means any individual in a position in which the principal functions are characterized by [not fewer than two] one of the following: [, provided for any position in any unit of the system of higher education, one of such two functions shall be as specified in subdivision (4) of this subsection:] (1) Responsibility for direction of a subunit or facility of a major division of an agency or assignment to an agency head's staff; (2) development, implementation [and] or evaluation of goals and objectives consistent with agency mission and policy; (3) participation in the formulation of agency policy; or (4) a major role in the administration of collective bargaining agreements or major personnel decisions, or both, including staffing, hiring, firing, evaluation, promotion and training of employees.

Senate Bill 1011, An Act Concerning a Reorganization of Connecticut's System of Public Higher Education

- The term "Constituent Unit of Higher Education" is redefined to exclude UConn. (Sec. 3)
- Dissolves BOTs of CCCs and CSUS; replaces with Board of Regents, made up of 11 members, 9 appointed by Governor, the other two being the chairperson and vice-chairperson of the Student Advisory Committee. (Sec. 4)

- The Student Advisory Committee is made up of one student from each CSUS university, one student from each community college, and one student from Charter Oak State College. These students (and alternates) are elected by each student government association at each of the colleges/universities. (Sec. 5)
- An executive committee of the student advisory committee is also established, comprised of seven members elected by the student advisory committee, as follows: one must be member of board of regents, one must be member of an administrative staff, one faculty member, one a CT student from a constituent unit, and one a CT student from an independent college. (Sec. 5(b))
- Role of Board of Regents is to act as board of CCCs, CSUS, and Charter Oak, as well as to have most of the same duties as the former DHE, except as concerns UConn. The Board of Regents inherits most of the powers of the former BOTs, including "appoint[ing] and remove[ing] executive staff responsible for the operation of the board of trustees [...] employ[ing] the faculty and other personnel needed to operate and maintain the institutions within its jurisdiction [...] fix[ing] the compensation of such personnel, establish[ing] terms and conditions of employment and prescribe[ing] their duties and qualifications. Said board of trustees shall determine who constitutes its professional staff and establish compensation and classification schedules for its professional staff." Not clear how this fits in with the legislation regarding position control. (Sec. 7(b), Sec. 16(a), Sec. 21(a), Sec 28(e)(1))
- The staffs of the CCC system office and CSU system office appear to be maintained to some degree, as separation of the two systems appears to be maintained; all overseen by the President of the Board of Regents.
- The Higher Education Coordinating Council is maintained, even though the boards of trustees and chief executive officers of the constituent units no longer exist. (Sec. 9)
- A new requirement is added that, "The council shall work with the Department of Labor to (1) produce periodic reports on the employment and earnings of students who leave the constituent units upon graduation or otherwise, and (2) develop an annual affordability index for public higher education that is based on state-wide median family income." (Sec. 10(c))
- A block grant will be appropriated directly to the Board of Regents, which "shall allocate appropriations to the individual institutions and branches with due consideration to performance and enrollment factors. The board shall develop a plan to allocate a portion of the appropriations across institutions to recognize the achievement of high-priority student and institutional outcomes." (Sec. 11(a))
- The Board of Regents will work cooperatively with UConn to develop and implement a strategic plan for higher education in Connecticut, including "a process for public and stakeholder participation that allows for discussion and comment before and after the development of a proposed draft of such ... plan." (Sec. 12(a))

- Among other requirements, the strategic plan shall “Recommend ways in which each constituent unit can, in a manner consistent with such institution's mission, expand such institution's role in advancing the state's economic growth.” It is important to note that the definition of “constituent unit” EXCLUDES UConn. (Sec. 12(c)(5))
- The Strategic Plan is due March 1, 2013. (Sec. 12(e))
- It appears that the statute that permits the creation of the CSUS Foundation is deleted. If so, the CSUS Foundation would need to be dissolved. The university foundations are not impacted. (Sec. 21(a)(7))
- There is NO oversight of UConn. They are governed directly by OPM (for example, they submit their biennial budgets directly to OPM rather than going through the Board of Regents; any statutory language subjecting them to statewide policies and guidelines established by DHE or the Board of Regents is deleted; they can establish their own academic programs without submission to the Board of Regents; their quarterly report goes directly to OPM). (Sec. 23, 24, 25)
- The last section of the bill states that OPM, in consultation with the Chairs of the Higher Ed Committee of the Legislature, “shall study the impact of this act” on other areas of the statutes that refer to the constituent units of higher education to determine ... “whether the University of Connecticut should be included in said statutes in addition to the constituent units.” OPM must report on their study and provide any recommended legislation to the General Assembly not later than May 1, 2011. (Sec. 34)