

18A:3-15.1 et seq

10/15/86

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:3-15.1 et seq College and professional
degress--fraudulent or illegal use--
prohibit)

LAWS OF: 1986

CHAPTER 87

BILL NO: A2126

Sponsor(s): Muhler

Date Introduced: February 20, 1986

Committee: Assembly: Higher Education and Regulated Professions

Senate: Labor

Amended during passage: Yes Amendments during passage denoted by
asterisks

Date of Passage: Assembly: March 10, 1986

Senate: June 23, 1986

Date of Approval: August 14, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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ASSEMBLY, No. 2126

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 20, 1986

By Assemblywoman MUHLER

AN ACT concerning fraudulent ***[collegiate]*** **academic** degrees and supplementing ***[chapter 68 of]*** Title 18A of the New Jersey Statutes.

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

1 1. A person shall not **with the intent to deceive** buy, sell ***[or**
2 fraudulently or illegally]* **,* make or alter, give, issue ***[or]*** **,*
3 obtain or attempt to obtain ***[by fraudulent means]*** any diplo-
4 ma***[**, certificate or other instrument**]*** **or other document** pur-
5 porting to confer any ***[collegiate, professional or other]*** **aca-*
6 *demic** degree, ***[or any license, or a duplicate thereof,]*** or ***[to**
7 certify**]*** **which certifies** the completion in whole or in part of
8 any course of study in any ***[university, college, vocational school**
9 or other educational**]*** institution **of higher education**.

1 2. A person***[**, firm, association, corporation or institution**]*** **or*
2 *other legal entity** shall not use, or attempt to use, in connection
3 with any business, trade, profession or occupation any **academic**
4 degree or certification of degree or degree credit, including but
5 not limited to a transcript of coursework, which has ***[knowingly]***
6 been fraudulently issued, obtained, forged or ***[materially]*** altered.
7 A person shall not, with intent to deceive, falsely represent him-
8 self as having received any such degree or credential.

1 3. A person shall not append to his name any letters in the same
2 form designated by the Board of Higher Education as entitled to
3 the protection accorded to ***[collegiate degrees]*** **an academic*
4 *degree** unless the person has received from a duly authorized

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 printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendments adopted February 27, 1986.**

5 institution **of higher education** the degree or certificate for which
 6 the letters are registered. For the purposes of this section, a duly
 7 authorized institution **of higher education** means an in-state in-
 8 stitution licensed by the Board of Higher Education or an out-of-
 9 state institution licensed by the appropriate state agency and
 10 regionally accredited or seeking accreditation by the appropriate
 11 accrediting body recognized by the Council on Postsecondary
 12 Education or the United States Department of Education.

1 4. An in-state university, college, business, trade or vocational
 2 school may not offer, advertise, or by agreement with an out-of-
 3 state institution, offer or advertise any ***[collegiate]*** **academic**
 4 degree from any out-of-state university, college, business, trade or
 5 vocational school when $3/4$ **or more** of the degree requirements
 6 are obtained by coursework completed at the institution in New
 7 Jersey unless the degree program has been approved by the Board
 8 of Higher Education or is a degree program at an institution spe-
 9 cifically exempted from the provisions of N. J. S. 18A :68-6.

1 5. Any person who violates any provision of this act is liable to
 2 a civil penalty of \$1,000.00 for each offense **which shall be collected*
 3 *pursuant to the provisions of "the penalty enforcement law,"*
 4 *N. J. S. 2A:58-1 et seq.**

1 **6. The Board of Higher Education shall adopt rules and regu-*
 2 *lations in accordance with the "Administrative Procedure Act,"*
 3 *P. L. 1968, c. 410 (C. 52:14B-1 et seq.) necessary to effectuate the*
 4 *purposes of this act.**

1 ***[6.]*** **7.** This act shall take effect immediately.

HIGHER EDUCATION—COLLEGES, UNIVERSITIES
 Prohibits the fraudulent or illegal use of academic degrees.

ASSEMBLY, No. 2126
STATE OF NEW JERSEY

INTRODUCED FEBRUARY 20, 1986

By Assemblywoman MUHLER

AN ACT concerning fraudulent collegiate degrees and supplementing chapter 68 of Title 18A of the New Jersey Statutes.

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

1 1. A person shall not buy, sell or fraudulently or illegally make
2 or alter, give, issue or obtain or attempt to obtain by fraudulent
3 means any diploma, certificate or other instrument purporting to
4 confer any collegiate, professional or other degree, or any license,
5 or a duplicate thereof, or to certify the completion in whole or in
6 part of any course of study in any university, college, vocational
7 school or other educational institution.

1 2. A person, firm, association, corporation or institution shall
2 not use, or attempt to use, in connection with any business, trade,
3 profession or occupation any degree or certification of degree or
4 degree credit, including but not limited to a transcript of course-
5 work, which has knowingly been fraudulently issued, obtained,
6 forged or materially altered. A person shall not, with intent to
7 deceive, falsely represent himself as having received any such
8 degree or credential.

1 3. A person shall not append to his name any letters in the same
2 form designated by the Board of Higher Education as entitled to
3 the protection accorded to collegiate degrees unless the person
4 has received from a duly authorized institution the degree or cer-
5 tificate for which the letters are registered. For the purposes of
6 this section, a duly authorized institution means an in-state institu-
7 tion licensed by the Board of Higher Education or an out-of-state

8 institution licensed by the appropriate state agency and regionally
9 accredited or seeking accreditation by the appropriate accrediting
10 body recognized by the Council on Postsecondary Education or the
11 United States Department of Education.

1 4. An in-state university, college, business, trade or vocational
2 school may not offer, advertise, or by agreement with an out-of-
3 state institution, offer or advertise any collegiate degree from any
4 out-of-state university, college, business, trade or vocational school
5 when 3/4 of the degree requirements are obtained by coursework
6 completed at the institution in New Jersey unless the degree pro-
7 gram has been approved by the Board of Higher Education or is
8 a degree program at an institution specifically exempted from the
9 provisions of N. J. S. 18A :68-6.

1 5. Any person who violates any provision of this act is liable to
2 a civil penalty of \$1,000.00 for each offense.

1 6. This act shall take effect immediately.

STATEMENT

This bill prohibits obtaining, offering or using a degree or certificate that is fraudulently or illegally obtained. It prevents institutions in New Jersey from advertising or offering a degree from out-of-state institutions when 3/4 of the coursework is completed at an in-state institution. It also prohibits persons from using credentials without having received a legitimate degree or certificate. All of the above provisions will be enforced through a civil penalty of \$1,000.00 for each offense.

HIGHER EDUCATION — COLLEGES, UNIVERSITIES

Prohibits the fraudulent or illegal use of a college, professional or other degree.

ASSEMBLY HIGHER EDUCATION AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2126

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 27, 1986

The Assembly Higher Education and Regulated Professions Committee favorably reports Assembly Bill No. 2126 with amendments.

The bill concerns the fraudulent use of academic degrees and does the following:

1. Prohibits the buying, selling, issuing or obtaining with intent to deceive of any diploma or other document which purports to confer an academic degree;
2. Prohibits any person or other legal entity from using in connection with a profession or occupation any academic degree which has been fraudulently issued or obtained or of falsely representing himself as having received such a degree;
3. Prohibits the use of any letters designated by the Board of Higher Education as entitled to the protection accorded an academic degree unless the person has in fact received that degree from a duly authorized institution of higher education;
4. Prohibits a New Jersey college, business or vocational school from offering any academic degree from an out-of-state school when 3/4 or more of the coursework is completed at the New Jersey institution, unless the degree program has been approved by the Board of Higher Education.

Finally, the bill provides for a \$1,000.00 civil penalty for each violation of the act.

The committee amended this bill to clarify the language in several places and to provide that the civil penalty is to be collected pursuant to the provisions of "the penalty enforcement law," N. J. S. 2A:58-1 et seq.

SENATE LABOR, INDUSTRY AND PROFESSIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2126

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STATE OF NEW JERSEY

DATED: JUNE 9, 1986

This bill concerns the fraudulent use of academic degrees and provides for the following:

1. Prohibits the buying, selling, issuing or obtaining with intent to deceive of any diploma or other document which purports to confer an academic degree;

2. Prohibits any person or other legal entity from using in connection with a profession or occupation any academic degree which has been fraudulently issued or obtained and from falsely representing himself as having received such a degree;

3. Prohibits the use of any letters designated by the Board of Higher Education as entitled to the protection accorded an academic degree unless the person has in fact received that degree from a duly authorized institution of higher education;

4. Prohibits a New Jersey college, business or vocational school from offering an academic degree from an out-of-state school when $\frac{3}{4}$ or more of the coursework is completed at the New Jersey institution, unless the degree program has been approved by the Board of Higher Education.

The bill provides for a \$1,000.00 civil penalty for each violation of the act.