

# SENATE RESOLUTION No. 91

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## STATE OF NEW JERSEY

### 219th LEGISLATURE

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INTRODUCED OCTOBER 8, 2020

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

**SYNOPSIS**

Urges Congress to address in future federal higher education stimulus legislation inequities in incorporation of part-time and online learning students in formula calculation.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 1/11/2021)

1   **A SENATE RESOLUTION** respectfully urging the Congress of the  
2   United States to address certain inequities in future federal  
3   higher education stimulus aid.  
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5   **WHEREAS**, The COVID-19 pandemic has had profound health and  
6   socioeconomic impacts on many industries and nearly all facets of  
7   society, including higher education; and  
8   **WHEREAS**, The outbreak of COVID-19 has forced colleges and  
9   universities across the country to grapple with a host of unexpected  
10   costs related to the shift to online instruction, campus-wide  
11   sanitization efforts, and the maintenance of many other campus  
12   operations, all in the face of declining revenues; and  
13   **WHEREAS**, The pandemic has concurrently caused a major disruption  
14   to the livelihoods of students as they were suddenly switched to  
15   online learning, experienced losses or delays in job opportunities  
16   and internships, and lost access to a host of important resources and  
17   services generally provided on-campus; and  
18   **WHEREAS**, Under the federal “Coronavirus Aid, Relief, and Economic  
19   Security Act” (CARES Act), the Higher Education Emergency  
20   Relief Fund (HEERF) was established to provide more than \$14  
21   billion in aid to institutions of higher education; and  
22   **WHEREAS**, Of the total \$14 billion allocated to the HEERF, over \$12  
23   billion, half of which is required to go directly to students as  
24   emergency financial aid grants, is to be distributed to institutions  
25   using a formula based on an institution’s full-time equivalent (FTE)  
26   enrollment of federal Pell Grant recipients and FTE enrollment of  
27   non-Pell Grant recipients; and  
28   **WHEREAS**, In calculating the aid amounts to be distributed to each  
29   institution, the formula laid out in the CARES Act excludes  
30   students exclusively enrolled in distance education courses; and  
31   **WHEREAS**, Guidance issued by the federal Department of Education  
32   also states that students who were enrolled exclusively in online  
33   programs prior to the COVID-19 pandemic are not eligible for  
34   student emergency financial aid grants issued by institutions using  
35   funds from the HEERF; and  
36   **WHEREAS**, These policies adversely affect institutions that enroll a  
37   high number of part-time and online learning students and  
38   perpetuate the failure to offer meaningful support to these students,  
39   many of whom are employed and supporting families as they work  
40   toward degree completion; and  
41   **WHEREAS**, A large portion of the students most acutely affected by  
42   these exclusions are working adult learners who have had to  
43   address interruption of their studies, economic hardship, and  
44   personal risk, to serve others; and  
45   **WHEREAS**, In addition, a significant number of these students are low-  
46   income, individuals of color, from rural areas, or first-generation

1 college students, groups which have been disproportionately  
2 affected by the current economic crisis; and

3 **WHEREAS**, In basing aid on FTE enrollment, the formula provided in  
4 the CARES Act has the effect of prioritizing institutions that have  
5 greater percentages of full-time students and does not offer equal  
6 treatment to those institutions that have higher part-time  
7 enrollment; and

8 **WHEREAS**, These policies further affect institutions that have designed  
9 their learning models to allow working adults the flexibility and  
10 affordability necessary to achieve their academic goals and pursue  
11 their college degrees; and

12 **WHEREAS**, Future federal legislation containing formulaic economic  
13 recovery aid for higher education should better account for part-  
14 time students in its calculations and address current disparities in  
15 federal funding between institutions that have greater full-time  
16 enrollment and those that enroll more part-time students; and

17 **WHEREAS**, To prevent the unequal treatment of online students in  
18 higher education economic recovery aid, future federal stimulus  
19 packages should ensure the provision of emergency financial aid  
20 grants to online students and incorporate those students into  
21 formulaic aid calculations; now, therefore,

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23 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*

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25 1. This House respectfully urges the United States Congress to  
26 address in future federal stimulus legislation:

27 a. inequities in the incorporation and treatment of part-time and  
28 online learning students, as currently evidenced in the formula used  
29 to calculate distributions from the Higher Education Emergency  
30 Relief Fund under the “Coronavirus Aid, Relief, and Economic  
31 Security Act”;

32 b. current disparities in federal funding between institutions  
33 that have greater full-time enrollment and those that enroll more  
34 part-time students by counting part-time students and full-time  
35 students in an equal manner; and

36 c. the provision of emergency financial aid grants to online  
37 students and not exclude those students in formulaic aid  
38 calculations.

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40 2. Copies of this resolution, as filed with the Secretary of State,  
41 shall be transmitted by the Secretary of the Senate to the Majority  
42 and Minority Leaders of the United States Senate, to the Speaker  
43 and Minority Leader of the United States House of Representatives,  
44 and to each member of the United States Congress elected from this  
45 State.

## STATEMENT

The outbreak of COVID-19 has forced colleges and universities across the country to grapple with a host of unexpected costs in the face of declining revenues, and has concurrently caused a major disruption to the livelihoods of students.

To help address the negative effects experienced by college students and institutions of higher education, the Higher Education Emergency Relief Fund (HEERF) was established in the federal “Coronavirus Aid, Relief, and Economic Security Act” (CARES Act), to provide more than \$14 billion in aid. Of the total \$14 billion, over \$12 billion, half of which is required to go directly to students as emergency financial aid grants, is to be distributed to institutions using a formula based on an institution’s full-time equivalent (FTE) enrollment of federal Pell Grant recipients and FTE enrollment of non-Pell Grant recipients. In calculating the aid amounts to be distributed to each institution, the formula laid out in the CARES Act excludes students exclusively enrolled in distance education courses. Guidance issued by the federal Department of Education states that students who were enrolled exclusively in online programs prior to the COVID-19 pandemic are not eligible for student emergency financial aid grants.

These policies adversely affect institutions that enroll a high number of part-time and online learning students. The policies also serve to be detrimental to these students, a significant portion of whom are low-income, individuals of color, from rural areas, or first-generation college students, groups that have been disproportionately affected by the current economic crisis.

In basing aid on FTE enrollment, the formula provided in the CARES Act has the effect of prioritizing institutions that have greater percentages of full-time students and does not offer equal treatment to those institutions that have higher part-time enrollment. By discounting online learning students from the formula calculation of higher education aid and not allowing them to receive emergency financial aid grants, the CARES Act explicitly disadvantages working adult learners and some of the most vulnerable college students.

This resolution urges Congress to address the current disparities in federal funding seen between institutions that have greater full-time enrollment and those that enroll more part-time students by counting part-time students and full-time students in an equal manner. It also urges that future federal stimulus legislation ensure the provision of emergency financial aid grants to online students and not exclude those students in formula aid calculations.