

CHAPTER 5

TUITION POLICIES FOR PUBLIC INSTITUTIONS

Authority

N.J.S.A. 18A:62-1 et seq.

Source and Effective Date

R.1991 d.177, effective April 1, 1991.
See: 22 N.J.R. 3437(a), 23 N.J.R. 1005(a).

Executive Order No. 66(1978) Expiration Date

Chapter 5, Tuition Policies for Public Institutions, expires on April 1, 1996.

Chapter Historical Note

Chapter 5, Tuition Policies For Public Institutions, became effective September 1, 1972 as R.1972 d.169. See: 4 N.J.R. 238(a). Amendments to subchapter 1 became effective October 3, 1980 as R.1980 d.428. See: 12 N.J.R. 408(a), 12 N.J.R. 661(a). Amendments to section 1.5 became effective April 18, 1983 as R.1983 d.118. See: 15 N.J.R. 73(b), 15 N.J.R. 625(a).

Subchapter 2 became effective November 19, 1984 as R.1984 d.536. See: 16 N.J.R. 1931(a), 16 N.J.R. 3205(a).

Chapter 5 expired under Executive Order No. 66(1978) on October 3, 1985 and new rules were adopted effective January 21, 1986 as R.1986 d.701. See: 17 N.J.R. 2326(a), 18 N.J.R. 183(b).

Chapter 5 expired on January 21, 1991 and was readopted pursuant to Executive Order No. 66(1978) as new rules, effective April 1, 1991 as R.1991 d.177. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. PUBLIC COLLEGES AND UNIVERSITIES—GENERAL TUITION POLICIES

9:5-1.1 (Reserved)

Repealed by R.1991 d.177, effective April 1, 1991.
See: 23 N.J.R. 3437(a), 23 N.J.R. 1005(a).
Section was: "Dependent/independent student defined." Prior rule-making is as follows:
Amended by R.1980 d.428, effective October 3, 1980.
See: 12 N.J.R. 408(a), 12 N.J.R. 661(a).
Old text deleted for new.
New Rule, R.1987 d.204, effective May 4, 1987.
See: 19 N.J.R. 264(c), 19 N.J.R. 771(a).
Old rule dependent student was repealed.
Amended by R.1988 d.176, effective April 18, 1988.
See: 19 N.J.R. 2372(a), 20 N.J.R. 901(a).
Substituted "resource" for "income".

9:5-1.2 Eligibility for New Jersey resident tuition

(a) Persons who have been domiciled within this State for a period of 12 months prior to initial enrollment in a public institution of higher education are presumed to be domiciled in this State for tuition purposes. Persons who have been domiciled within this State for less than 12 months prior to initial enrollment are presumed to be nondomiciliaries for tuition purposes.

(b) Any dependent student, as defined in N.J.A.C. 9:7-2.6, who is domiciled in this State for tuition purposes and who is enrolled in an institution of higher education in New Jersey shall continue to be eligible for New Jersey resident tuition status 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.

(c) Persons presumed to be nondomiciled or persons who are presumed to be domiciled but whose domiciliary status is challenged by the institution, must prove their domicile according to this chapter.

Amended by R.1980 d.428, effective October 3, 1980.
See: 12 N.J.R. 408(a), 12 N.J.R. 661(a).

Old text deleted for new.
Amended by R.1985 d.701, effective January 21, 1986 (operative for N.J.A.C. 9:5-1.2(b) on July 1, 1986).
See: 17 N.J.R. 2326(a), 18 N.J.R. 183(b).
(b) added; (a) split to (a) and (c).
Amended by R.1991 d.177, effective April 1, 1991.
See: 23 N.J.R. 3437(a), 23 N.J.R. 1005(a).

In (b): revised N.J.A.C. citation.

9:5-1.3 Proof of domicile

(a) For the purposes of N.J.A.C. 9:5-1.2, primary evidence of domicile shall include the following:

1. A notarized affidavit by the student setting for his/her domicile; and
2. For an independent student, a copy of his/her New Jersey income tax return or evidence of withholding of said tax; or

3. For a dependent student, a copy of his/her parents New Jersey income tax return or evidence of withholding of said tax.

(b) Each person required to provide domicile pursuant to this chapter must provide (a)1 above and in addition (a)2 or (a)3 above and as much supplementary evidence as is required by the institution.

1. Supplementary evidence may include proof of voter registration, motor vehicle license and/or registration, or such other material as is acceptable in the opinion of the institution.

(c) In unusual circumstances, if primary evidence is not available, the institution may make a determination of New Jersey domicile based exclusively on supplementary evidence.

(d) In every instance a record of the evidence utilized in determining domicile pursuant to this section shall be maintained with the student's records.

Amended by R.1980 d.428, eff. October 3, 1980.
See: 12 N.J.R. 408(a), 12 N.J.R. 661(a).
Old text deleted for new.

9:5-1.4 Foreign nationals

The governing board of an institution may approve the remission of non-resident fees in excess of resident fees for students of foreign nationality, up to one percent of the full-time enrollment.

R.1980 d.428, eff. October 3, 1980.
See: 12 N.J.R. 408(a), 12 N.J.R. 661(a).
Was N.J.A.C. 9:5-1.3.

9:5-1.5 Senior citizens

(a) Public colleges and universities may enroll senior citizens, as defined by N.J.S.A. 18A:62-3, in regularly scheduled credit or non-credit courses without payment of tuition, on a space available basis, provided that tuition-paying students constitute the minimum number required for the course.

(b) Public colleges and universities may include credit hours earned by non-tuition-paying enrolled senior citizens up to one percent of total undergraduate enrollment in the annual State appropriation request. To be eligible to be included in the State appropriation request, senior citizens must be enrolled in credit bearing courses and actively pursuing an initial college associate or baccalaureate degree program. A senior citizen must successfully complete six credit hours per semester within a defined program to be considered actively pursuing a degree program. Requests for State aid for senior citizen enrollments shall be separately compiled and submitted along with the institution's annual enrollment report. No State support shall be paid for senior citizen enrollments in non-credit courses.

R.1983 d.118, effective April 18, 1983.
See: 15 N.J.R. 73(b), 15 N.J.R. 625(a).
Amended by R.1985 d.701, effective January 21, 1986.
See: 17 N.J.R. 2326(a), 18 N.J.R. 183(b).
Added text in (a) "as defined by N.J.S.A. 18A:62-3".

SUBCHAPTER 2. TUITION POLICIES FOR UNEMPLOYED PERSONS: JOB TRAINING PROGRAM

9:5-2.1 Proof of eligibility

(a) Eligible individuals seeking to enroll under the job training program must submit to the institution of higher education documentation from the Department of Labor, Division of Employment Services verifying their past presence in the labor market for at least two years and their unemployed status or receipt of a layoff notice as proof of eligibility or an approved training plan from the Division of Employment Services. Said proof of eligibility must be dated no earlier than 30 days prior to the college's course registration day for the semester in which the job training course is to be taken.

(b) If deemed necessary, an institution may allow an individual to register for courses pending receipt of Department of Labor verification.

(c) Eligible individuals may seek to enroll in any New Jersey public institution of higher education regardless of their county of residence. However, charge-backs pursuant to N.J.A.C. 9:4-1.5 shall not apply for unemployed persons. Eligible individuals who wish to attend a county college must first apply to the college within their county of residence.

Amended by R.1991 d.177, effective April 1, 1991.
See: 23 N.J.R. 3437(a), 23 N.J.R. 1005(a).

In (b): added text regarding date requirement for proof of eligibility.
Amended by R.1994 d.225, effective May 2, 1994.
See: 25 N.J.R. 3593(a), 26 N.J.R. 1856(a).

9:5-2.2 Eligibility for financial aid

(a) Each eligible individual seeking to enroll in credit courses under this program is responsible for filing a financial aid application and providing the institution with all information necessary to determine possible financial aid eligibility.

(b) In determining eligibility for financial aid, the institution shall consider both State and Federal sources of aid including grants, scholarships and any other sources of financial aid available to the institution's general student population, but shall not include loans.

(c) Each institution shall apply consistent standards for all students, including participants in this program, in determining eligibility for financial aid.

(d) Any eligible individual receiving financial aid which is not sufficient to entirely pay the full amount of tuition at the institution shall be entitled to have the remaining amount of tuition not covered by financial aid waived by the institution.

Amended by R.1994 d.225, effective May 2, 1994.
See: 25 N.J.R. 3593(a), 26 N.J.R. 1856(a).

9:5-2.3 Eligible coursework

(a) Each institution shall ordinarily make all of its course offerings eligible under this program. However, a given course or program shall focus on an identifiable job skill or prerequisite skills for the specific job skill or shall be indicated in the individual's training plan approved by Division of Employment Services.

(b) An individual's eligibility for a given course or program shall be dependent on possession of appropriate prerequisite skills as determined by each institution. The institution may designate basic skills and other prerequisite courses as eligible course offerings under this program.

(c) Customized courses that are underwritten by specific employers for the benefit of their respective employees may be exempted from eligibility under this program.

(d) Only those courses in which enrollment space is available and tuition paying students constitute the minimum number required for the course shall be open to eligible individuals under this program.

(e) Institutions may designate separate registration periods for eligible individuals seeking to enroll in the program, ordinarily after the registration period for tuition paying students is completed.

Amended by R.1991 d.177, effective April 1, 1991.
See: 23 N.J.R. 3437(a), 23 N.J.R. 1005(a).

In (a): revised text to specify that job training courses are all courses ordinarily offered by the colleges; excepts customized courses that are underwritten by specific employers for benefit of respective employees.
Amended by R.1994 d.225, effective May 2, 1994.
See: 25 N.J.R. 3593(a), 26 N.J.R. 1856(a).

9:5-2.4 Employment during semester

Any individual participating in the program who obtains employment subsequent to the commencement of the semester shall be permitted to complete the semester in progress as a participant in the program.

9:5-2.5 Application of general institutional rules

When not inconsistent with applicable statutes or these rules, students participating under this program shall be governed by those procedures and rules applicable to each institution's regularly enrolled student population, including rules regarding academic progress and standards for the admission of students into specific degree programs at the undergraduate or graduate level.

Amended by R.1994 d.225, effective May 2, 1994.
See: 25 N.J.R. 3593(a), 26 N.J.R. 1856(a).

9:5-2.6 Inclusion of program in college enrollment count

All enrollments in credit bearing courses through this program may be included in the college's official enrollment count.

New Rule, R.1991 d.177, effective April 1, 1991.
See: 23 N.J.R. 3437(a), 23 N.J.R. 1005(a).

9:5-2.7 Financial obligation of eligible individual

(a) Institutions may charge individuals seeking to enroll in the program an application fee not to exceed \$20.00 per academic term.

(b) Individuals seeking to enroll in the program will be responsible for the cost of equipment, materials, and text books.

(c) The institution shall apply training grant funds pursuant to P.L. 1992, c.43 or financial aid, other than loans, to the total tuition and fees for the applicable academic term. The institution shall waive any remaining balance, less the charges allowable under (a) and (b) above.

New Rule, R.1994 d.225, effective May 2, 1994.
See: 25 N.J.R. 3593(a), 26 N.J.R. 1856(a).