

SENATE, No. 2026

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

Co-Sponsored by:

Senators Singleton and Turner

SYNOPSIS

Requires institutions of higher education and private career schools to provide on website employment data of graduates; requires DOLWD to compile certain employment information.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/16/2021)

1 AN ACT concerning information provided by institutions of higher
2 education and private career schools, amending P.L.2009, c.197,
3 and supplementing P.L.1989, c.293 (C.34:15C-1 et seq.), and
4 Title 45 of the Revised Statutes.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 1. Section 2 of P.L.2009, c.197 (C.18A:3B-44) is amended to
10 read as follows:

11 2. a. **[A four-year public]** An institution of higher education
12 and a proprietary institution which has been authorized to offer
13 licensed degree programs shall provide for public inspection on its
14 website comprehensive information on the cost of attendance, the
15 graduation rates of admitted students, and the faculty of the
16 institution, and shall also provide for public inspection on its
17 website employment data for recent graduates of the institution.

18 The purpose of the information shall be to maximize the awareness
19 of students and their families of the costs associated with
20 enrollment in the institution, the institution's success in ensuring the
21 graduation and employment of its students, and the composition of
22 the teaching faculty that a student will encounter in his coursework.
23 The institution shall post, and annually update, a student consumer
24 information report on its website that includes, if applicable:

25 (1) overall two-year and three-year graduation rates, and overall
26 four-year and six-year graduation rates, as applicable;

27 (2) two-year and three-year graduation rates by demographic
28 group, and four-year and six-year graduation rates by demographic
29 group, as applicable;

30 (3) two-year and three-year graduation rates by major, and four-
31 year and six-year graduation rates by major, as applicable;

32 (4) two-year and three-year graduation rates for student-athletes,
33 and four-year and six-year graduation rates for student-athletes, as
34 applicable;

35 (5) the student transfer rate, including the rate of students who
36 graduate from a county college and subsequently enroll in a four-
37 year institution of higher education;

38 (6) an overview of the institutions to which former students of
39 that **[college or university]** institution have transferred prior to the
40 completion of a degree;

41 (7) the cost for the current academic year of attending the
42 institution including tuition, student fees, room and board, and
43 books and materials;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 (8) a description of the types of financial assistance offered
2 directly by the institution to both student-athletes and to students
3 who do not participate in athletic programs at the institution;
- 4 (9) the percent of student-athletes who receive financial
5 assistance directly from the institution and the average value of the
6 assistance and the percent of students who do not participate in
7 athletic programs at the institution who receive financial assistance
8 directly from the institution and the average value of the assistance;
- 9 (10) the total projected cost for an incoming freshman to live on
10 campus and complete a degree in four years and the total projected
11 cost for an incoming freshman to commute to school and complete a
12 degree in four years;
- 13 (11) the total projected cost for an incoming freshman to live on
14 campus and complete a degree in six years and the total projected
15 cost for an incoming freshman to commute to school and complete a
16 degree in six years;
- 17 (12) average student loan indebtedness of four-year graduates for
18 both students who live on campus and students who commute, and
19 average student loan indebtedness of two-year graduates;
- 20 (13) average student loan indebtedness of six-year graduates for
21 both students who live on campus and students who commute, and
22 average student loan indebtedness of three-year graduates;
- 23 (14) average student loan indebtedness of a student who
24 withdraws from the institution prior to the completion of a degree
25 program for both students who live on campus and students who
26 commute;
- 27 (15) an overview of the institution's faculty, including the
28 percentage of faculty employed as a tenured professor, the
29 percentage of faculty employed as a full-time non-tenured
30 professor, and the percentage of faculty employed as an adjunct or
31 visiting professor;
- 32 (16) the percentage of courses taught by each of the different
33 categories of faculty; **【and】**
- 34 (17) an indicator of each academic department's capacity to serve
35 the students majoring within that department's programs, as
36 determined by the **【Commission on】** Secretary of Higher
37 Education; and
- 38 (18) employment data beginning with data compiled for students
39 who graduate from the institution during the 2021-2022 academic
40 year. The employment data shall include, but need not be limited to,
41 the employment rate and average annual salary of students by
42 academic major two years following the academic year in which the
43 students graduated from the institution, and the number and
44 percentage of students who are employed two years following the
45 academic year in which the students graduated from the institution,
46 as compiled in the comparative report and provided by the Secretary
47 of Higher Education pursuant to section 10 of P.L. , c. (C.)
48 (pending before the Legislature as this bill).

1 The institution shall provide with all paper applications for
2 admission to the institution a hard copy of the information prepared
3 pursuant to this section.

4 b. **【A four-year public】** An institution of higher education and
5 a proprietary institution authorized to offer licensed degree
6 programs shall conform to the guidelines, criteria, and format
7 prescribed by the **【Commission on】** Secretary of Higher Education
8 in reporting the information required pursuant to this section.

9 c. **【A four-year public】** An institution of higher education and
10 a proprietary institution authorized to offer licensed degree
11 programs shall submit its student consumer information report to
12 the **【Commission on】** Secretary of Higher Education for inclusion
13 in a comparative profile of the student consumer information
14 reports of all **【four-year public】** institutions of higher education.

15 d. **【A four-year public】** An institution of higher education and
16 a proprietary institution authorized to offer licensed degree
17 programs shall ensure that the page of its Internet site which
18 includes its student consumer information report contains a link to
19 the page of the **【Commission on】** Secretary of Higher Education's
20 Internet site that includes the comparative profile required pursuant
21 to subsection b. of section 3 of this act.

22 e. **【A four-year public】** An institution of higher education and
23 a proprietary institution authorized to offer licensed degree
24 programs shall ensure that the Internet site for submitting an online
25 application to the institution contains a link to the institution's
26 student consumer information report.

27 f. **【A four-year public】** An institution of higher education and
28 a proprietary institution authorized to offer licensed degree
29 programs shall require the parent or guardian of a student applying
30 for admission into the institution, or the student if he is an
31 independent adult, to sign and submit a statement acknowledging
32 that he has reviewed the institution's student consumer information
33 report.

34 (cf: P.L.2009, c.197, s.2)

35
36 2. Section 3 of P.L.2009, c.197 (C.18A:3B-45) is amended to
37 read as follows:

38 3. a. The **【Commission on】** Secretary of Higher Education
39 shall issue guidelines and criteria for collecting and calculating the
40 information required pursuant to section 2 of this act and shall
41 prescribe a uniform reporting method for posting the information.

42 b. The **【Commission on】** Secretary of Higher Education shall
43 annually compile the student consumer information reports
44 submitted pursuant to subsection c. of section 2 of this act into a
45 comparative profile of all **【four-year public】** institutions of higher
46 education and proprietary institutions authorized to offer licensed
47 degree programs. The **【commission】** secretary shall present the

1 information on its website in a manner that allows [college]
2 students and their families to easily compare student consumer
3 information across public institutions, across independent
4 institutions, and across proprietary institutions authorized to offer
5 licensed degree programs.

6 (cf: P.L.2009, c.197, s.3)

7
8 3. (New section) Within 12 months of the effective date of
9 P.L. , c. (C.) (pending before the Legislature as this bill),
10 the Secretary of Higher Education shall establish a performance
11 quality standard for programs of study offered by institutions of
12 higher education and proprietary institutions authorized to offer
13 licensed degree programs. The standard shall be based on the ratio
14 of the earnings of students in the programs to the tuition and fees
15 charged to those students net of any institutional grant aid. The
16 secretary shall ensure that the programs of study meet a minimum
17 acceptable level of performance for the standard, up to and
18 including revocation of an institution's license to award academic
19 degrees.

20 The secretary, in consultation with the Attorney General and the
21 Commissioner of Labor and Workforce Development, shall adopt,
22 in accordance with the "Administrative Procedure Act," P.L. 1968,
23 c.410 (C.52:14B-1 et seq.), rules and regulations as may be
24 necessary to implement the provisions of this section.

25
26 4. (New section) a. A private career school authorized to offer
27 an educational program required for licensure, registration or
28 certification in a profession or occupation regulated by a
29 professional or occupational board established in the Division of
30 Consumer Affairs shall provide for public inspection on its website
31 comprehensive information on the cost of attendance, the
32 graduation or completion rates of admitted students, and the faculty
33 of the school, and shall also provide for public inspection on its
34 website employment data for recent graduates. The purpose of the
35 information shall be to maximize the awareness of students of the
36 costs associated with enrollment in the school, the success in
37 ensuring the graduation and employment of its students, and the
38 composition of the teaching faculty that a student will encounter in
39 his coursework. The school shall post, and annually update, a
40 student consumer information report on its website that includes, if
41 applicable:

- 42 (1) overall graduation or completion rates;
43 (2) graduation or completion rates by demographic group;
44 (3) the student transfer rate;
45 (4) an overview of the schools to which former students have
46 transferred prior to the completion of an educational program;
47 (5) the amount of any school charges, including tuition and fees;

1 (6) a description of the types of financial assistance offered
2 directly by the school to students;
3 (7) the total projected cost for an incoming student to complete
4 the educational program;
5 (8) average student loan indebtedness of graduates;
6 (9) average student loan indebtedness of a student who
7 withdraws from the school prior to the completion of the
8 educational program;
9 (10) an overview of the school's faculty, including the
10 percentage of faculty employed on a full-time basis and the
11 percentage of faculty employed on a part-time basis; and
12 (11) employment data beginning with data compiled for students
13 who graduate from the school during the 2021-2022 academic year.
14 The employment data shall include, but need not be limited to, the
15 employment rate and average annual salary of students two years
16 following the academic year in which the students graduated from
17 the school, as compiled in the comparative report and provided by
18 the Attorney General pursuant to section 10 of P.L. ,
19 c. (C.) (pending before the Legislature as this bill).
20 The school shall provide with all paper applications for
21 admission a hard copy of the information prepared pursuant to this
22 subsection.
23 b. A private career school shall conform to the guidelines,
24 criteria, and format prescribed by the Attorney General in reporting
25 the information required pursuant to subsection a. of this section.
26 The institution shall submit its student consumer information report
27 to the Attorney General for inclusion in a comparative profile of the
28 student consumer information reports of all such schools.
29 c. A private career school shall ensure that the page of its
30 Internet site which includes its student consumer information report
31 contains a link to the page of the Attorney General's Internet site
32 that includes the comparative profile required pursuant to
33 subsection b. of section 5 of P.L. , c. (C.) (pending before
34 the Legislature as this bill).
35 d. A private career school shall ensure that the Internet site for
36 submitting an online application to the institution contains a link to
37 the institution's student consumer information report.
38 e. A private career school shall require a student applying for
39 admission to the school to sign and submit a statement
40 acknowledging that he has reviewed the school's student consumer
41 information report.
42
43 5. (New section) a. The Attorney General shall issue
44 guidelines and criteria for collecting and calculating the information
45 required pursuant to section 4 of P.L. , c. (C.) (pending
46 before the Legislature as this bill) and shall prescribe a uniform
47 reporting method for posting the information.

1 b. The Attorney General shall annually compile the student
2 consumer information reports submitted pursuant to subsection b. of
3 section 4 of P.L. , c. (C.) (pending before the Legislature as
4 this bill) into a comparative profile of all private career schools
5 authorized to offer educational programs required for licensure,
6 registration, or certification in professions or occupations regulated
7 by a professional or occupational board established in the Division
8 of Consumer Affairs. The Attorney General shall present the
9 information on its website in a manner that allows students to easily
10 compare student consumer information across private career
11 schools.

12
13 6. (New section) Within 12 months of the effective date of
14 P.L. , c. (C.) (pending before the Legislature as this bill), the
15 Attorney General shall establish a performance quality standard for
16 private career schools authorized to offer an educational program
17 required for licensure, registration, or certification in a profession
18 or occupation regulated by a professional or occupational board
19 established in the Division of Consumer Affairs. The performance
20 quality standard shall be based on the ratio of the earnings of
21 students in private career schools to the tuition and fees charged to
22 those students net of any school grant aid. The Attorney General
23 shall ensure that private career schools meet a minimum acceptable
24 level of performance for this standard, up to and including
25 revocation of a school's authorization to offer educational programs
26 regulated by a professional or occupational board in the Division of
27 Consumer Affairs.

28 The Attorney General, in consultation with the Secretary of
29 Higher Education and the Commissioner of Labor and Workforce
30 Development, shall adopt, in accordance with the "Administrative
31 Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.), rules and
32 regulations as may be necessary to implement the provisions of this
33 section.

34
35 7. (New section) a. A private career school authorized by the
36 Department of Labor and Workforce Development to offer one or
37 more occupational training programs shall provide for public
38 inspection on its website comprehensive information on the cost of
39 attendance, the graduation or completion rates of students, and the
40 faculty of the school, and shall also provide for public inspection on
41 its website employment data for recent graduates of the school. The
42 purpose of the information shall be to maximize the awareness of
43 students of the costs associated with enrollment in the school, the
44 success in ensuring the graduation and employment of its students,
45 and the composition of the teaching faculty that a student will
46 encounter in his coursework. The school shall post, and annually
47 update, a student consumer information report on its website that
48 includes, if applicable:

- 1 (1) overall graduation or completion rates;
- 2 (2) graduation or completion rates by demographic group;
- 3 (3) the student transfer rate;
- 4 (4) an overview of the schools to which former students have
- 5 transferred prior to the completion of a program;
- 6 (5) the amount of any school charges, including tuition and fees;
- 7 (6) a description of the types of financial assistance offered
- 8 directly by the school to students;
- 9 (7) the total projected cost for an incoming student to complete
- 10 a program;
- 11 (8) average student loan indebtedness of graduates;
- 12 (9) average student loan indebtedness of a student who
- 13 withdraws from the school prior to the completion of an
- 14 occupational program;
- 15 (10) an overview of the school's faculty, including the
- 16 percentage of faculty employed on a full-time basis and the
- 17 percentage of faculty employed on a part-time basis; and
- 18 (11) employment data beginning with data compiled for students
- 19 who graduate from the school during the 2021-2022 academic year.
- 20 The employment data shall include, but need not be limited to, the
- 21 employment rate and average annual salary of students two years
- 22 following the academic year in which the students graduated from
- 23 the school, as compiled in the comparative report and provided by
- 24 the Commissioner of Labor and Workforce Development pursuant
- 25 to section 10 of P.L. , c. (C.) (pending before the
- 26 Legislature as this bill).
- 27 The school shall provide with all paper applications for
- 28 admission to the school a hard copy of the information prepared
- 29 pursuant to this subsection.
- 30 b. The private career school shall conform to the guidelines,
- 31 criteria, and format prescribed by the commissioner in reporting the
- 32 information required pursuant to this section. The school shall
- 33 submit its student consumer information report to the commissioner
- 34 for inclusion in a comparative profile of the student consumer
- 35 information reports of all such schools.
- 36 c. A private career school shall ensure that the page of its
- 37 Internet site which includes its student consumer information report
- 38 contains a link to the page of the department's Internet site that
- 39 includes the comparative profile required pursuant to subsection b.
- 40 of section 8 of P.L. , c. (C.) (pending before the Legislature
- 41 as this bill).
- 42 d. A private career school shall ensure that the Internet site for
- 43 submitting an online application to the school contains a link to the
- 44 school's student consumer information report.
- 45 e. A private career school shall require a student applying for
- 46 admission to sign and submit a statement acknowledging that he has
- 47 reviewed the school's student consumer information report.

1 8. (New section) a. The Commissioner of Labor and
2 Workforce Development shall issue guidelines and criteria for
3 collecting and calculating the information required pursuant to
4 section 7 of P.L. , c. (C.) (pending before the Legislature as
5 this bill) and shall prescribe a uniform reporting method for posting
6 the information.

7 b. The commissioner shall annually compile the student
8 consumer information reports submitted pursuant to subsection b. of
9 section 7 of P.L. , c. (C.) (pending before the Legislature as
10 this bill) into a comparative profile of all private career schools
11 authorized to offer one or more occupational training programs. The
12 commissioner shall present the information on its website in a
13 manner that allows students to easily compare student consumer
14 information across private career schools regulated by the
15 department.

16
17 9. (New section) Within 12 months of the effective date of
18 P.L. , c. (C.) (pending before the Legislature as this bill), the
19 Commissioner of Labor and Workforce Development shall establish
20 standards for private career schools authorized by the department to
21 offer one or more occupational training programs. The standards
22 shall be based on the ratio of the earnings of students in private
23 career schools to the tuition and fees charged to those students net
24 of any school grant aid. The commissioner shall ensure that private
25 career schools meet a minimum acceptable level of performance for
26 the standard, up to and including revocation of a school's certificate
27 of approval.

28 The commissioner, in consultation with the Secretary of Higher
29 Education and the Attorney General, shall adopt, in accordance with
30 the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1
31 et seq.), rules and regulations as may be necessary to implement the
32 provisions of this section.

33
34 10. (New section) a. As used in this section, "career-oriented
35 program of study" means a program that delivers occupation-
36 specific skills and knowledge of all aspects of an industry, provides
37 technical skill proficiency, and culminates in the attainment of an
38 industry-recognized postsecondary credential.

39 b. No later than the beginning of the 2021-2022 academic year,
40 the Secretary of Higher Education, the Department of Labor and
41 Workforce Development, and the Division of Consumer Affairs
42 shall enter into a memorandum of understanding to develop a data
43 system that will collect the employment data for students who
44 graduate or withdraw prior to the completion of a degree program
45 from an institution of higher education or from a proprietary
46 institution authorized to offer licensed degree programs in the State,
47 or from a private career school, to produce an employment
48 comparative report for all institutions and schools.

1 The Department of Labor and Workforce Development shall also
2 initiate efforts to enter into an agreement with other states for the
3 sharing of unemployment insurance information for the purposes of
4 P.L. , c. (C.) (pending before the Legislature as this bill).

5 c. An institution of higher education, a proprietary institution
6 authorized to offer licensed degree programs, and a private career
7 school shall submit to the department, as applicable, for each
8 student who graduates or withdraws from the institution or school
9 in an academic year or school year:

10 (1) the student's social security number;

11 (2) the student's degree program or professional and
12 occupational program;

13 (3) the student's graduation date or date of withdrawal and
14 portion of the program completed at withdrawal from the institution
15 or school;

16 (4) information on the student's loan debt obtained from the
17 federal student loan program and any loans the institution or school
18 has certified, arranged, or is otherwise aware of, or of which it
19 should reasonably be aware; and

20 (5) institutional or school charges for which the student is
21 responsible net of any institutional or school grant aid.

22 An institution of higher education, a proprietary institution
23 authorized to offer licensed degree programs, and a private career
24 school shall also submit to the department the clear identification of
25 the institution's or school's career-oriented programs of study.

26 The department shall adopt standards and procedures to prevent
27 any State agency from publishing, disclosing, or releasing
28 information which could identify any individual and shall not
29 publish, disclose, or otherwise release information which could
30 identify any individual.

31 d. The department shall submit the employment information
32 compiled pursuant to this section to the Secretary of Higher
33 Education, the Attorney General, and the Commissioner of Labor
34 and Workforce Development. The secretary, Attorney General, and
35 commissioner, respectively, shall use the information to compile an
36 employment comparative report for each institution of higher
37 education, degree-granting proprietary institution, and private
38 career school which shall include, as applicable:

39 (1) the employment rate and average annual salary of students
40 by academic major, in the case of an academic degree program, or
41 program in the case of private career schools, two years following
42 graduation from the institution or school;

43 (2) the employment rate and average annual salary of students
44 two years following the academic year in which the students
45 graduated from the institution or school; and

46 (3) the employment rate and average annual salary of students
47 two years following withdrawal from the institution or school prior
48 to the completion of a degree program or school program.

1 The secretary, Attorney General, and commissioner shall
2 distribute the employment comparative report to each institution of
3 higher education, proprietary institution authorized to offer licensed
4 degree programs, and private career school for inclusion on the
5 institution's or school's website and inclusion in the student
6 consumer information report prepared by the institution or school.

7
8 11. (New section) Three years following the effective date of
9 P.L. , c. (C.) (pending before the Legislature as this bill),
10 the Secretary of Higher Education, Attorney General, and
11 Commissioner of Labor and Workforce Development shall submit a
12 report to the Governor and, pursuant to section 2 of P.L.1991, c.164
13 (C.52:14-19.1), the Legislature. The report shall include
14 recommendations on the ability to use the data collected pursuant to
15 subsection c. of section 10 of P.L. , c. (C.) (pending before
16 the Legislature as this bill) to establish a Statewide gainful
17 employment requirement that requires an institution or school to
18 demonstrate that its graduates earn enough to adequately repay their
19 student loans by meeting a certain debt-to-income ratio, and any
20 other recommendations for establishing a gainful employment
21 requirement.

22
23 12. This act shall take effect immediately.

24 25 26 STATEMENT

27
28 This bill provides that all institutions of higher education,
29 including independent institutions of higher education, and
30 proprietary institutions authorized to offer licensed degree programs
31 will be subject to the provisions of the "New Jersey College Student
32 and Parent Consumer Information Act," P.L.2009, c.197
33 (C.18A:3B-43 et seq.). Under that act, four-year public institutions
34 of higher education are currently required to provide for public
35 inspection on their websites information on the cost of attendance,
36 the graduation rates of admitted students, and the faculty of the
37 institution. This bill also amends that law to require all institutions
38 of higher education and proprietary institutions licensed to offer
39 academic degrees to include on the institution's website
40 employment data for recent graduates from the institution.

41 In addition to those institutions, this bill requires private career
42 schools authorized to offer educational programs required for
43 licensure, registration, or certification in a profession or occupation
44 regulated by a professional or occupational board established in the
45 Division of Consumer Affairs, and private career schools authorized
46 by the Department of Labor and Workforce Development to offer
47 one or more occupational training programs, to also post similar
48 information on their websites.

1 The bill requires the Secretary of Higher Education, the
2 Department of Labor and Workforce Development, and the
3 Division of Consumer Affairs to enter into a memorandum of
4 understanding to develop a data system that will collect the
5 employment data for postsecondary students in order to produce an
6 employment comparative report of all institutions and private career
7 schools. The bill also requires the department to initiate efforts to
8 enter into an agreement with other states for the purpose of sharing
9 unemployment insurance information.

10 Under the bill, the institutions and private career schools will
11 submit to the department for each student who graduates or
12 withdraws from the institution or school: the student's social
13 security number, degree program or professional and occupational
14 educational program, and graduation or withdrawal date;
15 information on the student's loan debt obtained from the federal
16 student loan program and any loans the institution or school has
17 certified, arranged, or is otherwise aware of, or of which it should
18 reasonably be aware; and the institutional or school charges for
19 which the student is responsible net of any institutional or school
20 grant aid. The institutions and schools will also send the department
21 the clear identification of the institution's or school's career-
22 oriented programs of study. The department will use the
23 information to compile an employment comparative report, which
24 will include:

25 (1) the employment rate and average annual salary of students
26 by academic major, in the case of an academic degree program, or
27 program in the case of private career schools, two years following
28 graduation from the institution or school;

29 (2) the employment rate and average annual salary of students
30 two years following the academic year in which the students
31 graduated from the institution or school; and

32 (3) the employment rate and average annual salary of students
33 two years following withdrawal from the institution or school prior
34 to the completion of a degree program or educational program.

35 The Secretary of Higher Education, Attorney General, and
36 Commissioner of Labor and Workforce Development will distribute
37 the employment comparative report to each institution of higher
38 education, proprietary institution authorized to offer licensed degree
39 programs, and private career school for inclusion on the
40 institution's or school's website and inclusion in the student
41 consumer information report prepared by the institution or school.