

## CHAPTER 9

## STUDENT ASSISTANCE BOARD

## Authority

N.J.S.A. 18A:71-26.8 and 18A:71-48.

## Source and Effective Date

R.1992 d.486, effective November 6, 1992.  
See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a)

## Executive Order No. 66(1978) Expiration Date

Chapter 9, Student Assistance Board, expires on November 6, 1997.

## Chapter Historical Note

Chapter 9, Student Assistance Board, was originally codified in Title 9 as Chapter 7, Student Assistance Programs. Chapter 7, originally the State Scholarship Commission Manual, was filed and effective pursuant to N.J.S.A. 18A:62-1 et seq. prior to September 1, 1969. Pursuant to N.J.S.A. 18A:71-43 et seq., rules concerning the Student Assistance Board, the Tuition Aid Grant Program, and Garden State Scholars were adopted as Emergency Rule R.1978 d.106, replacing the prior text, effective March 22, 1978. See: 10 N.J.R. 190(a). Subchapter 5, Public Tuition Benefits Program, was adopted as Emergency Rule R.1980 d.324, effective July 17, 1980. See: 12 N.J.R. 469(b). Subchapter 6, Garden State Graduate Fellowship Program, was adopted as R.1980 d.462, effective October 20, 1980. See: 12 N.J.R. 273(e), 12 N.J.R. 694(d).

Pursuant to Executive Order No. 66(1978), Chapter 7 was readopted as R.1983 d.126, effective April 13, 1983. See: 15 N.J.R. 129(a), 15 N.J.R. 692(a). Originally, Subchapter 7, Veterans Tuition Credit Program, was adopted pursuant to N.J.S.A. 18A:71-71 as Emergency Rule R.1977 d.376, effective October 4, 1977, and codified at N.J.A.C. 9:2-11. See: 9 N.J.R. 521(a). An amendment was adopted as R.1981 d.449, effective November 16, 1981. See: 13 N.J.R. 572(a), 13 N.J.R. 845(c). Pursuant to Executive Order No. 66(1978), N.J.A.C. 9:2-11 expired on November 21, 1984. Subsequently, the expired text of N.J.A.C. 9:2-11 was adopted as R.1986 d.103 and codified at Subchapter 7, effective April 7, 1986. See: 17 N.J.R. 2844(a), 18 N.J.R. 679(b). Subchapter 8, Vietnam Veterans Tuition Aid Program, was adopted as R.1985 d.569, effective November 4, 1985. See: 17 N.J.R. 1735(a), 17 N.J.R. 2645(a). Subchapter 9, originally Congressional Teacher Scholarship Program, was adopted as R.1987 d.168, effective April 6, 1987. See: 18 N.J.R. 2174(b), 19 N.J.R. 516(b).

Pursuant to Executive Order No. 66(1978), Chapter 7, Student Assistance Programs, was readopted as R.1988 d.128, effective February 29, 1988. See: 20 N.J.R. 33(a), 20 N.J.R. 656(a). Subchapter 9 was redesignated the Paul Douglas Teacher Scholarship Program by R.1988 d.131, effective March 21, 1988. See: 19 N.J.R. 2102(a), 20 N.J.R. 663(a). An amendment to Subchapter 8 was adopted as R.1989 d.183, effective April 3, 1989. See: 20 N.J.R. 2625(a), 21 N.J.R. 899(a).

Pursuant to Executive Order No. 66(1978), Chapter 7 was readopted as R.1992 d.486, effective November 6, 1992. In addition, R.1992 d.486 redesignated Subchapter 2 as General Provisions for Tuition Aid Grant and Garden State Scholarship Programs, and repealed Subchapters 7 and 8, effective December 7, 1992. See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Chapter 7, Title 9, was recodified as Chapter 9, Title 9A, by R.1995 d.428, effective August 7, 1995. See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a). See, also, section annotations.

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#### SUBCHAPTER 1. STUDENT ASSISTANCE BOARD

##### 9A:9-1.1 Policy responsibility

The Student Assistance Board shall develop, coordinate, and administer policies for scholarship and tuition aid programs as provided by law and shall provide an annual report on these programs to the Board of Higher Education and to the Legislature. The Student Assistance Board shall create and adopt such rules and regulations deemed necessary for the proper administration of these programs.

##### 9A:9-1.2 Creation of Student Advisory Committee

The Student Assistance Board shall create a Student Advisory Committee whose purpose shall be to advise the Student Assistance Board on the effect of Board policy and regulations; suggest alternative policy and regulations to the Board; and provide a means of communication between the Student Assistance Board and students. The Student Assistance Board shall initially appoint a nine member Student Advisory Committee from nominations provided by the student government associations of each individual college

in New Jersey. The nine members, all of whom shall be full-time students, shall consist of two students from independent colleges, two students from Rutgers, The State University, two students from the State colleges, one student from the New Jersey Institute of Technology, and two students from the county colleges. Students representing each sector shall be chosen such that in any given year one of the representatives shall complete his or her degree requirements within one academic year from the time of his or her selection and one shall be of lower class rank. Members of the Student Advisory Committee shall serve one year terms and their appointments may be renewed according to the initial appointment process. The Student Advisory Committee shall elect a Chairperson and Vice Chairperson from among its members one of whom shall be a student at an independent institution and one of whom shall be a student at a public institution. The Chairperson and Vice Chairperson shall serve as voting members on the Student Assistance Board. In the event of a vacancy on the Student Advisory Committee, the Student Assistance Board may fill the vacancy in the same manner as the original appointment.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Changed "for" to "from".

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Stylistic revisions.

Administrative Correction.

See: 25 N.J.R. 1513(a).

#### SUBCHAPTER 2. GENERAL PROVISIONS FOR TUITION AID GRANT AND GARDEN STATE SCHOLARSHIP PROGRAMS

##### 9A:9-2.1 Undergraduate enrollment

Students must be enrolled or plan to be enrolled as full-time undergraduate students matriculated in a curriculum leading to a degree or certificate in an eligible institution as defined in N.J.S.A. 18A:71-47 in order to be eligible for student assistance. Students possessing an undergraduate degree (either a Baccalaureate or Associate degree) are not eligible for student assistance at that degree level. Certification of full-time status is the responsibility of the enrolling institution based on the current institutional definition of full-time status and subject to review and approval by the Student Assistance Board.

Amended by R.1983 d.126, effective May 2, 1983.

See: 15 N.J.R. 129(a), 15 N.J.R. 692(a).

(See N.J.A.C. 9:7-4.4) changed to (9:7-6).

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Deleted last sentence "Degree or certificate ...".

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised text.

### 9A:9-2.2 Residency

(a) Students must be legal residents of New Jersey for a period of not less than 12 consecutive months immediately prior to receiving a grant. The residence of a student is defined in terms of domicile. Domicile is defined as the place where a person has his or her true, fixed, permanent home and principal establishment, and to which, whenever he or she is absent, he or she has the intention of returning.

1. A dependent student as defined in N.J.A.C. 9A:9-2.6 is presumed to be a legal resident of the state in which his or her parent(s) or guardian(s) is a resident. A dependent student whose parent(s) or guardian(s) is not a legal resident of New Jersey is presumed to be in the State for the temporary purpose of obtaining an education. However, any dependent student who is domiciled in this State and enrolled in an institution of higher education in New Jersey shall continue to be eligible for New Jersey financial assistance despite his or her supporting parent(s) or guardian(s) change of domicile to another state, while such student continues to reside in New Jersey during the course of each academic year. The student's eligibility continues only if the student received a State grant or scholarship for at least one semester before the parent(s)' or guardian(s)' change of domicile to another state.

(b) Residence established solely for the purpose of attending a particular college cannot be considered as fulfilling the definition of domicile. When in question, a student must demonstrate proof of residence by presenting the following documents: driver's license, voter registration form, tax return(s), or other suitable proof. The Office of Student Assistance, Department of Higher Education shall determine the state of residence for any individual whose residency is not certain. Institutions may be asked by the Office of Student Assistance to certify and maintain documentation on the student's claim of legal New Jersey residence and provide the documentation, if needed, to substantiate an appeal.

As amended, R.1979 d.442, eff. November 5, 1979.

See: 11 N.J.R. 442(a), 11 N.J.R. 623(b).

Amended by R.1986 d.322, effective August 4, 1986.

See: 18 N.J.R. 801(a), 18 N.J.R. 1592(c).

Added text to (a)1 "However, any dependent ... each academic year."

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

(a): Stylistic revisions; (a)1 and (b): Revised text.

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.

### 9A:9-2.3 Foreign nationals

(a) A foreign national must present affirmative evidence that he or she is not in the United States for the temporary purpose of obtaining an education. Such evidence must include documentation from the United States Immigration and Naturalization Service that the student may remain permanently in this country and such evidence must be placed in the student's file. The student must:

1. Be the holder of an Alien Registration Receipt Card form I-151 or I-551; or

2. Be the holder of an Approval Notice from the Immigration and Naturalization Service form I-181 stating that the non-citizen has applied and met the requirements for Permanent Resident status; or

3. Be the holder of a Temporary Resident Card form I-688 with a valid expiration date from the Immigration and Naturalization Service; or

4. Be the holder of an Arrival Departure Record form I-94 endorsed by the Immigration and Naturalization Service showing one of the following:

i. Parole Indefinite/Humanitarian: Paroled pursuant to Sec. 212(d)(5) of the Immigration and Naturalization Act; or

ii. Refugees: Admitted as a refugee pursuant to Sec. 207 of the Immigration and Naturalization Act; or

iii. Granted Asylum: Asylum status granted pursuant to Sec. 208 of the Immigration and Naturalization Act; or

iv. Cuban-Haitian Entrant: Status pending; or

v. Conditional Entrant: Admission into this status through March 31, 1980.

5. The Arrival Departure Record form I-94 for persons in the aforementioned categories must be updated for each award year as required by the Immigration and Naturalization Service.

(b) Foreign nationals with Student Visa Status, F1 or F2 Exchange Visitor Visa and J1 or J2 even when stamped "employment authorized" or holders of form I-94 with one of the endorsements: "adjustment applicant", "245", "245 applicant", "applicant for permanent residence", "voluntary departure", and "deferred action", are considered to be in the United States for temporary reasons and are therefore not eligible for student assistance.

Amended by R.1983 d.468, effective October 17, 1983.

See: 15 N.J.R. 1071(a), 15 N.J.R. 1768(a).

In (a)3, added i.-iii. (b) added: "F1 or ... authorized".

Amended by R.1986 d.254, effective July 7, 1986.

See: 18 N.J.R. 19(a), 18 N.J.R. 1382(b).

Substantially amended.

Amended by R.1988 d.129, effective March 21, 1988.

See: 19 N.J.R. 2101(a), 20 N.J.R. 661(a).

Added new (a)3.

Administrative Correction: Added (b).

See: 24 N.J.R. 2451(b).

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

(a)2: Stylistic revision.

#### 9A:9-2.4 Determination of eligibility for and value of student assistance

In order to receive a need-based award students must have demonstrated financial need through submission of a financial aid form approved by the Student Assistance Board in accordance with annually established deadline dates. Students may not receive State financial assistance under the programs administered by the Student Assistance Board if they owe a refund on a grant or scholarship previously received from a state or Federal program through any institution or are in default on any loan made under any state or Federal student financial assistance program at any institution. Students owing a refund on a grant or scholarship or who are in default on a loan may receive State financial assistance if they make arrangements acceptable with the appropriate office to repay the debt.

Amended by R.1979 d.313, effective August 15, 1979.

See: 11 N.J.R. 237(d), 11 N.J.R. 443(a).

Amended by R.1981 d.232, effective July 9, 1981.

See: 13 N.J.R. 218(b), 13 N.J.R. 412(b).

Added: "in accordance with ... deadline dates", and "or by approaches modified to meet ... programs."

Amended by R.1985 d.338, effective July 1, 1985.

See: 17 N.J.R. 787(a), 17 N.J.R. 1653(a).

Added text "need based award".

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Substantially amended.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Added text.

#### 9A:9-2.5 Student notification

Students shall be notified of grant eligibility through the Student Eligibility Notice issued by the Office of Student Assistance, Department of Higher Education. The amount of the grant is subject to change based on the annual level of appropriations and other resources available to the student (see N.J.A.C. 9A:9-2.9). The institution's written notification to the student regarding State financial assistance shall contain a clause indicating the State is not responsible for funding of the grant in the event of fraudulent, inaccurate or misleading information.

Emergency Rule, R.1979 d.236, effective June 14, 1979.

See: 11 N.J.R. 343(b).

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Substantially amended.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised text.

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.

Administrative correction.

See: 27 N.J.R. 3602(b).

#### 9A:9-2.6 Dependent/independent student defined

(a) The term independent, when used with respect to a student, means any individual who:

1. Is 24 years of age or older by December 31 of the award year; or
2. Meets the requirements of (b) below.

(b) An individual meets the requirements of this section if such individual:

1. Is an orphan or ward of the court or was a ward of the court until age 18; or
2. Is a veteran of the Armed Forces of the United States; or
3. Is a graduate or professional student; or
4. Is a married individual; or
5. Has legal dependents other than a spouse; or
6. Is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances as provided under Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087vv, and its implementing regulations and rules. For purposes of receiving State financial assistance as an independent student due to unusual circumstances, the following conditions apply:

i. Determinations of independence must satisfy all applicable Federal standards set forth under Title IV of the Higher Education Act of 1965, as amended, and its implementing regulations and rules;

ii. Individual determinations of independent student status for State student aid programs shall be made in a manner consistent with the institutional policies regarding the awarding of all need-based financial aid, including Federal and State aid; and

iii. The institution shall share with the Office of Student Assistance any material findings or audit exceptions related to the determination of dependency status at any time they are revealed in the course of an audit or program review.

(c) A dependent student shall be any student who does not meet any of the eligibility criteria listed in (a) or (b) above for independent student status.

Emergency Rule, R.1979 d.236, effective June 14, 1979.

See: 11 N.J.R. 343(b).

Amended by R.1979 d.442, effective November 5, 1979.

See: 11 N.J.R. 442(a), 11 N.J.R. 623(b).

Amended by R.1981 d.232, effective July 9, 1981.

See: 13 N.J.R. 218(b), 13 N.J.R. 412(b).

(a) and (b): Definitions updated; "an amount specified by the Student Assistance Board" was "\$750".

New Rule, R.1987 d.169, effective April 6, 1987.

See: 19 N.J.R. 176(a), 19 N.J.R. 515(b).

Old section repealed.

Amended by R.1988 d.130, effective March 21, 1988.

See: 19 N.J.R. 2101(b), 20 N.J.R. 661(b).

Substituted "resource" for "income".

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

(b)7: Revised text; deleted (b)7iii and v; redesignated (b)iv to iii and (b)7vi to iv.

Amended by R.1993 d.388, effective August 2, 1993.

See: 25 N.J.R. 1945(a), 25 N.J.R. 3464(a).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

In (b)6 inserted the reference to Title IV of the Higher Education Act of 1965, and rewrote (b)6i through (b)6iii.

### 9A:9-2.7 Verification of family financial data

Students upon request must provide an authorization to the Department of Higher Education, Office of Student Assistance, which permits the release of Internal Revenue Service and/or State income tax returns for verification purposes. Financial data provided on the financial aid form may be verified by the Department and/or institution through the comparison of information reported on income tax returns and other documentation. Discrepancies will require the re-evaluation of the student's eligibility. Students as well as institutions will be notified if an adjustment in the value of aid is required.

Amended by R.1981 d.232, effective July 9, 1981.

See: 13 N.J.R. 218(b), 13 N.J.R. 412(b).

Authorization for release of tax returns required before payment of assistance.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Deleted text "This document must ... established deadline dates".

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised section.

### 9A:9-2.8 Renewal eligibility and filing

Students must apply to renew their need-based State financial assistance through the annual filing of a financial aid form in accordance with N.J.A.C. 9A:9-2.4. To receive a renewal of State financial assistance, students must continue to meet all program eligibility requirements as contained in these rules and applicable statutes.

Amended by R.1981 d.232, effective July 9, 1981.

See: 13 N.J.R. 218(b), 13 N.J.R. 412(b).

Added: "in accordance with ... deadline dates."

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Substantially amended.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised text.

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.

### 9A:9-2.9 Award combinations and overawards

(a) Students receiving New Jersey State financial assistance funds may receive combinations of a Tuition Aid Grant, an Edward J. Bloustein Distinguished Scholars award, a Public Tuition Benefits award, an Urban Scholars

award, a Garden State Scholars award, and an Educational Opportunity Fund grant. However, students cannot simultaneously hold an Educational Opportunity Fund grant and a Garden State Scholars award in any single semester.

(b) State grants, scholarships and other financial assistance cannot exceed the student's cost of attendance as determined by the institution.

(c) If the total amount of financial assistance, including State assistance, exceeds the student's cost of attendance by more than \$200.00, an adjustment to some portion of the aid package is required. A student's total aid may be limited to financial need (as defined in Title IV of the Higher Education Act of 1965, P.L. 89-329 including all subsequent amendments and supplements) if financial assistance includes a Stafford loan and/or campus-based Title IV funds. The first adjustment, wherever possible, should be made to reduce student loans, then to any institutional aid (including Federal campus-based programs) and lastly, to State awards.

Amended by R.1979 d.17, effective January 17, 1979.

See: 10 N.J.R. 343(a), 11 N.J.R. 68(b).

Amended by R.1985 d.338, effective July 1, 1985.

See: 17 N.J.R. 787(a), 17 N.J.R. 1653(a).

Added text "but students can ... Opportunity Fund Grant".

Amended by R.1986 d.323, effective August 4, 1986.

See: 17 N.J.R. 2725(a), 18 N.J.R. 1593(a).

Substantially amended.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Text from (b) repealed and new text substituted.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised section.

### 9A:9-2.10 Verification of enrollment and academic performance

(a) Before payment may be made to an eligible student, the institution shall have satisfactory evidence that the student is eligible for State grant and/or scholarship assistance, has registered as a full-time student for an academic term, and that the student is meeting minimum standards for academic performance and academic progress.

(b) Students receiving State financial assistance under the student assistance programs administered by the Student Assistance Board shall remain in good academic standing as defined by the institution which they are attending.

(c) For purposes of determining State financial assistance eligibility, the Student Assistance Board shall recognize the same standards for academic performance and satisfactory academic progress that an institution adopts to determine eligibility for Federal student aid programs under Title IV of the Higher Education Act of 1965, as amended, and its implementing regulations and rules.

(d) The academic standing and progress of all students receiving State financial assistance must be monitored by institutions at least once a year, prior to the fall semester.

(e) Students who fail to achieve the standards set forth in this section shall be ineligible to receive State financial assistance under the programs administered by the Student Assistance Board until such time as the institution certifies that they are in good academic standing and are achieving satisfactory academic progress.

(f) The institution shall share with the Office of Student Assistance any material findings or audit exceptions related to the determination of academic progress at any time they are revealed in the course of an audit or program review.

Amended by R.1979 d.314, effective August 15, 1979.

See: 11 N.J.R. 342(a), 11 N.J.R. 443(b).

Amended by R.1980 d.74, effective February 13, 1980.

See: 12 N.J.R. 18(a), 12 N.J.R. 119(a).

Amended by R.1983 d.261, effective July 5, 1983.

See: 15 N.J.R. 205(a), 15 N.J.R. 1101(a).

Added last two sentences to (a). Also added (b)-(d).

Amended by R.1984 d.237, effective June 18, 1984.

See: 16 N.J.R. 674(a), 16 N.J.R. 1598(a).

Delete current text and substitute new text.

Amended by R.1987 d.440, effective November 2, 1987.

See: 19 N.J.R. 1153(a), 19 N.J.R. 2054(a).

Deleted (e)3.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Added text to (a) "Degree of certificate . . ."; deleted subsection (j).

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised (b)-(e)2i and (g)-(i).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Revised (b) and (c), deleted (d) through (f) and (i), redesignated (g) and (h) as current (d) and (c) and added new (f).

### 9A:9-2.11 Payments

(a) The maximum number of semester award payments which students may receive are as follows:

#### 1. Tuition Aid Grant Program:

	Enrollment Status	Maximum Semesters for Award Payments
TWO-YEAR COLLEGES:	Regular 2-Year Program	5
	Remedial/Developmental or Bilingual (ESL) Curriculum	6
	EOF Program	6/8 <sup>1</sup>
FOUR-YEAR COLLEGES:	Regular 4-Year Program	9
	County College Transfers/Remedial/Developmental/Bilingual Curriculum	10 <sup>2</sup>
	5-Year Program	11/12 <sup>3</sup>
	EOF Program	12 <sup>1</sup>

<sup>1</sup> As stipulated in N.J.A.C. 9:11-1.8.

<sup>2</sup> Remedial/Developmental or Bilingual (ESL) Curriculum must contain the equivalent of 18 or more credit hours of remedial or bilingual (ESL) courses.

<sup>3</sup> County College Transfer, Remedial/Developmental or Bilingual (ESL) curriculum.

i. Students shall not receive more than nine semesters of payment unless they are enrolled in a five-year program, receiving assistance under the EOF Program, transferred from a county college to a four-year college or were required to take the equivalent of 18 or more credit hours of noncredit remedial, developmental, or bilingual (ESL) courses.

ii. Students enrolled in an undergraduate program regularly requiring five academic years for completion shall be permitted five and one-half years of payment eligibility.

iii. Students enrolled in the EOF Program may receive additional payments based upon the special approval from the Executive Director of the EOF Program.

#### 2. All Other State Student Assistance Programs:

	Enrollment Status	Maximum Semesters for Award Payments
TWO-YEAR COLLEGES:	Regular 2-Year Program	5
	Remedial/Developmental or Bilingual (ESL)	6
FOUR-YEAR COLLEGES:	Regular 4-Year Program	8
	Regular 5-Year Program	10

(b) Payments will be made by the Department of Treasury for eligible students in equal installments over the regular academic year, the number of installments corresponding to the number of school terms. Deadline dates shall be established annually by the Student Assistance Board to comply with the State's fiscal year and to allow for academic term expenditure control. The Student Assistance Board shall provide payment directly to institutions on behalf of student recipients. Listings of eligible students to be credited shall also be provided to each institution.

Amended by R.1981 d.232, effective July 9, 1981.

See: 13 N.J.R. 218(b), 13 N.J.R. 412(b).

Added annual deadline date stipulation and retroactive payment proscription.

Amended by R.1987 d.440, effective November 2, 1987.

See: 19 N.J.R. 1153(a), 19 N.J.R. 2054(a).

Added (a); existing text numbered (b).

Administrative correction to (b).

See: 24 N.J.R. 2451(b).

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised text.

Administrative correction to (a).

See: 25 N.J.R. 1513(a).

### 9A:9-2.12 Award adjustments/refunds

(a) If a refund is due a student under the institution's refund policy and the student received State financial assistance under any State student financial assistance program, the institution shall multiply the institutional refund by the following fraction to determine the amount to be refunded to the State: amount of State financial assistance (minus work earnings) awarded for the payment period divided by the total amount of financial aid (minus work earnings) awarded for the period.

(b) Payment period as used in (a) above shall mean the time between the first day of classes for an academic term and the end of that term according to the institutional calendar.

(c) The above formula shall be applied if a student reduces his or her academic course load to less than full-time prior to the end of the institutional refund period. However, if the student reduces his or her academic course load to less than full-time after the end of the institutional refund period, a refund to the State is not required.

(d) If a combination of State student funds has been packaged for the student and a refund is due the State, a prorated amount is applied to each of the State programs in the student's State financial assistance package.

(e) If a cash disbursement has been made by an institution for non-institutional costs from any State financial assistance program, and it is determined by application of the institution's refund policy and the above formula that a refund should be paid to the State, the institution shall endeavor to collect the overpayment from the student and return it to the State. If this effort is unsuccessful, the institution shall notify the Office of Student Assistance of the amount owed for each State financial assistance program. Non-institutional costs may include but are not limited to room and board, books and supplies, transportation, and miscellaneous expenses.

(f) If a student utilizes any portion of an award, it will be treated the same as a full semester payment in calculating the number of semesters of eligibility. Thus, the institution shall afford the student the opportunity to decline and repay the State award for that payment period.

Amended by R.1980 d.461, effective October 16, 1980.

See: 12 N.J.R. 117(c), 12 N.J.R. 661(b).

Section was "Student withdrawal or dismissal during period of an award".

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

(a)1 is now (b); old (b) repealed.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised (a) and (c)-(e).

#### **9A:9-2.13 Student's obligation to report changes in institution or financial status**

Any changes in college choice or family financial status which occur after the Student Eligibility Notice has been issued to the student must be reported immediately, in writing by the student, to the Office of Student Assistance, Department of Higher Education, in order that the student's continued eligibility may be evaluated and prompt payment provided. Institutions may report these changes on behalf of the student.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Added text "Institutions may report ...".

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised text.

#### **9A:9-2.14 Check endorsements**

All checks issued to institutions by the Department of the Treasury must be negotiated within 90 days of their issuance. Checks are automatically cancelled if not cashed within 90 days.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised text.

#### **9A:9-2.15 Appeals**

If, for any reason a student, his or her family or an institution feels that the application of these rules results in an unfair determination of eligibility, an appeal shall be filed with the Department of Higher Education, Office of Student Assistance, within 60 days of notification of eligibility or ineligibility. Appeals should be in the form of a letter addressed to the Appeals Committee, in care of the Director of the Office of Student Assistance, New Jersey Department of Higher Education, CN 540, Trenton, New Jersey 08625, and shall contain the student's full name, social security number, college of attendance, and a description of the basis for the appeal. Appeals will be considered on the basis of this appeals process approved by the Student Assistance Board.

Amended by R.1983 d.126, effective May 2, 1983.

See: 15 N.J.R. 129(a), 15 N.J.R. 692(a).

"P.O. Box 1417" changed to "CN 540".

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Repealed old section and added new.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised text.

#### **9A:9-2.16 Accounting and auditing standards**

(a) Institutions must maintain separate accounts for each State student assistance program for which funds are received. Institutional student records must also be maintained which include name, address, social security number, date and amount of each State award and such other information as may be defined by the Director of the Office of Grants and Scholarships. Records of receipts and disbursements shall be maintained in accordance with generally accepted accounting principles.

(b) As part of the institution's periodic audit by an independent accounting firm, and in accordance with the State Single Audit Act Policy, State student assistance programs shall be included to insure compliance with Student Assistance Board rules, and a copy of the audit report must be provided to the Department of Higher Education, Office of Grants and Scholarships. The Department reserves the right to conduct its own institutional audit.

(c) Institutions shall, upon reasonable notice, make available to the Director of the Office of Grants and Scholarships or his/her representative, access to institutional and student records for audit purposes.

Amended by R.1988 d.128, effective March 21, 1988.  
 See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
 Amended by R.1992 d.486, effective December 7, 1992.  
 See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).  
 Revised (b).

### 9A:9-2.17 General provisions; applicability

General provisions provided in N.J.A.C. 9A:9-2 shall pertain in their entirety to the Tuition Aid Grant and the Garden State Scholarship Programs administered by the Student Assistance Board. Applicable general provisions for other student financial assistance programs are cited in their subchapters.

New Rule, R.1992 d.486, effective December 7, 1992.  
 See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).  
 Amended by R.1995 d.428, effective August 7, 1995.  
 See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).  
 Corrected references.

## SUBCHAPTER 3. TUITION AID GRANT PROGRAM

### 9A:9-3.1 Determination of eligibility for and value of student assistance

The information on the financial aid form shall be evaluated by employing the methodology used to calculate the New Jersey Eligibility Index (NJEI). The evaluation results in an estimate of the family or student's ability to contribute to the cost of education. This estimate is then used to determine eligibility for and value of the Tuition Aid Grant.

Emergency Rule, R.1979 d.236, effective June 14, 1979.  
 See: 11 N.J.R. 343(b).  
 Amended by R.1981 d.415, effective November 2, 1981.  
 See: 13 N.J.R. 572(b), 13 N.J.R. 758(b).  
 \$1,400 maximum was \$1,200; TAG award table substantially amended.  
 Amended by R.1982 d.129, effective April 19, 1982.  
 See: 14 N.J.R. 122(a), 14 N.J.R. 390(c).  
 Deleted "which ranges from . . . \$1,400" and deleted existing TAG award table and replaced with new table.  
 Amended by R.1983 d.250, effective June 20, 1983.  
 See: 15 N.J.R. 206(a), 15 N.J.R. 1032(a).  
 Replaced table for 1983-84 academic year.  
 Amended by R.1983 d.485, effective November 7, 1983.  
 See: 15 N.J.R. 1427(a), 15 N.J.R. 1864(a).  
 Increased tuition aid grant at New Jersey Independent Institutions \$100.00.  
 Amended by R.1984 d.76, effective March 19, 1984.  
 See: 16 N.J.R. 9(a), 16 N.J.R. 548(c).  
 Emergency Amendment, R.1984 d.376, effective August 8, 1984.  
 See: 16 N.J.R. 2308(a).  
 This amendment deleted old text Tuition Aid Grant Award Table and adopted new table to expire October 7, 1984.  
 Amended by R.1984 d.535, effective November 19, 1984.  
 See: 16 N.J.R. 2308(a), 16 N.J.R. 3206(a).  
 Old table deleted, new table inserted.  
 Amended by R.1985 d.155, effective April 1, 1985.  
 See: 17 N.J.R. 23(a), 17 N.J.R. 815(b).  
 Deleted existing table in this section and replaced with new tables.  
 Emergency Amendment, R.1985 d.430, effective July 30, 1985 (expired September 30, 1985).  
 See: 17 N.J.R. 2050(a).

Increased award table.  
 New Rule R.1985 d.572, effective November 4, 1985.  
 See: 17 N.J.R. 2050(a), 17 N.J.R. 2643(a).  
 Adopted Emergency Amendment as a new rule with changes to the footnote.  
 Amended by R.1986 d.106, effective April 7, 1986.  
 See: 18 N.J.R. 19(b), 18 N.J.R. 680(a).  
 Table 1 was deleted and replaced with Table 2; new Table 2 added.  
 Emergency Amendment, R.1986 d.348, effective July 29, 1986 (expired September 27, 1986).  
 See: 18 N.J.R. 1713(a).  
 Adopted Concurrent Proposal R.1986 d.435, effective October 20, 1986.  
 See: 18 N.J.R. 1713(a), 18 N.J.R. 2124(a).  
 Amended by R.1987 d.170, effective April 6, 1987.  
 See: 19 N.J.R. 177(a), 19 N.J.R. 516(a).  
 Old tables deleted and new substituted.  
 New Rule R.1988 d.128, effective March 21, 1988.  
 See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
 Old 3.1 Tuition Aid Grant Award Table recodified at 3.2.  
 Administrative Correction.  
 See: 20 N.J.R. 1576(b).  
 Amended by R.1992 d.486, effective December 7, 1992.  
 See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).  
 Revised text.

### 9A:9-3.2 Tuition Aid Grant Award Table

(a) Prior to each academic year, the Student Assistance Board (SAB) shall adopt a Tuition Aid Grant (TAG) Award Table which shall indicate TAG award values which students attending various institutions of higher education shall be entitled to receive based upon their financial need.

1. The Table shall include an annual minimum grant for all institutional sectors.

(b) The value of the grant shall be related to the tuition charges of the various institutional sectors in New Jersey and the student's ability to pay for educational costs.

(c) The determination of eligibility for an award shall be made pursuant to the provisions of N.J.A.C. 9A:9-2.4.

(d) Subsequent to approval of a final TAG Award Table by the SAB and Board of Higher Education (BHE), as required by law, the final TAG Award Table shall be provided to all New Jersey institutions of higher education which enroll students receiving TAG awards and to all individuals having applied for a TAG award for the upcoming academic year. The SAB shall also provide a copy of the final TAG Award Table to any other individual or entity requesting the table.

(e) The value of the student's grant may change dependent upon appropriated funds, the student's cost of attendance and other State financial assistance. The student will be notified of any change in his or her grant.

Repealed by Emergency Rule, R.1979 d.236, effective June 14, 1979.  
 See: 11 N.J.R. 343(b).  
 Amended by R.1988 d.128, effective March 21, 1988.  
 See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
 Recodified from 3.1 and old TAG Table 1 was repealed.  
 Amended by R.1988 d.127, effective March 21, 1988.  
 See: 20 N.J.R. 147(a), 20 N.J.R. 661(c).  
 Added new Tag award table in (a)2.  
 Amended by R.1989 d.185, effective April 3, 1989.

See: 21 N.J.R. 109(a), 21 N.J.R. 897(a).

Deleted the 1987-88 award table and recodified the 1988-89 award table to (a)1, added new 1989-90 award table at (a)2.

Amended by R.1990 d.386, effective August 6, 1990.

See: 22 N.J.R. 1318(a), 22 N.J.R. 2305(a).

Deleted the 1988-89 award table and recodified the 1989-90 award table to (a)1, added new 1990-91 award table at (a)2.

Repeal and New Rule, R.1991 d.336, effective July 1, 1991.

See: 23 N.J.R. 1057(a), 23 N.J.R. 2013(a).

Replaced percentage-based TAG Award Tables with explanation of Student Assistance Board process and factors considered in determining award levels, and stipulated timely notification to applicants and institutions of final award amounts.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised (e).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

### **9A:9-3.3 Exercise of institutional professional judgment in the determination of family or student contribution**

(a) For purposes of administration of State student aid programs, the Office of Student Assistance shall accept eligibility determinations by participating institutions based on the exercise of professional judgment regarding the calculation of the family or student's ability to contribute to the cost of higher education, providing the following conditions are met:

1. Determinations shall satisfy all applicable Federal standards set forth under Title IV of the Higher Education Act of 1965, as amended, and its implementing regulations and rules. Pursuant to Title IV standards, the determination shall relate to a given student's special circumstances and shall be documented in the student's campus file;

2. Individual determinations for State student aid programs shall be made in a manner consistent with the institutional policies regarding the awarding of need-based financial aid, including Federal and State aid; and

3. The institution shall share with the Office of Student Assistance any material findings or audit exceptions related to the exercise of professional judgment at any time they are revealed in the course of an audit or program review.

(b) The institution may be required to refund to the Office of Student Assistance, upon request, any State student aid funds which are paid to a student as a result of the institution's failure to exercise professional judgment in accordance with this section.

New Rule, R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

### **9A:9-3.4 (Reserved)**

Repealed by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Repealed section on eligible out-of-state institutions.

### **9A:9-3.5 Part-time students**

(a) Eligibility for Tuition Aid Grants shall be extended on an annual basis to part-time students upon the approval of the Student Assistance Board and the Board of Higher Education depending on the level of appropriated funds.

(b) An eligible student shall:

1. Be enrolled for at least six credits;
2. Be matriculated in a degree or certificate program;
3. Maintain minimum standards of academic progress as determined by the institution; and
4. Be receiving an award under the Educational Opportunity Fund Program pursuant to N.J.A.C. 9A:11-1.23.

(c) The provisions of N.J.A.C. 9A:9-2 shall apply to part-time students receiving Tuition Aid Grants except where such provisions specifically refer to full-time students.

(d) Payments to eligible students shall be counted for the purpose of the requirements set forth in N.J.A.C. 9A:9-2.11 as one-half a semester of payment.

(e) An eligible student enrolled on a half-time basis (six to eight credits) shall receive a part-time Tuition Aid Grant award equal to the value of one-half of the student's full-time award. An eligible student enrolled on a three-quarter time basis (nine to 11 credits) shall receive a part-time Tuition Aid Grant award equal to three-quarters of the student's full-time award. The value of the part-time award, however, shall not exceed the actual tuition charge for the student's part-time enrollment.

New Rule, R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Amended by R.1988 d.533, effective November 7, 1988.

See: 20 N.J.R. 2007(a), 20 N.J.R. 2772(a).

Deleted old (b) and substituted new; added (e).

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised (a) and (d).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.

## **SUBCHAPTER 4. GARDEN STATE SCHOLARSHIPS**

### **9A:9-4.1 Program categories**

(a) The Garden State Scholarship Program shall provide for grants to undergraduate students in the following program categories:

1. Edward J. Bloustein Distinguished Scholars;
2. Urban Scholars; and
3. Garden State Scholars.

Amended by R.1979 d.314, effective August 15, 1979.

See: 11 N.J.R. 342(a), 11 N.J.R. 443(b).

Emergency Rule, R.1980 d.212, effective May 14, 1980.

See: 12 N.J.R. 317(b).

Amended by R.1985 d.339, effective July 1, 1985.

See: 17 N.J.R. 787(b), 17 N.J.R. 1654(a).

Section substantially amended.

Amended by R.1985 d.570, effective November 4, 1985.

See: 17 N.J.R. 2007(a), 17 N.J.R. 2644(b).

Added text in (b): "The academic requirements ... contribution of awards."

Amended by R.1986 d.108, effective April 7, 1986.

See: 17 N.J.R. 2726(a), 18 N.J.R. 680(b).

Substituted N.J.A.C. 9:7-4.6 for below.

Amended by R.1987 d.278, effective July 6, 1987.

See: 19 N.J.R. 498(a), 19 N.J.R. 1207(a).

Added text in (b) "Where SAT scores ... may be used."

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Substantially amended.

New Rule, R.1988 d.303, effective July 5, 1988.

See: 20 N.J.R. 720(a), 20 N.J.R. 1558(a).

Old rule was Eligibility requirements.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised (a)1-3.

#### 9A:9-4.2 Academic requirements

(a) Garden State Scholarship recipients shall meet the academic requirements defined by the Student Assistance Board to be eligible to receive a grant in any program category.

(b) The academic requirements for Garden State Scholarships will include secondary school ranking in the graduating class and/or a combination of the secondary school ranking and combined Scholastic Assessment Test (SAT) scores or grade point average. Where SAT scores are not available, the appropriate equivalent from the American College Testing (ACT) Program may be used.

(c) Edward J. Bloustein Distinguished Scholars shall be selected on the basis of the following criteria:

1. Class rank of one, two or three in the graduating class at the end of the junior year; or
2. Class rank within the top 10 percent of the graduating class at the end of the junior year with combined SAT scores of 1,260 or above at the end of the junior year.

(d) Distinguished Urban Scholars attending secondary schools within the Type A and B school districts as determined by the New Jersey Department of Education shall be selected on the basis of the following criteria:

1. Class rank within the top 10 percent of the graduating class at the end of the junior year with a grade point average (GPA) of at least 3.0 on a scale of 4.0 (or an equivalent scale) at the end of the junior year.

(e) Students from each school selected pursuant to (d) above shall be ranked among the students selected at that school according to the following formula and the highest ranking students will be offered scholarships:

1. Academic qualification for a scholarship is determined by an Academic Index (AI). The AI is derived by combining two factors, secondary school GPA and rank in class which will be weighted equally. The formula for combining the two factors is:

$$AI = (GPA \times 37.5) + (\text{Converted Rank} \times 2)$$

2. The converted rank shall be determined from the table set forth in (h)1ii below.

(f) For students selected pursuant to (d) and (e) above, each school located within a Type A and B school district shall receive that proportion of the total available scholarships which reflects the size of the graduating class at the end of the junior year as compared to the total number of students in the graduating classes from all schools within Type A and B districts at the end of the junior year.

(g) Garden State Scholars shall be selected on the basis of the following criteria:

1. Class rank within the top 20 percent of the graduating class at the end of the junior year with combined SAT scores of 1000 or above at the end of the junior year, or through the January administration of the SAT in the senior year in the event that funds permit a second-round selection of awards.

(h) Garden State Scholars shall be ranked according to the following formula and the highest ranking students will be offered scholarships based on information as of the end of the junior year. Additional scholarships may be offered during the senior year dependent upon available appropriations.

1. Academic qualification for a scholarship is determined by an Academic Index (AI). The AI is derived by combining two factors, the combined SAT scores from the College Entrance Examination Board and a converted secondary school rank in class. The formula for combining the two factors is:

$$AI = \frac{\text{Verbal} + \text{Math SAT scores}}{10} + (\text{Converted Rank} \times 2)$$

i. SAT scores: Verbal and math scores are to be weighed equally. Where SAT scores are not available, the appropriate equivalent from the ACT Program may be used. The highest verbal score from any administration may be combined with the highest math score from any administration.

ii. Rank in class: In order to weigh secondary school rank equally with combined SAT scores, the converted rank is multiplied by two. Conversion of the secondary school rank to a standardized score is necessary in order to combine it equally with the combined SAT scores which have also been standardized. The following table gives the converted rank multiplied by two, which is the figure to be combined with the test score sum in the AI formula given in this subsection.

### SECONDARY SCHOOL RANK CONVERSION TABLE

Percent Standing		Converted Rank $\times 2$
00-01	=	150
02	=	142
03	=	138
04	=	136
05	=	134
06	=	132
07	=	130
08	=	128
09-10	=	126
11-12	=	124
13-14	=	122
15-16	=	120
17-18	=	118
19-21	=	116
22-24	=	114
25-27	=	112
28-31	=	110
32-35	=	108
36-39	=	106
40-43	=	104
44-47	=	102
48-52	=	100
53-56	=	98
57-60	=	96
61-64	=	94
65-68	=	92
69-72	=	90
73-75	=	88

Amended by R.1985 d.153, effective April 1, 1985.

See: 16 N.J.R. 3281(a), 17 N.J.R. 816(a).

Section substantially amended.

Amended by R.1986 d.108, effective April 7, 1986.

See: 17 N.J.R. 2726(a), 18 N.J.R. 680(b).

Substantially amended.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Substituted "scholar" for "scholarship"; deleted text "and the graduate fellowship award".

New Rule, R.1988 d.532, effective November 7, 1988.

See: 20 N.J.R. 1635(a), 20 N.J.R. 2772(b).

Old section was Award amounts.

The new rule was erroneously added effective July 5, 1988 as R.1988 d.303. See: 20 N.J.R. 720(a), 20 N.J.R. 1558(a). The text at that time should have remained Award amounts.

Amended by R.1990 d.14, effective January 2, 1990.

See: 21 N.J.R. 3408(a), 22 N.J.R. 29(b).

Added class rank of 3rd to those eligible for Distinguished Scholars Program minimum award.

Amended by R.1991 d.599, effective December 16, 1991.

See: 23 N.J.R. 2211(a), 23 N.J.R. 3756(a).

Revised (g)1.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised (b)-(h); deleted (i).

Administrative Correction to (b).

See: 25 N.J.R. 1513(a).

Administrative correction.

See: 27 N.J.R. 3602(a).

Amended by R.1995 d.582, effective November 6, 1995.

See: 27 N.J.R. 2662(a), 27 N.J.R. 4305(a).

### 9A:9-4.3 Eligibility requirements

(a) Garden State Scholarship recipients shall attend an eligible New Jersey institution of higher education as defined by N.J.S.A. 18A:71-26.5.

(b) Scholarship awards shall be renewable for up to three or four years of undergraduate programs of study regularly requiring four or five academic years respectively for completion. In order to be eligible for a renewal award the student shall continue to achieve satisfactory academic progress pursuant to N.J.A.C. 9A:9-2.10 and demonstrate continued financial need, if applicable.

(c) Garden State Scholarship recipients who transfer to another eligible New Jersey institution may transfer their awards provided they have demonstrated satisfactory academic progress and have notified the Department in writing in accordance with applicable procedures.

(d) Students may not simultaneously hold an Edward J. Bloustein Distinguished Scholars award and an Urban Scholars award and/or a Garden State Scholars award.

Emergency Rule, R.1979 d.101, effective March 13, 1979.

See: 11 N.J.R. 180(c).

New Rule R.1986 d.108, effective April 7, 1986.

See: 17 N.J.R. 2726(a), 18 N.J.R. 680(b).

New Rule, R.1988 d.303, effective July 5, 1988.

See: 20 N.J.R. 720(a), 20 N.J.R. 1558(a).

Old section was Recruitment and awarding responsibilities.

Amended by R.1988 d.532, effective November 7, 1988.

See: 20 N.J.R. 1635(a), 20 N.J.R. 2772(b).

Added (d).

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised (b)-(d).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.

### 9A:9-4.4 Award amounts

(a) Garden State Scholars shall receive annual awards of up to \$500.00 without regard to financial need based upon their academic performance as determined pursuant to N.J.A.C. 9A:9-4.2(h). If sufficient funds are available, the award may be increased up to an additional \$500.00 based upon the student's New Jersey Eligibility Index (NJEI) pursuant to N.J.A.C. 9A:9-3.1 and 3.2 according to the following table:

	Additional Amount of Grant			Rutgers Univ. NJIT & UMDNJ
NJEI	County Colleges	State Colleges	Independent Institutions	
Under 1500	\$500	\$500	\$500	\$500
1500 - 2499	250	500	500	500
2500 - 3499	250	250	500	500
3500 - 4499	250	250	250	250
4500 - 5499	250	250	250	250
5500 - 6499	0	250	250	250
6500 - 7499	0	250	250	250
7500 - 8499	0	0	250	250
8500 - 9499	0	0	250	250
9500 - 10499	0	0	250	0
Over 10499	0	0	0	0

(b) Edward J. Bloustein Distinguished Scholars and Urban Scholars shall receive annual awards of up to \$1,000 without regard to financial need based upon their academic performance as determined pursuant to N.J.A.C. 9A:9-4.2(c), (d) and (e). If sufficient funds are available, the award may be increased up to an additional \$1,000

based upon the student's New Jersey Eligibility Index (NJEI) pursuant to N.J.A.C. 9A:9-3.1 and 3.2 according to the following table:

NJEI	Additional Amount of Grant			Rutgers Univ. NJIT & UMDNJ
	County Colleges	State Colleges	Independent Institutions	
Under 1500	\$1000	\$1000	\$1000	\$1000
1500 - 2499	500	1000	1000	1000
2500 - 3499	250	500	1000	1000
3500 - 4499	250	500	500	500
4500 - 5499	250	250	500	500
5500 - 6499	0	250	500	250
6500 - 7499	0	250	250	250
7500 - 8499	0	0	250	250
8500 - 9499	0	0	250	250
9500 - 10499	0	0	250	0
Over 10499	0	0	0	0

(c) Undergraduate scholarship award amounts shall be a minimum of \$200.00.

(d) These scholarships in combination with other financial aid shall not exceed the cost of attendance as determined by the institution.

Repealed by R.1980 d.462, effective October 20, 1980.

See: 12 N.J.R. 273(e), 12 N.J.R. 694(d).

Section was "Graduate fellowships".

New Rule, R.1988 d.532, effective November 7, 1988.

See: 20 N.J.R. 1635(a), 20 N.J.R. 2772(b).

This section was erroneously added effective July 5, 1988 as R.1988 d.303. See: 20 N.J.R. 720(a), 20 N.J.R. 1558(a). The text at that time should have remained reserved.

Amended by R.1989 d.186, effective April 3, 1989.

See: 21 N.J.R. 110(a), 21 N.J.R. 898(a).

Deleted upper limits in (TAG Tables) at (a) and (b), added "highest TAG NJEI eligible for an award"; deleted "0" under additional amount column.

Amended by R.1991 d.178, effective April 1, 1991.

See: 23 N.J.R. 4(a), 23 N.J.R. 1005(b).

In (a) and (b), added phrase "If sufficient funds are available, . . ." to discussing award amounts. Revised rule text to include Tables which establish maximum NJEI ranges relative to the cost of education within the various N.J. college sectors.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised (b).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.

Administrative correction.

See: 27 N.J.R. 3602(b).

#### 9A:9-4.5 Award combinations

(a) All scholarship recipients may be eligible for assistance under the Tuition Aid Grant Program if they complete the required financial aid application.

(b) Edward J. Bloustein Distinguished and Urban Scholars may be eligible to receive an Educational Opportunity Fund grant.

Emergency Rule, R.1979 d.101, effective March 13, 1979.

See: 11 N.J.R. 180(c).

Repeal and New Rule R.1986 d.108, effective April 7, 1986.

See: 17 N.J.R. 2726(a), 18 N.J.R. 680(b).

Section was "College eligibility and allocation procedures for undergraduate grants".

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Named the scholarship the Garden State Scholarship.

New Rule, R.1988 d.303, effective July 5, 1988.

See: 20 N.J.R. 720(a), 20 N.J.R. 1558(a).

Old rule was Institutional eligibility, allocations and funding of awards.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised text.

#### 9A:9-4.6 (Reserved)

Emergency Rule, R.1979 d.101, effective March 13, 1979.

See: 11 N.J.R. 180(c).

Amended by R.1981 d.99, effective April 9, 1981.

See: 12 N.J.R. 658(a), 13 N.J.R. 220(b).

(a) added; old (a) becomes new (b). Minimum AI of 210 was 200 with exceptions. (c) and (d) added.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Substantially amended.

Repealed by R.1988 d.303, effective July 5, 1988.

See: 20 N.J.R. 720(a), 20 N.J.R. 1558(a).

Old rule was Academic eligibility for undergraduate scholarships.

#### 9A:9-4.7 (Reserved)

Amended by R.1985 d.339, effective July 1, 1985.

See: 17 N.J.R. 787(b), 17 N.J.R. 1654(a).

Section substantially amended.

Repealed by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

This section was fiscal responsibilities.

#### 9A:9-4.8 Renewal of scholarships

(a) Students receiving undergraduate scholarship assistance will continue to receive State financial assistance provided they continue to meet all of the eligibility criteria as stipulated in the statute and in the rules adopted by the Student Assistance Board.

(b) Award eligibility based upon academic achievement shall only be evaluated when initial awards are being determined. The academic eligibility criteria used at the time an initial scholarship is awarded shall remain in effect throughout the student's remaining period of eligibility.

(c) Students receiving awards prior to the 1989-90 academic year shall not have their award levels decreased as long as the students maintain satisfactory academic progress in accordance with N.J.A.C. 9A:9-2.10 provided, however, that the scholarship in combination with other financial aid shall not exceed the cost of attendance as determined by the institution.

Repealed by R.1985 d.339, effective July 1, 1985.

See: 17 N.J.R. 787(b), 17 N.J.R. 1654(a).

Section was "Renewal of Scholarships Awarded Prior to March 1, 1978."

New Rule R.1986 d.108, effective April 7, 1986.

See: 17 N.J.R. 2726(a), 18 N.J.R. 680(b).

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Substituted the term "rules" for "regulations".

Amended by R.1988 d.303, effective July 5, 1988.

See: 20 N.J.R. 720(a), 20 N.J.R. 1558(a).

Added subsection (c); numbered existing paragraph (a) and (b).

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised (a).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.

## SUBCHAPTER 5. PUBLIC TUITION BENEFITS PROGRAM

### 9A:9-5.1 General provisions

General provisions for Tuition Aid Grant and Garden State Scholarship Programs (N.J.A.C. 9A:9-2) which pertain to residency (2.2), foreign nationals (2.3), payments (2.11), award adjustments/refunds (2.12), check endorsements (2.14), appeals (2.15), and accounting and auditing standards (2.16) shall be in effect for the Public Tuition Benefits Program.

Amended by R.1982 d.127, effective April 19, 1982.

See: 14 N.J.R. 28(a), 14 N.J.R. 390(d).

(a): Deleted "As of September 30," and added "Chapter 229 ... provides that"; added "or of a permanent ... disaster control works".

(b): Deleted "verification ... performance".

Amended by R.1985 d.156, effective April 1, 1985.

See: 17 N.J.R. 24(a), 17 N.J.R. 816(b).

(a) added text: "and Chapter 4, Laws of 1983," and "and that portion ... of higher education in this State".

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Repealed (a).

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised text.

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.

### 9A:9-5.2 (Reserved)

As amended, R.1982 d.127, eff. April 19, 1982.

See: 14 N.J.R. 28(a), 14 N.J.R. 390(d).

Deleted "Department of Higher Education" and replaced with "Student Assistance Board".

Repealed by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Section was public responsibility.

### 9A:9-5.3 (Reserved)

Repealed by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Repealed section on application procedure.

### 9A:9-5.4 Eligible institutions

Tuition benefits are available to eligible students enrolled in an institution of collegiate grade in New Jersey and approved or licensed by the State Board of Higher Education.

As amended, R.1982 d.127, eff. April 19, 1982.

See: 14 N.J.R. 28(a), 14 N.J.R. 390(d).

County Colleges: Added "Commissions," "Sussex" and "Warren."  
State Colleges: Added "Thomas Edison."

Rutgers University and NJ Institute of Technology: Added "College of Engineering," "College of Nursing," "College of Pharmacy," and "Mason Gross School of the Arts."

Amended by R.1985 d.156, effective April 1, 1985.

See: 17 N.J.R. 24(a), 17 N.J.R. 816(b).

Added Independent Institutions and "UMDNJ."

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Deleted list of public institutions of higher education.

### 9A:9-5.5 Undergraduate enrollment

The eligible child or surviving spouse must be enrolled or plan to be enrolled as an undergraduate student in good standing in a curriculum leading to a degree in order to be eligible to receive Public Tuition Benefits. Students possessing a Baccalaureate Degree are not eligible.

As amended, R.1982 d.127, eff. April 19, 1982.

See: 14 N.J.R. 28(a), 14 N.J.R. 390(d).

Deleted "a full-time" and replaced with "an"; deleted "Certification ... Full-time states."

### 9A:9-5.6 Student notification

Students will be notified of their eligibility by the Department of Higher Education. Notification to eligible students will specify the amount of the student's tuition charges which will be paid by the State. In addition, instructions will be provided regarding the manner in which payment will be disbursed for tuition charges.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

### 9A:9-5.7 Renewal

In order to continue to receive tuition benefits under the program, students must be in good academic standing at their institution.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Deleted "An annual renewal ...".

### 9A:9-5.8 Period of eligibility

Eligibility to receive tuition benefits shall be limited to eight years from the date of the death of the member or officer in the case of a widowed spouse or eight years following graduation from secondary school in the case of a child. Recipients shall not be eligible for more than eight semesters of payment for full-time enrollment or the equivalent for half-time enrollment. Payment for half-time enrollment shall count as one half a semester of payment. Students enrolled in a program of study normally requiring five years to complete shall be eligible for 10 semesters of payment.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Substantially amended.

Amended by R.1992 d.486, effective December 7, 1992.

See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Deleted "dependent".

**9A:9-5.9 Verification of enrollment and academic performance**

Before payment may be made to an eligible student, the institution must have satisfactory evidence that the student is eligible for tuition benefits, and has registered for an academic term in an undergraduate degree program, and that the student is meeting the minimum standards for academic performance and academic progress at the institution in accordance with N.J.A.C. 9A:9-2.10. Eligible students shall be enrolled on at least a one-half time basis during any term in order to receive payment.

Amended by R.1982 d.127, effective April 19, 1982.  
See: 14 N.J.R. 28(a), 14 N.J.R. 390(d).

Deleted existing text of rule concerning "period of eligibility" and replaced with rule concerning "verification of enrollment and academic performance."

Amended by R.1985 d.571, effective November 4, 1985.  
See: 17 N.J.R. 1734(a), 17 N.J.R. 2644(a).

Added text "in accordance with N.J.A.C. 9:7-2.10."  
Amended by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).

Added text "Eligible students shall ...".  
Amended by R.1995 d.428, effective August 7, 1995.  
See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.

**9A:9-5.10 (Reserved)**

New Rule R.1985 d.156, effective April 1, 1985.  
See: 17 N.J.R. 24(a), 17 N.J.R. 816(b).  
Repealed by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Section was "Enrollment status and terms of payment".

**SUBCHAPTER 6. GARDEN STATE GRADUATE FELLOWSHIP PROGRAM****9A:9-6.1 (Reserved)**

Repealed by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Section was "Purpose".

**9A:9-6.2 General provisions**

General provisions for Tuition Aid Grant and Garden State Scholarship Programs (N.J.A.C. 9A:9-2) which pertain to residency (2.2), foreign nationals (2.3), verification of enrollment and academic performance (2.10), payments (2.11), award adjustments/refunds (2.12), check endorsements (2.14), appeals (2.15), and accounting and auditing standards (2.16) shall be in effect for the Garden State Graduate Fellowship Program.

Amended by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Added refunds.  
Amended by R.1992 d.486, effective December 7, 1992.  
See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).

Revised text.  
Amended by R.1995 d.428, effective August 7, 1995.  
See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.  
Administrative correction.  
See: 27 N.J.R. 3602(b).

**9A:9-6.3 Eligibility**

Applicants shall not be enrolled for more than six graduate credits during the fall term preceding the application deadline and shall not have completed more than 16 graduate credits prior to the application deadline. Graduate credits earned while enrolled as an undergraduate student shall not be considered in determining the above totals.

Amended by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Substantially amended.

**9A:9-6.4 Approved programs**

Fellowships shall be awarded only for attendance at institutions in New Jersey offering graduate programs approved by the State Board of Higher Education, except in the case of exempt institutions pursuant to N.J.S.A. 18A:68-6. Approved programs are graduate programs in recognized fields in the arts and humanities. Students who received fellowships prior to the 1989-90 academic year for programs of study outside of the arts and humanities shall remain eligible to participate in the program.

Amended by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Deleted "professional".  
Amended by R.1989 d.184, effective April 3, 1989.  
See: 20 N.J.R. 2624(a), 21 N.J.R. 898(b).

Deleted language referring to specific excluded studies and degrees outside the humanities, added "the arts and ..." and added language about students who received fellowships prior to 1989-90.

**9A:9-6.5 Period of eligibility**

Fellowships will be awarded for one academic year, renewable upon the recommendation of the institution, the continued eligibility of the student, and the availability of appropriated funds. An award holder shall not be eligible for payment for a second masters degree unless such degree progresses directly towards a doctoral degree. In no case shall a graduate student be paid for more than four years of study.

Amended by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Changed section heading from "duration".

**9A:9-6.6 Attendance**

A recipient of a Fellowship award shall be enrolled full-time and matriculate in an approved program of study no later than the fall term immediately succeeding the notification of award and continue in regular full-time attendance. After payment has been received by the recipient and the recipient has successfully completed one semester of graduate education, a request for a leave of absence may be made for a period not to exceed one year.

Amended by R.1988 d.128, effective March 21, 1988.

See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Deleted text "In accord with ...".

### 9A:9-6.7 Number of awards and amount

The number and amount of Fellowship awards for an academic year shall be determined annually by the Student Assistance Board.

Amended by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Substituted "awards" for "recipients".

### 9A:9-6.8 (Reserved)

Amended by R.1985 d.571, effective November 4, 1985.  
See: 17 N.J.R. 1734(a), 17 N.J.R. 2644(a).  
Delete "of \$4,000" and added "established annually by the Student Assistance Board."  
Repealed by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Section was "amount of the award".

### 9A:9-6.9 Selection

Eligible students shall be selected on the basis of academic achievement and evidence of further academic promise. Degree of financial need may also be considered.

Amended by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Substantially amended.

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## SUBCHAPTER 7. (RESERVED)

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## SUBCHAPTER 8. (RESERVED)

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## SUBCHAPTER 9. PAUL DOUGLAS TEACHER SCHOLARSHIP PROGRAM

### 9A:9-9.1 Rules and statutes incorporated by reference

(a) The part of the Code of Federal Regulations known as 34 C.F.R. 653 (as of November 25, 1987) including all subsequent amendments and supplements is hereby adopted as rules and incorporated within this subchapter.

(b) The part of the United States Code known as Title 20, Chapter 28, Subchapter V, Part D, 20 U.S.C. 1111 (as of October 17, 1986) including all subsequent amendments and supplements is hereby adopted as rules and incorporated within this subchapter.

(c) The provisions of the following sections of subchapter 2 of this chapter, N.J.A.C. 9A:9-2.2 residency, 2.3 foreign

nationals, 2.14 check endorsements, 2.15 appeals and 2.16 accounting and auditing standards, shall also apply to this program unless they are inconsistent with or otherwise excepted within the provisions of this subchapter.

Amended by R.1988 d.128, effective March 21, 1988.  
See: 20 N.J.R. 33(a), 20 N.J.R. 656(a).  
Deleted "fiscal responsibilities" and substituted "accounting and auditing standards".  
Amended by R.1992 d.164, effective April 6, 1992.  
See: 24 N.J.R. 8(a), 24 N.J.R. 1341(a).  
Revised section.  
Amended by R.1992 d.486, effective December 7, 1992.  
See: 24 N.J.R. 2510(a), 24 N.J.R. 4373(a).  
Revised (c).  
Amended by R.1994 d.13, effective January 3, 1994.  
See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).  
Amended by R.1995 d.428, effective August 7, 1995.  
See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).  
Corrected references.

### 9A:9-9.2 (Reserved)

Amended by R.1992 d.164, effective April 6, 1992.  
See: 24 N.J.R. 8(a), 24 N.J.R. 1341(a).  
Revised text.  
Repealed by R.1994 d.13, effective January 3, 1994.  
See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).  
Section was "Definitions".

### 9A:9-9.3 Academic requirements for application

An applicant for the program must rank in the top 10 percent of his or her secondary school graduating class or have General Education Development (GED) test scores equivalent to ranking in the top 10 percent of the high school graduates in the state, or nationally, in the academic year for which the eligibility determination is being made.

Amended by R.1994 d.13, effective January 3, 1994.  
See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

### 9A:9-9.4 Attendance in an eligible institution

An applicant must be enrolled or plan to enroll on a full-time basis at an institution of higher education that is currently accredited by a nationally recognized accrediting agency or association, in accordance with the Federal codes referenced in N.J.A.C. 9A:9-9.1(a) and (b). In addition, the applicant must be pursuing a course of study leading to a teaching certificate but not including graduate study that is not required for initial teacher certification.

Amended by R.1992 d.164, effective April 6, 1992.  
See: 24 N.J.R. 8(a), 24 N.J.R. 1341(a).  
Revised text.  
Amended by R.1994 d.13, effective January 3, 1994.  
See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).  
Amended by R.1995 d.428, effective August 7, 1995.  
See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).  
Corrected references.

### 9A:9-9.5 Amount of scholarship

(a) The Student Assistance Board shall award scholarships in accordance with the Code of Federal Regulations and United States Code referenced in N.J.A.C. 9A:9-9.1(a) and (b).

(b) The amount of each scholarship shall be \$5,000 per year; provided, however, a recipient shall not receive an amount which, when combined with other financial aid, would exceed the cost of college attendance as defined by the institution. A scholarship shall not be reduced on the basis of the student's receipt of other forms of Federal student assistance, but shall be taken into account in determining the eligibility of the student for those other forms of Federal financial assistance.

(c) Awards may be made on a semester, term, or half-year basis.

Amended by R.1994 d.13, effective January 3, 1994.

See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

#### 9A:9-9.6 Application procedures

(a) An applicant must submit the following information:

1. An application to participate in the program including a statement indicating the applicant's intent to pursue a teaching career at the preschool, elementary or secondary school level; and

2. Two written recommendations from college or secondary school administrators, guidance counselors, community leaders or teachers attesting to the applicant's interest in and aptitude for teaching; and

3. An official secondary school transcript including class rank or an official General Education Development (GED) test result notification; and

4. An official transcript of college grades including the cumulative grade point average (GPA), if applicable; and

5. Scholastic Aptitude Test (SAT) scores or the equivalent of the American College Test (ACT) for those applicants who have not yet attended college; and

6. Any certifications required in accordance with the Code of Federal Regulations and United States Code referenced in N.J.A.C. 9A:9-9.1(a) and (b).

(b) All application forms and information must be submitted to the following authorized State agency:

New Jersey Department of Higher Education  
Office of Student Assistance  
4 Quakerbridge Plaza  
CN 540  
Trenton, NJ 08625

Amended by R.1994 d.13, effective January 3, 1994.

See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

#### 9A:9-9.7 Criteria for scholarships

(a) The Student Assistance Board will consider the following criteria in determining scholarship recipients:

1. Class rank or General Education Development (GED) test scores; and

2. Scholastic Aptitude Test (SAT) or American College Test (ACT) scores; and

3. Grade point average (GPA); and

4. Other information provided by or on behalf of the applicant.

(b) Scholarships will be awarded in accordance with all applicable requirements for special consideration as provided in the Federal codes referenced in N.J.A.C. 9A:9-9.1(a) and (b).

Amended by R.1994 d.13, effective January 3, 1994.

See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

Amended by R.1995, d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

#### 9A:9-9.8 Renewal of scholarship eligibility

(a) In order to maintain eligibility for a scholarship a scholar must be:

1. Enrolled as a full-time student in a postsecondary institution that is currently accredited by an accrediting agency or association recognized by the U.S. Secretary of Education; and

2. Pursuing a course of study leading to certification as a teacher at the preschool, elementary or secondary level, as determined by the state in which the postsecondary institution the student is attending is located; and

3. Maintaining satisfactory progress toward a degree, or if the student already has a degree, toward teacher certification, as determined by the institution the student is attending.

(b) The scholar shall provide the Department of Higher Education, Office of Student Assistance with evidence of compliance with the above requirements.

Amended by R.1992 d.164, effective April 6, 1992.

See: 24 N.J.R. 8(a), 24 N.J.R. 1341(a).

Revised (a)1 and 2.

Amended by R.1994 d.13, effective January 3, 1994.

See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

#### 9A:9-9.9 Teaching obligations of the scholarship recipient

(a) The scholar shall teach on a full-time basis in any state for a period of not less than two years for each year for which he or she received a Paul Douglas Teacher Scholarship, in a public or private nonprofit preschool, elementary, or secondary school, including a private nonprofit school that serves students with disabilities or limited English proficient students.

(b) The requirement set forth in (a) above to teach two years for each year of scholarship assistance is reduced by one-half if the scholar teaches on a full-time basis in a teacher shortage area designated by the U.S. Secretary of Education as provided by the Code of Federal Regulations and United States Code referenced in N.J.A.C. 9A:9-9.1(a) and (b).

(c) The scholar shall provide the Department of Higher Education, Office of Student Assistance with evidence of compliance with the above requirements pursuant to N.J.A.C. 9A:9-9.10(c).

New Rule, R.1987 d.441, effective November 2, 1987.

See: 19 N.J.R. 1154(a), 19 N.J.R. 2055(a).

Amended by R.1988 d.131, effective March 21, 1988.

See: 19 N.J.R. 2102(a), 20 N.J.R. 663(a).

Substituted "Paul Douglas" for "Congressional" and added "private nonprofit".

Amended by R.1994 d.13, effective January 3, 1994.

See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

Corrected references.

#### 9A:9-9.10 Reduction of scholarship balance

(a) Reduction of the scholarship balance is predicated upon completion of the postsecondary education for which the Paul Douglas Teacher Scholarship was awarded and providing teaching service as specified in N.J.A.C. 9A:9-9.9. Depending upon the location, nature and duration of the teaching assignment, the total principal sum of the Interim Promissory Note including any accrued, capitalized interest will be reduced for service rendered within 10 years after completing the postsecondary education for which the scholarship was awarded.

(b) Total reduction of scholarship balance shall not exceed the maximum of \$20,000 plus accrued, capitalized interest.

(c) The scholar's total scholarship balance shall be reduced each year based on the submission on an annual basis of a notarized copy of:

1. The signed contract between the district board of education or its equivalent and the borrower indicating a teaching agreement is in force, submitted by a date specified by the Department of Higher Education, Office of Student Assistance; and

2. A letter or other appropriate certification from the chief school administrator submitted by a date specified by the Department of Higher Education, Office of Student Assistance indicating a year of service has been completed.

(d) Exceptions to (c)1 and 2 above will be considered only if permitted under the provisions of the Code of Federal Regulations and United States Code referenced in N.J.A.C. 9A:9-9.1(a) and (b).

Amended by R.1994 d.13, effective January 3, 1994.

See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

#### 9A:9-9.11 Repayment schedule for failure to meet teaching obligations or withdrawal from postsecondary program leading to teacher certification

(a) If the scholar fails to meet the teaching obligations described in N.J.A.C. 9A:9-9.9, or if the scholar ceases to pursue a course of study leading to certification as a teacher at the preschool, elementary or secondary level, the scholar shall:

1. Repay the amount of the scholarships received, prorated according to the fraction of the teaching obligation not completed, as determined by the Department of Higher Education, Office of Student Assistance; and

2. Pay a simple per annum interest charge on the outstanding principal as set forth in (c) below; and

3. Pay all reasonable collection costs as determined by the Department of Higher Education, Office of Student Assistance.

(b) The interest charge accrues from the date of the initial scholarship payment if the scholar has ceased to pursue the postsecondary education program for which the scholarship was awarded, or the day after that portion of the scholarship period for which the teaching obligation has been fulfilled.

(c) The interest charge shall be adjusted annually, from the time interest begins to accrue to the time the repayment period begins as described in (d) below, and shall be set by the U.S. Secretary of Education. The interest rate applicable during the repayment period is the interest rate prescribed by the Secretary which is in effect as of the beginning date of the repayment period.

(d) The scholar shall enter repayment status on the first day of the first calendar month after:

1. The scholar has ceased to pursue the postsecondary education program leading to teacher certification, but not before six months has elapsed after the cessation of the scholar's full-time enrollment in such a program; or

2. The date the scholar informs the Department of Higher Education, Office of Student Assistance he or she does not plan to fulfill the teaching obligation; or

3. The latest date on which the scholar must have begun teaching in order to have completed the teaching obligation within 10 years after completing the postsecondary education for which the scholarship was awarded, as determined by the Department of Higher Education, Office of Student Assistance.

(e) A scholar who has entered repayment status pursuant to (d)3 above may apply for a deferment of further pay-

ments upon obtaining a full-time teaching position eligible for redemption.

(f) The scholar shall make payments to the Department of Higher Education, Office of Student Assistance which cover principal, interest, and collection costs according to a schedule established by the Department of Higher Education, Office of Student Assistance which calls for complete repayment within 10 years after the scholar enters repayment status and which amount annually is no less than \$1,200 or the unpaid balance, whichever is less, unless the scholar's inability to pay this amount because of his or her financial condition has been established to the satisfaction of the Department of Higher Education, Office of Student Assistance.

(g) The Student Assistance Board shall extend the ten-year scholarship repayment period by a period equal to the length of time a scholar meets any of the conditions set forth in N.J.A.C. 9A:9-9.12.

(h) The Student Assistance Board shall not require scholarship repayments amounting to more than \$1,200 annually unless higher payments are needed to complete the entire repayment within the ten-year period.

(i) The scholar will notify the Department of Higher Education, Office of Student Assistance, by certified mail within a 15-day period of withdrawal from the program. The Department of Higher Education, Office of Student Assistance, will then authorize the New Jersey Higher Education Assistance Authority (NJHEAA) to issue a statement of total loan indebtedness.

(j) The particular terms and conditions of loan indebtedness will then follow in a separate document known as the repayment schedule that will be provided to the scholar prior to the repayment period by the NJHEAA. The repayment schedule will consolidate all loan amounts borrowed through the program and will include all accrued interest capitalized to the principal balance at the time of repayment. The scholar will be required to repay the entire capitalized principal balance, plus accruing interest at the assigned rate determined by the Department of Higher Education, Office of Student Assistance, in equal monthly installments over a repayment period that generally lasts no more than 10 years.

New Rule, R.1987 d.441, effective November 2, 1987.

See: 19 N.J.R. 1154(a), 19 N.J.R. 2055(a).

Amended by R.1988 d.131, effective March 21, 1988.

See: 19 N.J.R. 2102(a), 20 N.J.R. 663(a).

Deleted text in (c) "at a rate which . . ." and added new text "by the U.S. . . .".

Amended by R.1994 d.13, effective January 3, 1994.

See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

Amended by R.1995 d.428, effective August 7, 1995.

See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).

#### 9A:9-9.12 Postponement of repayment schedule

(a) A scholar is not considered in violation of the repayment schedule and need not make scholarship repayments nor will interest accrue during the time he or she is:

1. Engaging in a full-time course of study at an institution of higher education as verified by the submission of official certification of full-time enrollment by the institution; or
2. Serving, not in excess of three years, on active duty as a member of the armed services of the United States as verified by the submission of appropriate documentation; or
3. Temporarily totally disabled, for a period not to exceed three years, as established by a sworn affidavit of a qualified physician; or
4. Unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse, child or parent who is disabled as evidenced by a qualified physician's sworn affidavit; or
5. Seeking and unable to find full-time employment for a single period not to exceed 12 months; or
6. Unable to satisfy the terms of the repayment schedule established by the NJHEAA, and is also seeking and unable to find full-time employment as a teacher in a public or private nonprofit preschool, elementary or secondary school, or education program for a single period not to exceed 27 months as evidenced by notarized copies of letters of application for teaching positions and any other documents as required by the Department of Higher Education, Office of Student Assistance; or
7. Satisfying any additional provisions of repayment exceptions that may be prescribed by the U.S. Secretary of Education.

New Rule, R.1987 d.441, effective November 2, 1987.

See: 19 N.J.R. 1154(a), 19 N.J.R. 2055(a).

Amended by R.1988 d.131, effective March 21, 1988.

See: 19 N.J.R. 2102(a), 20 N.J.R. 663(a).

Added "private nonprofit" and "a single period not to exceed 27 months".

Amended by R.1994 d.13, effective January 3, 1994.

See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

#### 9A:9-9.13 Cancellation of repayment schedule

(a) The Student Assistance Board shall cancel a scholar's repayment obligations if it determines:

1. On the basis of a sworn affidavit of a qualified physician that the scholar is unable to teach on a full-time basis because he or she is permanently totally disabled; or
2. On the basis of a death certificate or other evidence of death that is conclusive under State law that the scholar has died.

Amended by R.1994 d.13, effective January 3, 1994.

See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

**9A:9-9.14 Determination of postponement or cancellation of repayment schedule**

Documentation submitted in support of a request by a scholar for postponement or cancellation of the loan obligation attesting to any of the above conditions shall be reviewed individually by the Department of Higher Education, Office of Student Assistance and final determination will be made by the director of the applicable program within the Department of Higher Education. The final decision will be forwarded to the scholar within 60 days of the written request for postponement or cancellation of the loan obligation.

Amended by R.1994 d.13, effective January 3, 1994.  
See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).

**9A:9-9.15 Default**

(a) The loan will be considered in default and become immediately due and payable if the scholar fails to:

1. Notify the Department of Higher Education, Office of Student Assistance, of withdrawal from the program within the 15-day time period; or

2. Execute and deliver an installment note prior to entering repayment status pursuant to N.J.A.C. 9A:9-9.11; or

3. Make any installment payment that is past due for a period of 120 days.

(b) The Department of Higher Education, Office of Student Assistance, will then authorize the NJHEAA to take the necessary steps to ensure the return of monies as permitted by federal law and regulations. Default on this loan may be reported to credit bureau organizations.

(c) The scholar will also be required to pay all charges and other costs, including attorney's fees, for the collection of the defaulted amounts. If this loan is referred for collection to an agency that is subject to the Fair Debt Collection Practices Act (15 U.S.C. 1692 as of September 20, 1977 including all subsequent amendments and supplements), the scholar will pay all reasonable collection costs.

New Rule, R.1987 d.441, effective November 2, 1987.  
See: 19 N.J.R. 1154(a), 19 N.J.R. 2055(a).  
Amended by R.1994 d.13, effective January 3, 1994.  
See: 25 N.J.R. 3594(a), 26 N.J.R. 219(a).  
Amended by R.1995 d.428, effective August 7, 1995.  
See: 27 N.J.R. 2043(a), 27 N.J.R. 2906(a).