

44:12-2

LEGISLATIVE HISTORY CHECKLIST

NJSA: 44:12-2

(Anti-poverty training programs-- provides for accreditations)

LAWS OF: 1981

CHAPTER: 531

Bill No: A1171

Sponsor(s): Garvin and others

Date Introduced: February 25, 1980

Committee: Assembly: Education

Senate: County and Municipal Government

Amended during passage: YES A amendments denoted by asterisks  
According to Governor's recommendation

Date of Passage: Assembly: May 19, 1980

Senate: June 25, 1981

Date of Approval: January 12, 1982

Following statements are attached if available:

Sponsor statement: YES

Also attached: Senate amendments adopted 6/18/81 (with statement)

Committee statement: Assembly YES

Senate YES

Fiscal Note: NO

Veto Message: YES

Message on Signing: NO

Following were printed:

Reports: NO

Hearings: NO

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## ASSEMBLY, No. 1171

## STATE OF NEW JERSEY

INTRODUCED FEBRUARY 25, 1980

By Assemblywoman GARVIN, Assemblymen BURSTEIN,  
McENROE and ZANGARI

Referred to Committee on Education

AN ACT concerning the accreditation of anti-poverty training programs, amending P. L. 1966, c. 13.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Section 2 of P. L. 1966, c. 13 (C. 44:12-2) is amended to read  
2 as follows:

3 2. In order to facilitate co-operation with the Federal Govern-  
4 ment in carrying out the programs contemplated by the Economic  
5 Opportunity Act of 1964 or related Federal legislation, every local  
6 unit is authorized:

7 (a) to accept from the Federal Government, subject to terms and  
8 conditions appertaining thereto, grants of funds, equipment, sup-  
9 plies, material and other property; and

10 (b) to hold, use, expend, deal with, employ, distribute and dispose  
11 of such funds, equipment, supplies, material and other property;  
12 and

13 (c) to appropriate money; and

14 (d) to enter into contracts and agreements with the Federal and  
15 State Governments, other local units or private organizations; and

16 (e) to engage in such activities and to do such other acts and  
17 things as may be necessary or convenient to carry out the powers  
18 given in this act.

19 *Notwithstanding any other provision of the law no local unit*  
20 *shall enter into a contract or agreement with a private business*  
21 *school, school of beauty culture, technical school, trade school,*  
22 *vocational school or similar training institution, for the pur-*  
23 *pose of training individuals or upgrading their skills for em-*  
24 *ployment in occupations generally not requiring an associate or*

**EXPLANATION**—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

25 baccalaureate degree, unless the Commissioner of \*\*\*\*\*[Education,  
 26 or other State authority which has jurisdiction over such institu-  
 27 tion,]\*\*\*\*\* \*\*\*\*\*Labor\*\*\*\*\* has accredited, or otherwise  
 28 approved, the programs\*\*\*[ facilities]\*\*\* and courses which the  
 29 institution provides\*\* \*\*\*, and has received from the construction  
 30 code official and local health officer of the municipality certification  
 31 that the facilities have been issued a certificate of occupancy and  
 32 are in compliance with the applicable provisions of the local health  
 33 ordinance\*\*\*; \*\*\*\*\*[however, this]\*\*\*\*\* \*\*\*\*\*except that a com-  
 34 munity based organization shall not be subject to the program and  
 35 course accreditation and approval requirements contained in this  
 36 section, but only to the requirements contained in this section con-  
 37 cerning municipal certification of the facilities. This\*\*\*\*\* act shall  
 38 not apply to private business sponsored in-house training programs  
 39 conducted primarily for the training of the employees of the  
 40 respective business\*\*. \*\*\*\*\*This act also shall apply to the extent  
 41 it would result in a violation of federal statutes or regulations or  
 42 otherwise prevent the receipt of federal grants or contracts.\*\*\*\*\*

1 2. This act shall take effect \***[immediately]**\* \*90 days after the  
 2 date of enactment\*.

The purpose of this bill is to correct an inequity for a group of full-time employees of the Rutgers University Cooperative Extension Service who upon retirement have rendered 25 or more years of service to the university but are not eligible for the above benefit because some or all of their service to the university has been credited in the Federal Civil Service Retirement System. This bill permits a full-time employee of the Rutgers University Cooperative Extension Service to have New Jersey service which has been credited in the Federal Civil Service Retirement System included as eligible service for the purposes of establishing the minimum 25 years service requirement to qualify for State paid health benefit premiums upon retirement.

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## STATEMENT

The purpose of this bill is to place under the jurisdiction of the Commissioner of Education, or other applicable authority, all courses and programs of "vocational type" private education. This bill would maintain uniform standards needed to insure the usefulness, quality and validity of such instruction. At present, governmental agencies and individuals are contracting with unapproved schools, or organizations, not subject to the review or approval of any governmental authority. The bill would help to insure that the funds spent under these contracts provide individuals with quality vocational instruction and facilities.

A1171 (1980)

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1171**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: APRIL 17, 1980

**PURPOSE:**

Assembly No. 1171 prohibits a private business school, school of beauty culture, technical school, trade school, vocational school or similar training institution from entering into a contract with a local or State anti-poverty organization funded by the Federal government unless it has been either approved or accredited by the appropriate State authority.

**BACKGROUND:**

The major anti-poverty program is CETA. Currently, an unlicensed, unaccredited, or unapproved vocational or training school may submit a bid and enter into a contract with a CETA unit to provide training for New Jersey citizens. Consequently, the State's efforts at quality control are avoided by many proprietary school operators. Since State approved programs must meet certain standards pertaining to curriculum, certification of teachers, and facilities, they are placed at an unfair advantage in competing for CETA contracts.

Therefore, the Assembly Education Committee feels that certain New Jersey citizens currently do not benefit by the State's efforts to maintain high quality training programs among such proprietary schools. This lack of impact upon quality control is felt most by those citizens who most need the programs and do not have the ability to pay for State-regulated vocational programs—the unemployed.

SENATE COUNTY AND MUNICIPAL  
GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1171**

with Assembly committee amendments, Assembly amendments  
and Senate committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 26, 1980

**PURPOSE:**

Assembly Bill No. 1171 prohibits a private business school, school of beauty culture, technical school, trade school, vocational school or similar training institution from entering into a contract with a local or State anti-poverty organization funded by the Federal Government unless it has been either approved or accredited by the appropriate State authority.

**BACKGROUND:**

The major anti-poverty program is CETA. Currently, an unlicensed, unaccredited, or unapproved vocational or training school may submit a bid and enter into a contract with a CETA unit to provide training for New Jersey citizens. Consequently, the State's effort at quality control are avoided by many proprietary school operators. Since State approved programs must meet certain standards pertaining to curriculum, certification of teachers, and facilities, they are placed at an unfair advantage in competing for CETA contracts.

The Assembly Education Committee approved the bill because it believed New Jersey citizens currently do not benefit by the State's efforts to maintain high quality training programs among such proprietary schools. This lack of impact upon quality control is felt most by those citizens who most need the programs and do not have the ability to pay for State-regulated vocational programs—the unemployed.

**SENATE COMMITTEE ACTION:**

The Senate committee amended the bill to provide that the certification of facilities shall be through the appropriate local channels. The amendment requires that the Commissioner of Education make his

approval of the school contingent upon his receipt of certification from the local construction code official and the local health officer that the school facilities have been issued a certificate of occupancy and are in compliance with the local health ordinance.

The Senate committee understands that the provisions of the bill would not affect any national CETA programs which do not go through prime sponsors.

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SENATE AMENDMENT TO  
**ASSEMBLY, No. 1171**

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**STATE OF NEW JERSEY**

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ADOPTED JUNE 18, 1981

Amend page 2, section 1, line 32, omit "however, this", insert "except that a community based organization shall not be subject to the program and course accreditation and approval requirements contained in this section, but only to the requirements contained in this section concerning municipal certification of the facilities. This".

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STATEMENT

This amendment would exempt community based organizations from the program and course accreditation requirements of the bill, leaving them subject only to the requirement that they obtain a certificate of occupancy and comply with the local health ordinance.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

January 4, 1982

ASSEMBLY BILL NO. 1171 (3d OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 1171 (3d OCR) with my objections and recommendations for amendment.

This bill would prohibit CETA prime sponsors from contracting for job training services with certain organizations unless they are accredited by the Commissioner of Education or other responsible State authorities, and comply with applicable local building and health codes. This bill would affect various technical schools and businesses that provide custom-designed training programs that are not now accredited.

I certainly support imposing standards of quality on the training programs that enter into contracts with CETA prime sponsors. However, the bill should clearly state that it is not intended to conflict with the federal statutes or regulations that govern CETA programs. Moreover, since these programs are administered on the State level by the Department of Labor, it would be appropriate for the Commissioner of Labor, and not the Commissioner of Education, to pass upon the quality of training programs.

Accordingly, I herewith return Assembly Bill No. 1171 (3d OCR) and recommend that it be amended as follows:

Page 2, section 1, line 25: Omit "Education, or"

Page 2, section 1, line 26: Omit "other State authority which has jurisdiction over such institution," and insert "Labor"

Page 2, section 1, line 39: After "business\*\*." insert "This act also shall not be effective to the extent it would result in a violation of federal statutes or regulations or otherwise prevent the receipt of federal grants or contracts."

Respectfully,

/s/ Brendan Byrne

GOVERNOR

[seal]

Attest:

Harold L. Hodes