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TESTIMONY

**New Jersey Senate Higher Education Committee
Nariman Farvardin, President
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Thank you, Chairwoman Cunningham, Vice Chair Gopal, and members of the Committee.

This era of the coronavirus has been the most intense and turbulent time in my 26 years as a university administrator. The stakes have never been higher for decisions we are making with incomplete information. Our decisions have serious consequences for the health and safety of our community and for the academic progress of our students—and therefore, their dreams of a college degree and future success.

From the start of this crisis, Stevens Institute of Technology has been unwaveringly committed to continuing to pursue our mission of providing high quality education and conducting research, and supporting our students as they cope with various challenges.

We transitioned to online learning and remote business operations almost overnight; we accommodated students who could not return home in our residence halls; we issued pro-rated refunds for room and board for the spring semester, and will soon refund unused student activity fees; we provided technology resources for students in need; we are distributing CARES Act funding to eligible students and have also launched the *Stevens Rises Fund* for students who don't qualify. We opened a dormitory to Hoboken first responders and medical professionals. And we began two planning exercises: one, to develop a *Safe, Healthy, and Flexible Campus Environment*, and two, financial contingency planning.

The negative financial impact for Stevens this spring was significant, but the impact in the next fiscal year, due to increased costs and uncertainties about revenue could be much more dire. We are planning for new expenses such as PPE, testing and contact tracing services, greatly increased financial aid appeals, and more, in a period of great uncertainty about enrollment and expected decreases in philanthropic support and endowment income.

With all these challenges, however, I want to assure you that Stevens fully intends to weather this storm and to be here for the State of New Jersey when this pandemic subsides.

I fully recognize New Jersey's severe budget challenges resulting from the pandemic. Therefore, I want to request your assistance in two areas that, I believe, will be cost-neutral.

Number one: Provide legal protection from class action lawsuits for tuition refunds and for health-related lawsuits once campuses re-open.

This spring, universities had two choices: transition to online learning and continue to offer instruction—and therefore allow students to make progress toward their degree—or suspend the semester.

I can only speak for Stevens, but when our faculty pivoted to online instruction, they did so with a commitment to delivering on the educational promise to our students under unprecedented and uncontrollable circumstances. However, a number of institutions have already been served with class action lawsuits—taking precious time and financial resources away from our primary mission in order to defend against these lawsuits. While it may not be possible to pass retroactive laws, please consider actions that would provide protections to institutions which, for public health reasons, may offer some or all coursework online in the Fall 2020 semester and beyond.

Furthermore, protections against health-related claims should be afforded to colleges and universities provided they meet State requirements for re-opening. The *Higher Education Subcommittee to Re-Open Connecticut* provides a very sound and practical recommendation on this issue: provide a “safe harbor” from liability for those institutions that undertake the planning efforts outlined in their report.

This brings me to my second request: Campuses urgently need specific guidance endorsed by the State on the requirements for re-opening in the fall.

Today, May 19th is exactly 73 working days away from the first day of classes. Every day, my office receives inquiries from students and parents about what the fall will look like. We are optimistic about a partial return to classroom-based instruction in the fall, complemented by online instruction. This blend will allow for smaller, socially-distanced learning environments and flexibility for those who need it.

But we urgently need to know if there will be sufficient testing capability. Will institutions be required to pay for testing or will the State, with support from federal funds, provide tests or reimburse universities for these costs?

I want to close by highlighting the importance of the State’s help to weather this storm for New Jersey’s colleges and universities, for the students that we serve, and for our State.

Just last week, Stevens was ranked by *US News and World Report* in the top 10 in the nation for return on investment. Our graduates contribute to New Jersey’s critical technology-based growth industries and fuel our State’s innovation-based, economic recovery. Stevens researchers are developing innovations to overcome the coronavirus—low-cost ventilators that can be shared by multiple patients; solutions that reduce ventilator injuries in patients’ lungs; and next-gen membranes for surgical masks, among others. New Jersey’s research universities are stepping up in a big way. Our campuses will be key to restarting New Jersey’s economy.

This year is Stevens’ 150th anniversary—what a year it has been so far! We intend to be here for our students and for the State of New Jersey for another 150 years, and we ask for your help in whatever ways you can give it.

Thank you.