

ASSEMBLY, No. 5391

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 23, 2021

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblywoman BRITNEE N. TIMBERLAKE

District 34 (Essex and Passaic)

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;

44 (8) a description of the types of financial assistance offered
45 directly by the institution to both student-athletes and to students
46 who do not participate in athletic programs at the institution;

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

1 degree programs. The **commission** secretary shall present the
2 information on its website in a manner that allows **college**
3 students and their families to easily compare student consumer
4 information across public institutions, across independent
5 institutions, and across proprietary institutions authorized to offer
6 licensed degree programs.

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

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

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

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

43 (1) overall graduation or completion rates;

44 (2) graduation or completion rates by demographic group;

45 (3) the student transfer rate;

46 (4) an overview of the schools to which former students have
47 transferred prior to the completion of an educational program;

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

1 before the Legislature as this bill) and shall prescribe a uniform
2 reporting method for posting the information.

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

14

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

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

36

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

1 update, a student consumer information report on its website that
2 includes, if applicable:

- 3 (1) overall graduation or completion rates;
- 4 (2) graduation or completion rates by demographic group;
- 5 (3) the student transfer rate;
- 6 (4) an overview of the schools to which former students have
7 transferred prior to the completion of a program;
- 8 (5) the amount of any school charges, including tuition and fees;
- 9 (6) a description of the types of financial assistance offered
10 directly by the school to students;
- 11 (7) the total projected cost for an incoming student to complete
12 a program;
- 13 (8) average student loan indebtedness of graduates;
- 14 (9) average student loan indebtedness of a student who
15 withdraws from the school prior to the completion of an
16 occupational program;
- 17 (10) an overview of the school's faculty, including the
18 percentage of faculty employed on a full-time basis and the
19 percentage of faculty employed on a part-time basis; and
- 20 (11) employment data beginning with data compiled for
21 students who graduate from the school during the 2021-2022
22 academic year. The employment data shall include, but need not be
23 limited to, the employment rate and average annual salary of
24 students two years following the academic year in which the
25 students graduated from the school, as compiled in the comparative
26 report and provided by the Commissioner of Labor and Workforce
27 Development pursuant to section 10 of P.L. , c. (C.)
28 (pending before the Legislature as this bill).

29 The school shall provide with all paper applications for
30 admission to the school a hard copy of the information prepared
31 pursuant to this subsection.

32 b. The private career school shall conform to the guidelines,
33 criteria, and format prescribed by the commissioner in reporting the
34 information required pursuant to this section. The school shall
35 submit its student consumer information report to the commissioner
36 for inclusion in a comparative profile of the student consumer
37 information reports of all such schools.

38 c. A private career school shall ensure that the page of its
39 Internet site which includes its student consumer information report
40 contains a link to the page of the department's Internet site that
41 includes the comparative profile required pursuant to subsection b.
42 of section 8 of P.L. , c. (C.) (pending before the Legislature
43 as this bill).

44 d. A private career school shall ensure that the Internet site for
45 submitting an online application to the school contains a link to the
46 school's student consumer information report.

1 e. A private career school shall require a student applying for
2 admission to sign and submit a statement acknowledging that he has
3 reviewed the school's student consumer information report.

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

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

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

32 The commissioner, in consultation with the Secretary of Higher
33 Education and the Attorney General, shall adopt, in accordance with
34 the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-
35 1 et seq.), rules and regulations as may be necessary to implement
36 the provisions of this section.

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

43 b. No later than the beginning of the 2021-2022 academic year,
44 the Secretary of Higher Education, the Department of Labor and
45 Workforce Development, and the Division of Consumer Affairs
46 shall enter into a memorandum of understanding to develop a data
47 system that will collect the employment data for students who
48 graduate or withdraw prior to the completion of a degree program

1 from an institution of higher education or from a proprietary
2 institution authorized to offer licensed degree programs in the State,
3 or from a private career school, to produce an employment
4 comparative report for all institutions and schools.

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

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

- 14 (1) the student's social security number;
- 15 (2) the student's degree program or professional and
16 occupational program;
- 17 (3) the student's graduation date or date of withdrawal and
18 portion of the program completed at withdrawal from the institution
19 or school;
- 20 (4) information on the student's loan debt obtained from the
21 federal student loan program and any loans the institution or school
22 has certified, arranged, or is otherwise aware of, or of which it
23 should reasonably be aware; and
- 24 (5) institutional or school charges for which the student is
25 responsible net of any institutional or school grant aid.

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

30 The department shall adopt standards and procedures to prevent
31 any State agency from publishing, disclosing, or releasing
32 information which could identify any individual and shall not
33 publish, disclose, or otherwise release information which could
34 identify any individual.

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

- 43 (1) the employment rate and average annual salary of students
44 by academic major, in the case of an academic degree program, or
45 program in the case of private career schools, two years following
46 graduation from the institution or school;

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

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

7 The secretary, Attorney General, and commissioner shall
8 distribute the employment comparative report to each institution of
9 higher education, proprietary institution authorized to offer licensed
10 degree programs, and private career school for inclusion on the
11 institution's or school's website and inclusion in the student
12 consumer information report prepared by the institution or school.

13

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

28

29 12. This act shall take effect immediately.

30

31

32

STATEMENT

33

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

47 In addition to those institutions, this bill requires private career
48 schools authorized to offer educational programs required for

1 licensure, registration, or certification in a profession or occupation
2 regulated by a professional or occupational board established in the
3 Division of Consumer Affairs, and private career schools authorized
4 by the Department of Labor and Workforce Development to offer
5 one or more occupational training programs, to also post similar
6 information on their websites.

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

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

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

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

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

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