

18A:3B-7

**LEGISLATIVE HISTORY CHECKLIST**  
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**NJSA:** 18A:3B-7

**LAWS OF:** 1995 **CHAPTER:** 268

**BILL NO:** A2392

**SPONSOR(S):** Haytaian

**DATE INTRODUCED:** December 1, 1994

**COMMITTEE:** **ASSEMBLY** Education

**SENATE:** ---

**AMENDED DURING PASSAGE:** Yes Amendments during passage  
Third reprint enacted denoted by superscript  
numbers

**DATE OF PASSAGE:** **ASSEMBLY:** May 22, 1995 Re-enacted 11-9-95

**SENATE:** June 26, 1995 Re-enacted 12-7-95

**DATE OF APPROVAL:** December 8, 1995

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes

**SENATE:** No

**FISCAL NOTE:** No

**VETO MESSAGE:** Yes

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** No

KBG:pp

[THIRD REPRINT]  
ASSEMBLY, No. 2392

STATE OF NEW JERSEY

INTRODUCED DECEMBER 1, 1994

By Assemblyman HAYTAIAN

1 AN ACT concerning higher education and amending P.L.1994,  
2 c.48.

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

6 1. Section 7 of P.L.1994, c.48 (C.18A:3B-7) is amended to read  
7 as follows:

8 7. There is established a body corporate and politic, with  
9 corporate succession, to be known as the "New Jersey  
10 Presidents' Council." Each president of a public institution of  
11 higher education in the State and of an independent institution  
12 which receives direct State aid <sup>3</sup>[and other institutions in the  
13 State <sup>2</sup>[, exclusive of those institutions dedicated primarily to the  
14 preparation or training of ministers, priests, rabbis, or other  
15 professional persons in the field of religion,]<sup>2</sup> that are licensed by  
16 the State of New Jersey to grant degrees therein but which do  
17 not receive direct State aid]<sup>3</sup> shall be a member of the council  
18 and shall serve ex officio. <sup>3</sup>The presidents of the two proprietary  
19 schools which enroll the largest numbers of pupils in State  
20 licensed degree programs shall also serve as members of the  
21 council, ex officio, to represent the interests of all such schools.  
22 The presidents of the two institutions primarily involved in the  
23 preparation of professional persons in the field of religion which  
24 enroll the largest number of pupils in State licensed degree  
25 programs shall also serve as members of the council, ex officio,  
26 to represent the interests of all such schools.<sup>3</sup>

27 (cf: P.L.1994, c.48, s.7)

28 2. Section 8 of P.L.1994, c.48 (C.18A:3B-8) is amended to read  
29 as follows:

30 8. The council shall have the responsibility, consistent with  
31 State and federal law, to:

32 a. provide public information and research on higher education  
33 issues;

34 b. review and make recommendations to the commission  
35 concerning proposals for new programs that exceed the  
36 programmatic mission of an institution or that change the  
37 programmatic mission of an institution;

38 c. review and comment on proposals for new programs that  
39 demand significant added resources or raise significant issues of  
40 duplication but do not exceed the programmatic mission of the  
41 institution or require a change in the programmatic mission. If  
42 the council determines that a proposed new program is unduly

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:

<sup>1</sup> Assembly AED committee amendments adopted February 6, 1995.

<sup>2</sup> Assembly floor amendments adopted February 6, 1995.

<sup>3</sup> Assembly amendments adopted in accordance with Governor's  
recommendations September 18, 1995.

1 expensive or unduly duplicative, the council shall refer that  
 2 proposal to the commission for review; however, unless the  
 3 commission disapproves of that program within 60 days of its  
 4 referral, the program shall be deemed approved;

5 d. encourage the formation of regional or other alliances  
 6 among institutions including interinstitutional transfers, program  
 7 articulation, cooperative programs and shared resources and  
 8 develop criteria for "full faith and credit" transfer agreements  
 9 between county colleges and other institutions of higher  
 10 education. The council shall also keep institutions apprised of the  
 11 discontinuance of programs at other institutions and each  
 12 president shall notify the council of any such action;

13 e. advise and assist the commission in developing and updating  
 14 a plan for higher education in the State including, but not limited  
 15 to, the establishment of new institutions, closure of existing  
 16 institutions and consolidation of institutions;

17 f. provide policy recommendations on Statewide higher  
 18 education issues;

19 g. recommend to the Governor, Legislature and commission on  
 20 policy and overall levels of funding for student aid programs  
 21 necessary to ensure accessibility to higher education;

22 h. transmit to the Governor, Legislature and commission a  
 23 general budget policy statement regarding overall State funding  
 24 levels;

25 i. upon referral from the commission pursuant to this act  
 26 provide recommendations concerning institutional licensure and  
 27 university status; <sup>1</sup>[and] <sup>2</sup>and<sup>2</sup>

28 j. appoint subcommittees consisting of the presidents of the  
 29 institutions of the various higher education sectors to decide  
 30 matters, within the authority of the council. The presidents of  
 31 the independent institutions shall develop a unified request for  
 32 State support under chapter 72B of Title 18A of the New Jersey  
 33 Statutes. The presidents of the county college sector shall  
 34 develop a unified request for State support under chapter 64A of  
 35 Title 18A of the New Jersey Statutes [; and

36 k. consult with other institutions of higher education which do  
 37 not receive direct State aid when actions of the council directly  
 38 affect such institutions] <sup>2</sup>[<sup>1</sup>; and

39 k. consult with other institutions of higher education which do  
 40 not receive direct State aid when actions of the council directly  
 41 affect such institutions<sup>1</sup>]<sup>2</sup>.

42 (cf: P.L.1994, c.48, s.8)

43 3. This act shall take effect immediately.

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48 \_\_\_\_\_  
 48 Adds presidents of certain private institutions of higher education  
 49 to the Presidents' Council.

September 18, 1995

ASSEMBLY BILL NO. 2392  
(Second Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 2392 (Second Reprint) with my recommendations for reconsideration.

A. Summary of Bill

The purpose of this bill is to add the presidents of non-traditional institutions of higher education to the New Jersey Presidents' Council (Council). Currently, membership on the Council is limited to institutions which receive direct State support since the goal of the Council is to bring together presidents of institutions with similar missions to advance common goals. Non-traditional schools such as proprietary schools and schools which train professional persons in the field of religion do not largely share the commonality of interests which other colleges and universities share. The inclusion of these non-traditional schools would significantly expand the size of the Council and therefore negatively impact on the ability of member institutions to exchange information, consult and reach consensus on issues of mutual concern.

B. Recommended Action

However, these non-traditional institutions should have a right to voice their concerns on issues being addressed by the Council which directly impact on them. My proposed conditional veto would give the presidents of the two proprietary schools and the two schools of religious instruction with the largest number of students in degree programs membership on the Council in order to represent the interests of all such schools. The addition of four presidents will not significantly alter the character of the Council while

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

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providing these non-traditional schools with a voice in matters which concern them.

Therefore, I herewith return Assembly Bill No. 2392 (Second Reprint) and recommend that it be amended as follows:

Page 1, Section 1, Lines 12-17: Delete from "and other institutions" through "but which do not receive direct State aid"

Page 1, Section 1, Line 18: After "ex officio." insert "The presidents of the two proprietary schools which enroll the largest numbers of pupils in State licensed degree programs shall also serve as members of the council, ex officio, to represent the interests of all such schools. The presidents of the two institutions primarily involved in the preparation of professional persons in the field of religion which enroll the largest number of pupils in State licensed degree programs shall also serve as members of the council, ex officio, to represent the interests of all such schools."

Respectfully,

/s/ Christine Todd Whitman

GOVERNOR

[seal]

Attest:

/s/ Margaret M. Foti

Chief Counsel to the Governor

- 1 discontinuance of programs at other institutions and each  
2 president shall notify the council of any such action;
- 3 e. advise and assist the commission in developing and updating  
4 a plan for higher education in the State including, but not limited  
5 to, the establishment of new institutions, closure of existing  
6 institutions and consolidation of institutions;
- 7 f. provide policy recommendations on Statewide higher  
8 education issues;
- 9 g. recommend to the Governor, Legislature and commission on  
10 policy and overall levels of funding for student aid programs  
11 necessary to ensure accessibility to higher education;
- 12 h. transmit to the Governor, Legislature and commission a  
13 general budget policy statement regarding overall State funding  
14 levels;
- 15 i. upon referral from the commission pursuant to this act  
16 provide recommendations concerning institutional licensure and  
17 university status; and
- 18 j. appoint subcommittees consisting of the presidents of the  
19 institutions of the various higher education sectors to decide  
20 matters, within the authority of the council. The presidents of  
21 the independent institutions shall develop a unified request for  
22 State support under chapter 72B of Title 18A of the New Jersey  
23 Statutes. The presidents of the county college sector shall  
24 develop a unified request for State support under chapter 64A of  
25 Title 18A of the New Jersey Statutes [; and
- 26 k. consult with other institutions of higher education which do  
27 not receive direct State aid when actions of the council directly  
28 affect such institutions].  
29 (cf: P.L.1994, c.48, s.8)
- 30 3. This act shall take effect immediately.

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33 STATEMENT  
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35 This bill would make the presidents of private institutions of  
36 higher education which are licensed by the State to award  
37 degrees but which do not receive direct State aid members of the  
38 New Jersey Presidents' Council. At the present time, three  
39 institutions would qualify for membership under this bill: the  
40 DeVry Technical Institute; Catharine Gibbs; and, the Berkeley  
41 College of Business.  
42  
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46 \_\_\_\_\_  
47 Adds presidents of certain private institutions of higher education  
to the Presidents' Council.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2392

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 30, 1995

As amended by committee, this bill would make the presidents of private institutions of higher education which are licensed by the State to award degrees, but which do not receive direct State aid, members of the New Jersey Presidents' Council. At the present time, three institutions would qualify for membership under the bill: the DeVry Technical Institute; Katherine Gibbs; and, the Berkley School.

The committee amended the bill to restore language requiring the Presidents' Council to consult with other institutions of higher education which do not receive direct State aid when the council's actions directly affect the institutions.

As amended by committee, this bill is identical to Senate Bill No. 1561 (1R).

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