

[First Reprint]

ASSEMBLY, No. 1695

STATE OF NEW JERSEY
220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

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District 31 (Hudson)

Co-Sponsored by:

**Assemblywoman Reynolds-Jackson, Assemblyman Wimberly,
Assemblywomen McKnight, Lopez, Senators Singleton, Turner and Ruiz**

SYNOPSIS

Requires Secretary of Higher Education and DOLWD to establish performance quality standards for career-oriented programs of study offered by institutions of higher education, degree-granting proprietary institutions, and private career schools.

CURRENT VERSION OF TEXT

As amended but not reported by the Assembly Higher Education Committee on March 14, 2022.

(Sponsorship Updated As Of: 6/29/2022)

1 AN ACT concerning ¹**[information provided by]** career-oriented
2 programs of study at¹ institutions of higher education¹, degree-
3 granting proprietary institutions,¹ and private career schools,
4 ¹**[amending P.L.2009, c.197,]**¹ and supplementing ¹**[P.L.1989,**
5 **c.293 (C.34:15C-1 et seq.), and Title 45 of the Revised Statutes]**
6 P.L.2009, c.197 (C.18A:3B-44 et seq.) and P.L.2005, c.354
7 (C.34:15C-10.1)¹.

8
9 **BE IT ENACTED** *by the Senate and General Assembly of the State*
10 *of New Jersey:*

11
12 ¹**[**1. Section 2 of P.L.2009, c.197 (C.18A:3B-44) is amended to
13 read as follows:

14 2. a. **[A four-year public]** An institution of higher education
15 and a proprietary institution which has been authorized to offer
16 licensed degree programs shall provide for public inspection on its
17 website comprehensive information on the cost of attendance, the
18 graduation rates of admitted students, and the faculty of the
19 institution, and shall also provide for public inspection on its
20 website employment data for recent graduates of the institution.
21 The purpose of the information shall be to maximize the awareness
22 of students and their families of the costs associated with
23 enrollment in the institution, the institution's success in ensuring the
24 graduation and employment of its students, and the composition of
25 the teaching faculty that a student will encounter in his coursework.
26 The institution shall post, and annually update, a student consumer
27 information report on its website that includes, if applicable:

28 (1) overall two-year and three-year graduation rates, and overall
29 four-year and six-year graduation rates, as applicable;

30 (2) two-year and three-year graduation rates by demographic
31 group, and four-year and six-year graduation rates by demographic
32 group, as applicable;

33 (3) two-year and three-year graduation rates by major, and four-
34 year and six-year graduation rates by major, as applicable;

35 (4) two-year and three-year graduation rates for student-athletes,
36 and four-year and six-year graduation rates for student-athletes, as
37 applicable;

38 (5) the student transfer rate, including the rate of students who
39 graduate from a county college and subsequently enroll in a four-
40 year institution of higher education;

41 (6) an overview of the institutions to which former students of
42 that **[college or university]** institution have transferred prior to the
43 completion of a degree;

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹AssemblyAHI committee amendments adopted March 14, 2022.

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

1 institution, as compiled in the comparative report and provided by
 2 the Secretary of Higher Education pursuant to section 10 of P.L. ,
 3 c. (C.) (pending before the Legislature as this bill).

4 The institution shall provide with all paper applications for
 5 admission to the institution a hard copy of the information prepared
 6 pursuant to this section.

7 b. **【A four-year public】** An institution of higher education and
 8 a proprietary institution authorized to offer licensed degree
 9 programs shall conform to the guidelines, criteria, and format
 10 prescribed by the **【Commission on】** Secretary of Higher Education
 11 in reporting the information required pursuant to this section.

12 c. **【A four-year public】** An institution of higher education and
 13 a proprietary institution authorized to offer licensed degree
 14 programs shall submit its student consumer information report to
 15 the **【Commission on】** Secretary of Higher Education for inclusion
 16 in a comparative profile of the student consumer information
 17 reports of all **【four-year public】** institutions of higher education.

18 d. **【A four-year public】** An institution of higher education and
 19 a proprietary institution authorized to offer licensed degree
 20 programs shall ensure that the page of its Internet site which
 21 includes its student consumer information report contains a link to
 22 the page of the **【Commission on】** Secretary of Higher Education's
 23 Internet site that includes the comparative profile required pursuant
 24 to subsection b. of section 3 of this act.

25 e. **【A four-year public】** An institution of higher education and
 26 a proprietary institution authorized to offer licensed degree
 27 programs shall ensure that the Internet site for submitting an online
 28 application to the institution contains a link to the institution's
 29 student consumer information report.

30 f. **【A four-year public】** An institution of higher education and
 31 a proprietary institution authorized to offer licensed degree
 32 programs shall require the parent or guardian of a student applying
 33 for admission into the institution, or the student if he is an
 34 independent adult, to sign and submit a statement acknowledging
 35 that he has reviewed the institution's student consumer information
 36 report.

37 (cf: P.L.2009, c.197, s.2)】¹

38
 39 ¹【2. Section 3 of P.L.2009, c.197 (C.18A:3B-45) is amended to
 40 read as follows:

41 3. a. The **【Commission on】** Secretary of Higher Education
 42 shall issue guidelines and criteria for collecting and calculating the
 43 information required pursuant to section 2 of this act and shall
 44 prescribe a uniform reporting method for posting the information.

45 b. The **【Commission on】** Secretary of Higher Education shall
 46 annually compile the student consumer information reports
 47 submitted pursuant to subsection c. of section 2 of this act into a

1 comparative profile of all **four-year public** institutions of higher
2 education and proprietary institutions authorized to offer licensed
3 degree programs. The **commission** secretary shall present the
4 information on its website in a manner that allows **college**
5 students and their families to easily compare student consumer
6 information across public institutions, across independent
7 institutions, and across proprietary institutions authorized to offer
8 licensed degree programs.
9 (cf: P.L.2009, c.197, s.3)¹

10

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

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

28

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

- 45 (1) overall graduation or completion rates;
46 (2) graduation or completion rates by demographic group;
47 (3) the student transfer rate;

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

3 (5) the amount of any school charges, including tuition and fees;

4 (6) a description of the types of financial assistance offered
5 directly by the school to students;

6 (7) the total projected cost for an incoming student to complete
7 the educational program;

8 (8) average student loan indebtedness of graduates;

9 (9) average student loan indebtedness of a student who
10 withdraws from the school prior to the completion of the
11 educational program;

12 (10) an overview of the school's faculty, including the
13 percentage of faculty employed on a full-time basis and the
14 percentage of faculty employed on a part-time basis; and

15 (11) employment data beginning with data compiled for
16 students who graduate from the school during the 2021-2022
17 academic year. The employment data shall include, but need not be
18 limited to, the employment rate and average annual salary of
19 students two years following the academic year in which the
20 students graduated from the school, as compiled in the comparative
21 report and provided by the Attorney General pursuant to section 10
22 of P.L. , c. (C.) (pending before the Legislature as this
23 bill).

24 The school shall provide with all paper applications for
25 admission a hard copy of the information prepared pursuant to this
26 subsection.

27 b. A private career school shall conform to the guidelines,
28 criteria, and format prescribed by the Attorney General in reporting
29 the information required pursuant to subsection a. of this section.
30 The institution shall submit its student consumer information report
31 to the Attorney General for inclusion in a comparative profile of the
32 student consumer information reports of all such schools.

33 c. A private career school shall ensure that the page of its
34 Internet site which includes its student consumer information report
35 contains a link to the page of the Attorney General's Internet site
36 that includes the comparative profile required pursuant to
37 subsection b. of section 5 of P.L. , c. (C.) (pending before
38 the Legislature as this bill).

39 d. A private career school shall ensure that the Internet site for
40 submitting an online application to the institution contains a link to
41 the institution's student consumer information report.

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

46

47 ¹5. (New section) a. The Attorney General shall issue
48 guidelines and criteria for collecting and calculating the information

1 required pursuant to section 4 of P.L. , c. (C.) (pending
2 before the Legislature as this bill) and shall prescribe a uniform
3 reporting method for posting the information.

4 b. The Attorney General shall annually compile the student
5 consumer information reports submitted pursuant to subsection b. of
6 section 4 of P.L. , c. (C.) (pending before the Legislature as
7 this bill) into a comparative profile of all private career schools
8 authorized to offer educational programs required for licensure,
9 registration, or certification in professions or occupations regulated
10 by a professional or occupational board established in the Division
11 of Consumer Affairs. The Attorney General shall present the
12 information on its website in a manner that allows students to easily
13 compare student consumer information across private career
14 schools.】¹

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

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

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

1 encounter in his coursework. The school shall post, and annually
2 update, a student consumer information report on its website that
3 includes, if applicable:

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

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

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

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

45 d. A private career school shall ensure that the Internet site for
46 submitting an online application to the school contains a link to the
47 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.】¹

4
5 ¹【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.】¹

20
21 ¹【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.】¹

37
38 ¹【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

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

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

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

15 (1) the student's social security number;

16 (2) the student's degree program or professional and
17 occupational program;

18 (3) the student's graduation date or date of withdrawal and
19 portion of the program completed at withdrawal from the institution
20 or school;

21 (4) information on the student's loan debt obtained from the
22 federal student loan program and any loans the institution or school
23 has certified, arranged, or is otherwise aware of, or of which it
24 should reasonably be aware; and

25 (5) institutional or school charges for which the student is
26 responsible net of any institutional or school grant aid.

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

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

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

44 (1) the employment rate and average annual salary of students
45 by academic major, in the case of an academic degree program, or
46 program in the case of private career schools, two years following
47 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. ¹

13
14 ¹[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. ¹

28
29 ¹1. (New section) a. As used in this section, "career-oriented
30 program of study" means a program that provides occupation-specific
31 knowledge and technical skill proficiency that culminates in the
32 attainment of a license for a specific occupation or is represented by
33 the institution as preparing students for employment in a specific
34 occupation. "Career-oriented program of study" shall not include a
35 program dedicated primarily to the education or training of ministers,
36 priests, rabbis or other professional persons in the field of religion.

37 b. Within 12 months of the effective date of P.L. , c. (C.)
38 (pending before the Legislature as this bill), the Secretary of Higher
39 Education shall establish a performance quality standard for career-
40 oriented programs of study offered by institutions of higher education
41 and degree-granting proprietary institutions. In establishing the
42 standard, the secretary shall consider the ratio of the tuition and fees
43 charged to students in the career-oriented program net of any
44 institutional grant aid to the average earnings of New Jersey workers
45 employed in the specific occupation for which the career-oriented
46 program prepares students.

47 c. The secretary shall ensure that career-oriented programs of
48 study offered by institutions of higher education and degree-granting

1 proprietary institutions meet a minimum acceptable level of
2 performance, as determined by the secretary. In the event that the
3 secretary determines that a program does not meet the minimum
4 acceptable level of performance, the secretary shall suspend or
5 terminate that program and take additional action to suspend or revoke
6 the institution's license to award academic degrees.

7 d. An institution of higher education or degree-granting
8 proprietary institution shall submit to the secretary the clear
9 identification of the institution's career-oriented programs of study in a
10 form and in a manner as determined by the secretary.

11 e. The secretary shall adopt, in accordance with the
12 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
13 rules and regulations as may be necessary to implement the provisions
14 of this section.¹

15
16 ¹2. (New section) a. Within 12 months of the effective date of
17 P.L. , c. (C.) (pending before the Legislature as this bill), the
18 Commissioner of Labor and Workforce Development shall establish
19 performance quality standards for:

20 (1) private career schools, referred to and defined as "qualifying
21 schools" under section 4 of P.L.1989, c.293 (C.34:15C-1), authorized
22 jointly under section 13 of P.L.2005, c.354 (C.34:15C-10.1) by the
23 Commissioner of Labor and Workforce Development and the
24 Commissioner of Education to operate in New Jersey; and

25 (2) private career schools authorized by a professional or
26 occupational board established within the Division of Consumer
27 Affairs, in the Department of Law and Public Safety, to offer an
28 educational program required for licensure, registration, or
29 certification in a profession or occupation regulated by a professional
30 or occupational board established within the division.

31 b. In establishing the performance quality standards, the
32 Commissioner of Labor and Workforce Development shall consider
33 the ratio of the tuition and fees charged to students in the program net
34 of any institutional grant aid to the average earnings of New Jersey
35 workers employed in the specific occupation for which the program
36 prepares students.

37 (1) In the event that the Commissioner of Labor and Workforce
38 Development determines that a program offered by a private career
39 school does not meet the minimum acceptable level of performance,
40 the Commissioner of Labor and Workforce Development and the
41 Commissioner of Education shall, pursuant to section 13 of P.L.2005,
42 c.354 (C.34:15C-10.1), revoke, suspend or make conditional the
43 certificate of approval issued under that law.

44 (2) In the event that the Commissioner of Labor and Workforce
45 Development determines that an educational program required for
46 licensure, registration, or certification in a profession or occupation
47 regulated by a professional or occupational board established within
48 the Division of Consumer Affairs does not meet the minimum

1 acceptable level of performance, the Commissioner of Labor and
2 Workforce Development shall issue a written determination directing
3 the applicable board within the Division of Consumer Affairs to
4 suspend or revoke the private career school's license or accreditation
5 to offer such program.

6 c. All private career schools, including those operating with a
7 certificate of approval issued jointly by the Commissioner of Labor
8 and Workforce Development and the Commissioner of Education, and
9 those authorized by a professional or occupational board established
10 within the Division of Consumer Affairs to offer an educational
11 program required for licensure, registration, or certification in a
12 profession or occupation regulated by a professional or occupational
13 board established within the Division of Consumer Affairs, shall
14 submit a quarterly report to the Commissioner of Labor and Workforce
15 Development that includes:

16 (1) the tuition and fees charged for each program;

17 (2) a record for each student enrolled in each program. The student
18 record shall include, but not be limited to: the student's social security
19 number, gender, date of birth, date of enrollment, any date of
20 completion, date of termination, date of start in a job, date of
21 application for a license, licensing examination result, date of issuance
22 of a license, and any credential issued; and

23 (3) any additional information that may be required by the
24 Commissioner of Labor and Workforce Development.

25 d. Each private career school may be required by the
26 Commissioner of Labor and Workforce Development to submit
27 additional reports on a more frequent basis.

28 (1) In the event that the Commissioner of Labor and Workforce
29 Development determines that a program offered by a private career
30 school has failed to submit any report required under this section, the
31 Commissioner of Labor and Workforce Development and the
32 Commissioner of Education shall, pursuant to section 13 of P.L.2005,
33 c.354 (C.34:15C-10.1), revoke, suspend or make conditional the
34 certificate of approval issued under that law.

35 (2) In the event that the Commissioner of Labor and Workforce
36 Development determines that an educational program required for
37 licensure, registration, or certification in a profession or occupation
38 regulated by a professional or occupational board established within
39 the Division of Consumer Affairs has failed to submit any report
40 required under this section, the Commissioner of Labor and Workforce
41 Development shall issue a written determination directing the
42 applicable board within the division to suspend or revoke the private
43 career school's license or accreditation to offer such program.

44 e. Upon receiving the written determination from the
45 Commissioner of Labor and Workforce Development directing the
46 suspension or revocation of the private career school's license or
47 accreditation to offer a program, the applicable board within the
48 Division of Consumer Affairs may delay the effective date of the

1 suspension or revocation for a reasonable time if it determines that
2 doing so is necessary for the applicable board, or the affected private
3 career school at the direction of the applicable board, to protect the
4 interests of students.

5 f. Nothing in this section shall be construed to affect the authority
6 of a professional or occupational board established within the Division
7 of Consumer Affairs to suspend or revoke the license or accreditation
8 of a private career school pursuant to Title 45 of the Revised Statutes.

9 g. The Commissioner of Labor and Workforce Development, in
10 consultation with the Commissioner of Education and the Attorney
11 General, shall adopt, in accordance with the “Administrative
12 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), rules and
13 regulations as may be necessary to implement the provisions of this
14 section.¹

15

16 ¹**[12.]** 3.¹ This act shall take effect immediately.