

SENATE HIGHER EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 3814

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 16, 2026

The Senate Higher Education Committee reports favorably and with committee amendments Senate Bill No. 3814.

As amended, this bill requires an out-of-State institution seeking to offer a college credit-bearing course, academic degree completion program, or complete academic degree program with a physical presence in the State to petition the Secretary of Higher Education (secretary) for licensure.

The bill details the specific information that is required to be included in the licensure petition. The bill also requires that an impact analysis of the proposed course or program be included in the petition. The analysis will consider issues such as the unmet demand in the State for the course or program and its impact on clinical placements and supervisor availability to students enrolled in existing in-State programs.

The bill directs the secretary to review all licensure petitions and distribute a brief summary of the petition's content, and information on how to access the petition on the website of the Office of the Secretary of Higher Education, to all institutions of higher education in the State, and provide an opportunity for public comment. The secretary would then send the petition and all comments received on the petition to the New Jersey Presidents' Council for review and recommendation to the secretary within 60 days of receipt of the information. Finally, after considering the recommendation of the New Jersey Presidents' Council, the secretary is required to issue a final determination on the petition. The secretary is directed to license only those institutions that meet all the petition requirements and whose proposed offerings:

- meet State standards of quality and provide a plan for the ongoing monitoring of student outcomes;
- are fiscally viable;
- serve a demonstrable need and demonstrate that the proposed course or program will not unduly impact existing in-State programs; and
- are in accordance with the comprehensive Statewide plan for higher education required under current law, if applicable.

The bill requires the secretary to prepare an annual report on the petitions submitted pursuant to this bill, detailing the number of petitions reviewed, their outcomes, and summarizing recommendations provided by the New Jersey Presidents' Council.

Under the bill, each out-of-State institution licensed to provide a course or program in the State is required to provide an annual report to the secretary. The report would include certain information on enrollment, program and faculty changes, student outcomes, and clinical and field placements.

The bill directs the secretary to ensure that an out-of-State institution licensed to provide a course or program in the State meets a minimum acceptable level of performance, as determined by the secretary. The secretary may suspend or revoke the institution's license if the secretary determines the out-of-State institution:

- fails to meet the minimum acceptable level of performance;
- misrepresents data submitted to the secretary or fails to meet reporting standards; or
- adversely impacts the access of students enrolled in an in-State institution of higher education to clinical and field placements.

Current regulations promulgated by the Office of the Secretary of Higher Education have established a process for the approval of courses and programs offered in New Jersey by out-of-State institutions. This bill revises that process.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- modify a requirement that the petition for licensure include documentation demonstrating that any academic program intended to prepare students for professional licensure or certification in the State is designed to meet the educational requirements of the applicable State licensing or certification authority;
- specify that the secretary will send the petition and comments from other institutions of higher education related to the petition to the New Jersey Presidents' Council within 60 days of receipt of the information;
- provide that a license authorized pursuant to the bill will be for a period not exceeding three years for the initial license and may be subsequently reauthorized for a period not exceeding five years; and
- remove a provision in the bill that excluded proprietary information within a petition from the secretary's annual report on petitions and from disclosure through the open public records act.