

SENATE, No. 2706

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JULY 22, 2020

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

SYNOPSIS

Limits responsibility of institutions of higher education to refund tuition for in-person instruction cancelled due to COVID-19 under certain conditions; limits additional fees institutions may charge for virtual instruction to actual additional costs.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning tuition and fees at institutions of higher
2 education.

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4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. As used in this act:

8 “Qualified student expenses” means payments made by a student
9 for on-campus student housing and a meal plan, or such payments
10 made on behalf of a student through a student loan.

11 “Student tuition expenses” means payments made by a student
12 for tuition and fees, or such payments made on behalf of a student
13 through a student loan.

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15 2. a. An institution of higher education shall not be required to
16 refund student tuition expenses for an in-person course of
17 instruction which is cancelled due to the public health emergency
18 and state of emergency declared in response to the coronavirus
19 disease 2019, provided that:

20 (1) the in-person course of instruction is instead offered in a
21 virtual or remote format; and

22 (2) the institution makes a good faith effort to refund a pro rata
23 portion of qualified student expenses that reflects the number of
24 days between the date the institution required a student to vacate
25 on-campus student housing and the originally scheduled end-of-
26 occupancy date for student housing.

27 b. An institution of higher education that provides virtual or
28 remote instruction due to the public health emergency and state of
29 emergency declared in response to the coronavirus disease 2019
30 shall not charge a student an additional fee for the virtual or remote
31 courses of instruction that is in excess of the institution’s actual
32 additional cost of providing the instruction.

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34 3. This act shall take effect immediately and shall be
35 retroactive to March 9, 2020.

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STATEMENT

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40 In response to the public health emergency presented by COVID-
41 19, and pursuant to Executive Order 104, colleges and universities
42 across the State cancelled in-person instruction and transitioned to
43 virtual or remote instruction in March of 2020.

44 The bill provides that an institution of higher education that
45 cancels in-person courses of instruction due to the coronavirus
46 disease 2019 is not required to issue a refund of student tuition and
47 fees for that in-person instruction, provided that (1) the in-person
48 course of instruction that is cancelled is offered instead in a virtual

1 or remote format, and (2) the institution makes a good faith effort to
2 refund a pro rata portion of qualified student expenses. “Qualified
3 student expenses” is defined as payments made by a student for on-
4 campus student housing and a meal plan, or such payments made on
5 behalf of a student through a student loan.

6 The bill also prohibits an institution of higher education from
7 charging fees for virtual or remote instruction provided due to the
8 declaration of the COVID-19 public health emergency and state of
9 emergency that are in excess of the institution’s actual cost to
10 provide the virtual or remote instruction.