

[First Reprint]

ASSEMBLY, No. 4800

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED MARCH 23, 2026

Sponsored by:

Assemblywoman CARMEN THERESA MORALES

District 34 (Essex)

SYNOPSIS

Revises licensure process for out-of-State institutions of higher education.

CURRENT VERSION OF TEXT

As reported by the Assembly Higher Education Committee on October 5, 2026, with amendments.



1 AN ACT concerning out-of-State institutions of higher education
2 and supplementing Title 18A of the New Jersey Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 ¹“Early college high school program” means a partnership between
8 a school district and an institution of higher education that allows
9 participants to simultaneously complete requirements toward earning a
10 State-endorsed high school diploma and have the opportunity to earn
11 credits that are transferable to the institution of higher education in the
12 partnership as part of an organized course of study toward a
13 postsecondary degree at no cost to the participant or participant's
14 family.¹

15 “Out-of-State institution” means a postsecondary educational
16 institution that provides instruction beyond the 12th grade level in
17 programs that satisfy the requirements for a degree at the associate,
18 baccalaureate, or graduate level, and which, with the exception of
19 institutions that have a specialty mission, offers a range of degree
20 programs and that is located within the United States or its possessions
21 and is not incorporated in the State of New Jersey and whose
22 accreditation status in New Jersey is based upon a location outside the
23 State, as well as an institution located outside of the United States or
24 its possessions that is recognized by the appropriate body in the
25 particular country if the institution's requirements for awarding
26 degrees are generally equivalent to those accepted in the United States
27 by an accrediting body recognized by the United States Secretary of
28 Education.

29 “Secretary” means the Secretary of Higher Education.

30
31 2. a. An out-of-State institution seeking to offer a college credit-
32 bearing course, academic degree completion program, or complete
33 academic degree program with a physical presence in the State shall
34 petition the Secretary of Higher Education for licensure.

35 b. An institution shall provide in its petition:

36 (1) evidence that the institution is licensed in the state in which
37 the institution is incorporated, and in the case of a petition to offer
38 an academic degree completion program, evidence that the
39 institution is authorized to offer the full degree program in the state
40 in which the institution is incorporated;

41 (2) the accreditation status of the out-of-State institution;

42 (3) the mission statement of the institution that defines the
43 scope, purpose, and basic tenets of 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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHI committee amendments adopted October 5, 2026.

1 (4) information equivalent to the annual summary sheet required
2 by the regional or national institutional accrediting association for
3 the institution;

4 (5) the institution's financial statements and management letters,
5 if issued, for each of the preceding three academic years;

6 (6) evidence that the institution has access to sufficient financial
7 and operation resources to sustain the proposed course or program;

8 (7) information on the qualifications of prospective faculty for
9 the proposed course or program that at a minimum meet the faculty
10 qualifications of a comparable course or program in the State;

11 (8) a description of the selection and review process for faculty
12 teaching in the State;

13 (9) a catalog and other data that supports the petition;

14 (10) an impact analysis on existing in-State institutions of higher
15 education, clinical sites and placements, and field sites and
16 placements, as appropriate;

17 (11) a plan for the ongoing assessment and development of the
18 course or program;

19 (12) documentation demonstrating that any academic program
20 intended to prepare students for professional licensure or
21 certification in the State is designed to meet the educational
22 requirements of the applicable State licensing or certification
23 authority; and

24 (13) any other information deemed necessary by the secretary.

25 c. The impact analysis required in the petition pursuant to
26 paragraph (10) of subsection b. of this section shall include:

27 (1) the identification and mapping of comparable courses and
28 programs of study in the State;

29 (2) evidence of unmet need in the State for the proposed course
30 or program that may include evidence of capacity constraints,
31 waitlists, or geographic challenges relating to a comparable in-State
32 course or program;

33 (3) evidence of unmet demand in the State for the proposed
34 course or program, which may include labor market data, employer
35 needs assessments, or State workforce reports;

36 (4) for programs requiring clinical placements, sites, and
37 supervisors or field placements, sites, and supervisors, evidence that
38 the proposed program will not displace or reduce the placements,
39 sites, or supervisors available to students enrolled in existing in-
40 State programs; and

41 (5) if the proposed course or program is duplicative of an in-
42 State course or program, justification for the petition.

43 ¹d. An out-of-State institution offering an early college high
44 school program at a school that is physically located in the State shall
45 not be required to complete an impact analysis required in the petition
46 pursuant to paragraph (10) of subsection b. of this section.¹

1 3. a. The secretary shall review all licensure petitions submitted
2 pursuant to section 2 of this act.

3 b. Upon receipt of a petition, the secretary shall distribute a brief
4 summary of the petition's content, and information on how to
5 access the petition on the website of the Office of the Secretary of
6 Higher Education, to all institutions of higher education in the
7 State. The secretary shall provide an opportunity for public
8 comment on the petition in the 30 days following notification of the
9 petition.

10 c. The secretary shall send the petition and all comments
11 received on the petition to the New Jersey Presidents' Council for
12 review and written recommendation to the secretary within 60 days
13 of receipt of the information.

14 d. The secretary shall, after considering the recommendation of
15 the New Jersey Presidents' Council, issue a final determination on
16 the petition. The secretary shall license only those institutions that
17 meet all the petition requirements established pursuant to this act
18 and whose proposed offerings:

19 (1) meet State standards of quality and provide a plan for the
20 ongoing monitoring of student outcomes;

21 (2) are fiscally viable;

22 (3) serve a demonstrable need and demonstrate that the proposed
23 course or program will not unduly impact existing in-State
24 programs; and

25 (4) are in accordance with the most recent comprehensive
26 Statewide plan for higher education developed pursuant to
27 subsection a. of section 14 of P.L.1994, c.48 (C.18A:3B-14), as
28 applicable.

29 e. A license authorized by the secretary pursuant to this section
30 shall be valid for a period not exceeding three years for an initial
31 licensure period and may be subsequently reauthorized for a period
32 not exceeding five years upon demonstration of:

33 (1) continued need;

34 (2) compliance with State reporting requirements;

35 (3) positive program outcomes aligned with State workforce and
36 student needs; and

37 (4) any other criteria to be determined by the secretary.

38 f. Licensure by the secretary of an out-of-State institution shall
39 not preclude an in-State institution of higher education from
40 providing a course or program similar to that of the out-of-State
41 institution.

42

43 4. a. The secretary shall prepare an annual report on the
44 petitions submitted pursuant to this act. The report shall include:

45 (1) the total number of petitions submitted, disaggregated by
46 degree level, program discipline, and need for clinical or field
47 placements;

1 (2) the total number of petitions approved, denied, withdrawn,
2 or approved with conditions;

3 (3) the basis for a petition denial or conditional approval; and

4 (4) a summary of the recommendations provided by the New
5 Jersey Presidents' Council pursuant to section 3 of this act.

6 b. The report shall be made available for public inspection on
7 the website of the Office of the Secretary of Higher Education and
8 shall be submitted annually to the Governor, and to the Legislature
9 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).

10
11 5. Each out-of-State institution licensed to provide a course or
12 program in the State shall provide an annual report to the secretary
13 that includes:

14 a. the enrollment and completion data for each course or
15 program offered in the State by the institution;

16 b. any changes in the curriculum, faculty, or institutional status
17 that occurred since the date of licensure by the State;

18 c. appropriate measures of student outcomes; and

19 d. a summary of clinical and field placements arranged by the
20 institution, as applicable.

21
22 6. The secretary shall ensure that an out-of-State institution
23 licensed to provide a course or program in the State meets a
24 minimum acceptable level of performance, as determined by the
25 secretary. The secretary may suspend or revoke the institution's
26 license if the secretary determines the out-of-State institution:

27 a. fails to meet the minimum acceptable level of performance;

28 b. misrepresents data submitted to the secretary or fails to meet
29 reporting standards; or

30 c. adversely impacts the access of students enrolled in an in-
31 State institution of higher education to clinical and field
32 placements.

33
34 7. The secretary shall adopt, in accordance with the
35 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
36 seq.), rules and regulations as may be necessary to implement the
37 provisions of this act.

38
39 8. This act shall take effect immediately.