

SENATE HIGHER EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2706

STATE OF NEW JERSEY

DATED: OCTOBER 19, 2020

The Senate Higher Education Committee reports favorably Senate Bill No. 2706.

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

The bill provides that an institution of higher education that cancels in-person courses of instruction due to the coronavirus disease 2019 is not required to issue a refund of student tuition and fees for that in-person instruction, provided that (1) the in-person course of instruction that is cancelled is offered instead in a virtual or remote format, and (2) the institution makes a good faith effort to refund a pro rata portion of qualified student expenses. “Qualified student expenses” is defined as payments made by a student for on-campus student housing and a meal plan, or such payments made on behalf of a student through a student loan.

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