

CHAPTER 11

EDUCATIONAL OPPORTUNITY FUND: ADMINISTRATIVE PROCEDURES AND POLICIES

Authority

N.J.S.A. 18A:71-28 et seq. and 18A:71-33 through 36.

Source and Effective Date

R.1999 d.46, effective February 1, 1999.
See: 30 N.J.R. 3771(a), 31 N.J.R. 420(a).

Executive Order No. 66(1978) Expiration Date

Chapter 11, Educational Opportunity Fund: Administrative Procedures and Policies, expires on February 1, 2004.

Chapter Historical Note

Chapter 11, Administrative Procedures and Policies, was filed and became effective prior to September 1, 1969.

Chapter 11, Educational Opportunity Fund: Administrative Procedures and Policies, was adopted as emergency new rules by R.1973 d.121, effective May 2, 1973. See: 5 N.J.R. 188(b).

Subchapter 2 was repealed by R.1978 d.201, effective for the academic year beginning the fall of 1978. See: 9 N.J.R. 570(a), 10 N.J.R. 281(d).

Pursuant to Executive Order No. 66(1978), Chapter 11, Educational Opportunity Fund: Administrative Procedures and Policies, was re-adopted as R.1983 d.646, effective January 18, 1984. See: 15 N.J.R. 1428(a), 16 N.J.R. 143(b).

Subchapter 2, Martin Luther King Physician-Dentist Scholarship Program, was adopted as new rules by R.1988 d.153, effective April 4, 1988. See: 19 N.J.R. 2374(a), 20 N.J.R. 807(b).

Pursuant to Executive Order No. 66(1978), Chapter 11, Educational Opportunity Fund: Administrative Procedures and Policies, expired on January 18, 1989.

Chapter 11, Educational Opportunity Fund: Administrative Procedures and Policies, was adopted as new rules by R.1989 d.222, effective April 17, 1989. See: 20 N.J.R. 2506(a), 21 N.J.R. 1012(a).

Subchapter 3, C. Clyde Ferguson Law Scholarship, was adopted as new rules by R.1991 d.306, effective June 17, 1991. See: 22 N.J.R. 3439(a), 23 N.J.R. 1944(a).

Pursuant to Executive Order No. 66(1978), Chapter 11, Educational Opportunity Fund: Administrative Procedures and Policies, consisting of Subchapter 1, Undergraduate Financial EOF Assistance, was re-adopted as R.1994 d.226, effective April 11, 1994. See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).

Pursuant to Executive Order No. 66(1978), Subchapter 2, Martin Luther King Physician-Dentist Scholarship Program and Subchapter 3, C. Clyde Ferguson Law Scholarship, expired on April 17, 1994.

Subchapter 2, Graduate EOF Financial Eligibility, Subchapter 3, C. Clyde Ferguson Law Scholarship, and Subchapter 4, Martin Luther King Physician-Dentist Scholarship Program, were adopted as new rules by R.1994 d.452, effective September 6, 1994. See: 26 N.J.R. 1932(a), 26 N.J.R. 3722(a).

Chapter 11, Educational Opportunity Fund: Administrative Procedures and Policies, was recodified as N.J.A.C. 9A:11 by R.1995 d.248, effective May 15, 1995. See: 27 N.J.R. 812(a), 27 N.J.R. 1993(a).

Chapter 11, Educational Opportunity Fund: Administrative Procedures and Policies, was repealed and Chapter 11, Educational Opportunity Fund: Administrative Procedures and Policies, was adopted as new rules by R.1999 d.46, effective February 1, 1999. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. AUTHORITY, MISSION AND SCOPE

- 9A:11-1.1 Authority
- 9A:11-1.2 Definitions
- 9A:11-1.3 EOF mission statement
- 9A:11-1.4 Scope

SUBCHAPTER 2. UNDERGRADUATE EOF FINANCIAL ELIGIBILITY

- 9A:11-2.1 Scope
- 9A:11-2.2 Student eligibility
- 9A:11-2.3 Dependent/independent student defined
- 9A:11-2.4 Financial eligibility for initial Article III student grants
- 9A:11-2.5 Verification of financial eligibility
- 9A:11-2.6 Grant amount
- 9A:11-2.7 Financial aid packaging
- 9A:11-2.8 Duration of student eligibility
- 9A:11-2.9 Part-time students
- 9A:11-2.10 Nonfunded students
- 9A:11-2.11 NJ GEAR UP support services only student
- 9A:11-2.12 Transfer of eligible students to another participating institution
- 9A:11-2.13 Academic progress
- 9A:11-2.14 Discontinuance of Article III student grants

SUBCHAPTER 3. GRADUATE EOF FINANCIAL ELIGIBILITY

- 9A:11-3.1 Scope
- 9A:11-3.2 Student eligibility
- 9A:11-3.3 Verification of financial eligibility
- 9A:11-3.4 Grant amounts
- 9A:11-3.5 Duration of graduate student eligibility
- 9A:11-3.6 Discontinuance of Article III graduate student grants

SUBCHAPTER 4. EOF PROGRAM SUPPORT SERVICES

- 9A:11-4.1 Scope
- 9A:11-4.2 Institutional eligibility
- 9A:11-4.3 Eligible EOF program requirements
- 9A:11-4.4 Institutional administration
- 9A:11-4.5 Recruitment and admissions
- 9A:11-4.6 Criteria for admission
- 9A:11-4.7 Student transfer procedure
- 9A:11-4.8 Eligible program support components
- 9A:11-4.9 Experimental programs
- 9A:11-4.10 Discontinuance of Article IV program support services

SUBCHAPTER 5. SUMMER PROGRAM

- 9A:11-5.1 Scope
- 9A:11-5.2 Institutional eligibility
- 9A:11-5.3 Summer program requirements
- 9A:11-5.4 Student eligibility
- 9A:11-5.5 Verification of financial eligibility
- 9A:11-5.6 Summer program evaluation

SUBCHAPTER 6. OPERATIONAL PROCEDURES FOR ACADEMIC YEAR AND SUMMER ARTICLE III STUDENT GRANTS AND ARTICLE IV PROGRAM SUPPORT SERVICES FUNDS

- 9A:11-6.1 Renewal application process for Article III student grants and Article IV program support funds

- 9A:11-6.2 Application process for new institutions to participate in the EOF program
- 9A:11-6.3 Use of Article III grant funds
- 9A:11-6.4 Academic year Article III award cycle
- 9A:11-6.5 Article III student grant notification and payment
- 9A:11-6.6 Request for payment, adjustment, refund, and/or repayment of Article III student grants
- 9A:11-6.7 Appeals
- 9A:11-6.8 Liability
- 9A:11-6.9 Institutional commitment
- 9A:11-6.10 Restrictions on use of Article IV program support funds
- 9A:11-6.11 Transfer of Article IV program support funds
- 9A:11-6.12 Academic progress
- 9A:11-6.13 Academic probation/dismissal of EOF students
- 9A:11-6.14 Recordkeeping and data collection
- 9A:11-6.15 Program improvement and evaluation process
- 9A:11-6.16 Annual program report
- 9A:11-6.17 Fiscal audit requirements
- 9A:11-6.18 Program noncompliance
- 9A:11-6.19 Program probationary status
- 9A:11-6.20 Program Advisory Board (PAB)

SUBCHAPTER 7. C. CLYDE FERGUSON LAW SCHOLARSHIP

- 9A:11-7.1 Student eligibility
- 9A:11-7.2 Grant amounts
- 9A:11-7.3 Rules incorporated by reference

SUBCHAPTER 8. MARTIN LUTHER KING PHYSICIAN-DENTIST SCHOLARSHIP PROGRAM

- 9A:11-8.1 Student eligibility
- 9A:11-8.2 Grant amounts
- 9A:11-8.3 Rules incorporated by reference

SUBCHAPTER 1. AUTHORITY, MISSION AND SCOPE

9A:11-1.1 Authority

(a) Under the general supervision of the Commission on Higher Education, the Educational Opportunity Fund Board of Directors creates and adopts such rules deemed necessary for the proper administration of the Educational Opportunity Fund (EOF), as set forth in N.J.S.A. 18A:71-31. The Board administers all Article III, Article IV, C. Clyde Ferguson Law Scholarship, and Martin Luther King Physician-Dentist Scholarship funds appropriated by the State Legislature and other public or private sources and is an agency of communication with departments and agencies of the U.S. government on the availability of grants or loans to New Jersey for purposes related or similar to those set forth in N.J.S.A. 18A:71-28 through 40 and 18A:72J. Through the Commission on Higher Education, the Board of Directors is responsible and reports periodically in writing to the Governor and the Legislature on the performance of its duties in accordance with the law.

(b) Pursuant to N.J.S.A. 18A:71-28 through 40 and 18A:72J, the Board of Directors shall identify, recruit, and provide financial assistance to needy students who are residents of New Jersey in order that they may attend institutions of higher education. The Board is authorized to determine and promulgate standards of eligibility and award undergraduate and graduate "opportunity grants," C. Clyde Ferguson Law Scholarships, and Martin Luther King Physician-Dentist Scholarships to students attending institutions of collegiate grade located and approved in New Jersey. The Board shall also develop, establish, and maintain programs of remedial and supplementary education for eligible students to be administered either directly or through cooperative ventures with any or all of the public and private institutions of higher education in the State.

9A:11-1.2 Definitions

The following words and terms, as used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Allocation" means any of the following fiscal year funding categories approved by the EOF Board of Directors: Summer Article III undergraduate, Summer Article III graduate, Summer Article IV, Academic Year Article III undergraduate, Academic Year Article III graduate, Academic Year Article IV, or any special project funding during the summer or academic year from either Article III or Article IV.

"Article III" means a New Jersey Educational Opportunity Fund undergraduate or graduate student financial aid grant awarded to an eligible student for the academic year or summer session.

"Article IV" means a New Jersey Educational Opportunity Fund academic year or summer grant allocated to a participating New Jersey college or university to provide program support services to EOF-eligible students.

"Board" means the New Jersey Educational Opportunity Fund Board of Directors, which is appointed by the Governor; sets policy; approves all necessary rules for program operation and student eligibility for Article III academic year and summer session, undergraduate and graduate student grants, academic year and summer program Article IV support funds, C. Clyde Ferguson Law Scholarship, and the Martin Luther King Physician-Dentist Scholarship; develops the annual budget request for the Statewide program; and supports EOF programs at public and independent colleges and universities.

"Budgeted contract" means the fiscal year contract signed by the EOF Executive Director and the president of the participating institution.