

ii. Has not demonstrated sufficient academic preparation to gain admission to an approved institution of higher education under its regular standards of admission (where applicable) and has an educational background that indicates a need for improvement in basic skills or for additional preparation for the applicant's desired degree program.

(d) Students may not receive assistance under the programs administered by the Educational Opportunity Fund 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 with the appropriate office to repay the debt.

(e) E.O.F. grant awards may not be used by students attending out-of-state institutions.

Amended by R.1980 d.1, effective 1980 spring semester.
See: 11 N.J.R. 551(b), 12 N.J.R. 76(d).
Amended by R.1982 d.385, effective November 1, 1982.
See: 14 N.J.R. 691(a), 14 N.J.R. 1214(c).

Added 7. to (c).

Amended by R.1986 d.107, effective April 7, 1986.
See: 17 N.J.R. 2214(a), 18 N.J.R. 682(c).

(c)4iv added.

Amended by R.1988 d.151, effective April 4, 1988 (operative July 1, 1988).

See: 19 N.J.R. 2373(a), 20 N.J.R. 805(a).

Added the word initially to (c).

Amended by R.1989 d.224, effective April 17, 1989.
See: 20 N.J.R. 1768(b), 21 N.J.R. 1012(b).

(c)6 and 7 recodified as (d) and (e); language added at (d) making State assistance available to students owing or in default if repayment arrangements have been made.

Amended by R.1993 d.480, effective October 4, 1993.

See: 25 N.J.R. 1663(a), 25 N.J.R. 4596(a).

Recodified from 9:11-1.1 and amended by R.1994 d.226, effective May 2, 1994.

See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).

Amended by R.1994 d.596, effective December 5, 1994.

See: 26 N.J.R. 3586(a), 26 N.J.R. 4760(b).

Amended by R.1995 d.248, effective May 15, 1995.

See: 27 N.J.R. 812(a), 27 N.J.R. 1993(a).

9A:11-1.3 Student 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 true, fixed, permanent home and principal establishment, and to which, whenever he is absent, he has the intention of returning. 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.

(b) A dependent student as defined in N.J.A.C. 9A:11-1.5 is presumed to be a legal resident of the state which his or her parent(s) or guardian(s) are residents. A dependent student whose parent(s) or guardian(s) are not legal residents of New Jersey is presumed to be in the state for the temporary purpose of obtaining an education. Any dependent student, as defined in N.J.A.C. 9A:11-1.5, who is domiciled in this state and who is enrolled as an EOF student in an institution of higher education in New Jersey, shall continue to be eligible for participation in the EOF Program 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.

Amended by R.1987 d.135, effective March 16, 1987.

See: 18 N.J.R. 1777(a), 19 N.J.R. 450(b).

Added text to (b) "Any dependent student . . ."

Amended by R.1993 d.480, effective October 4, 1993.

See: 25 N.J.R. 1663(a), 25 N.J.R. 4596(a).

Recodified from 9:11-1.2 and amended by R.1994 d.226, effective May 2, 1994.

See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).

9A:11-1.4 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 noncitizen has met the requirements for permanent resident status; or
3. Be a 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 status of J1 or J2 visa status, 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.1986 d.107, effective April 7, 1986.
See: 17 N.J.R. 2214(d), 18 N.J.R. 682(c).

(a)3i through iii added; (b) substantially amended.
Amended by R.1988 d.150, effective April 4, 1988.
See: 19 N.J.R. 2234(c), 20 N.J.R. 806(a).

Added forms I-551 and I-181; added new (a)3 and added text to (b) "or holders of . . . and "deferred action".
Recodified from 9:11-1.3 and amended by R.1994 d.226, effective May 2, 1994.
See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).

9A:11-1.5 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 subsection 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 Assistance Act of 1965, as amended, 20 U.S.C. 10877v, and its implementing regulations and rules. For the purpose of receiving State financial assistance under the EOF Program 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 EOF program funds 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 Executive Director of the Educational Opportunity Fund 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.

Amended by R.1979 d.230, effective June 13, 1979.
See: 11 N.J.R. 237(e), 11 N.J.R. 342(c).
Amended by R.1982 d.385, effective November 1, 1982.
See: 14 N.J.R. 691(a), 14 N.J.R. 1214(c).

Added (e).
New Rule, R.1987 d.491, effective December 7, 1987.
See: 19 N.J.R. 266(a), 19 N.J.R. 2281(a).

Old text repealed.
Amended by R.1988 d.150, effective April 4, 1988.
See: 19 N.J.R. 2234(c), 20 N.J.R. 806(a).

Substituted "resources" for "income".
Amended by R.1993 d.480, effective October 4, 1993.
See: 25 N.J.R. 1663(a), 25 N.J.R. 4596(a).
Amended by R.1994 d.23, effective January 3, 1994.
See: 25 N.J.R. 4886(a), 26 N.J.R. 221(a).
Recodified from 9:11-1.4 and amended by R.1994 d.226, effective May 2, 1994.
See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).
Amended by R.1996 d.23, effective January 2, 1996.
See: 27 N.J.R. 2996(a), 27 N.J.R. 3665(a), 28 N.J.R. 150(a).

9A:11-1.6 Financial eligibility for undergraduate grants

(a) The EOF Executive Director shall annually inform institutions of adjustments to the EOF Income Eligibility Scale in accordance with the official national poverty threshold published in the Federal Register and adjusted by 200 percent to reflect the higher cost of living in New Jersey.

1. Dependent and independent students (as defined in N.J.A.C. 9A:11-1.5) are financially eligible for an initial EOF undergraduate grant if their gross household income does not exceed the applicable amounts set forth in the EOF Income Eligibility Scale, as follows:

Applicants with a Household size of	Gross Income (Not to Exceed)
1	\$14,940
2	20,060
3	25,180
4	30,300
5	35,420
6	40,540
7	45,660

Applicants with a
Household size of
8

Gross Income
(Not to Exceed)
50,780

2. For each additional member of the household, an allowance of \$5,120 shall be added to this amount in order to determine EOF eligibility for the 1996-97 academic year. This allowance shall be adjusted to reflect changes in the national poverty threshold as published in the Federal Register. In addition, the gross income level for each household size shall also be adjusted annually.

(b) An applicant who comes from a household with two wage earners (either both parents/guardians or both applicant and spouse) whose combined incomes exceed the applicable amount set forth in the EOF Income Eligibility Scale above may be eligible for EOF, only if:

1. The total income does not still exceed the applicable amount set forth in the EOF Income Eligibility Scale when 50 percent of the smaller income is subtracted from the gross household income.

2. Documentation in each applicant's file includes the mathematical computation described above along with wage and tax statements (form W2) of both wage earners.

(c) An applicant whose family receives welfare as the primary means of family support is presumed to be eligible without regard to the amount of primary welfare support.

(d) In determining financial eligibility for an EOF undergraduate grant, separation or divorce or the death of a wage earner in the calendar year prior to the academic year for which eligibility is being determined, with an accompanying decrease in household income below the EOF Income Eligibility Scale, does not automatically satisfy the characteristic of historical poverty (as stated in N.J.A.C. 9A:11-1.2(a)1 through 5) expected of EOF students.

(e) The campus EOF director must approve students in these cases (9A:11-1.6(d)), after review and recommendation by the financial aid office. The campus EOF director, in cooperation with the director of financial aid, shall have the discretion to use professional judgment to assess whether a family is historically and economically disadvantaged in determining an applicant's financial eligibility for admission to the EOF Program.

(f) Where there is evidence that strict adherence to the maximum income eligibility cut-offs will not serve the purpose of the EOF Program, the campus EOF director has the discretion to admit, up to a maximum of 10 percent of the annual freshman class, students with family incomes as high as, but no more than, 281 percent of the official national poverty threshold as published annually by the federal government. These discretionary admits, however, must also meet all other eligibility provisions of N.J.A.C. 9A:11-1.1 and 1.2.

(g) The student's record must contain sufficient documentation to verify the discretionary criteria. Every effort should be made to give priority to those students whose incomes are within the limits of N.J.A.C. 9A:11-1.6.

(h) Institutions must receive permission from the Executive Director of the EOF Program to exceed the 10 percent discretionary over-income waiver set forth in (f) and (g) above.

Amended by R.1978 d.200, effective June 19, 1978.
See: 10 N.J.R. 281(c).

Amended by R.1979 d.59, effective June 1, 1979.
See: 10 N.J.R. 537(a), 11 N.J.R. 131(d).

Amended by R.1979 d.230, effective June 13, 1979.
See: 11 N.J.R. 237(e), 11 N.J.R. 342(c).

Amended by R.1982 d.385, effective November 1, 1982.
See: 14 N.J.R. 691(a), 14 N.J.R. 1214(c).

Text substantially amended and renumbered.
Amended by R.1983 d.170, effective June 6, 1983.
See: 15 N.J.R. 206(b), 15 N.J.R. 924(b).

Added E.O.F. Eligibility Scale and references to Scale. Added 5 to (c). Maximum income limit in (d)5, increased from \$1,180 to \$1,480.
Amended by R.1986 d.107, effective April 7, 1986.
See: 17 N.J.R. 2214(a), 18 N.J.R. 682(c).

Old (e) repealed; (f)-(g) recodified to (e)-(f).
Amended by R.1986 d.344, effective August 18, 1986.
See: 18 N.J.R. 926(a), 18 N.J.R. 1704(a).

Old (e) deleted and new text substituted.
Amended by R.1987 d.289, effective July 20, 1987.
See: 19 N.J.R. 15(a), 19 N.J.R. 1316(a).

Added text to (e)2; added new (e)3; renumbered old (e)3-4 as (e)4-5 renumbered old (e)5 as (f) and deleted old (f).
Amended by R.1987 d.492, effective December 7, 1987.
See: 19 N.J.R. 499(a), 19 N.J.R. 2282(a).

Substantially amended.
Amended by R.1988 d.353, effective August 1, 1988.
See: 20 N.J.R. 722(a), 20 N.J.R. 1944(b).

Substantially amended.
Amended by R.1989 d.222, effective April 17, 1989.
See: 20 N.J.R. 2506(a), 21 N.J.R. 1012(a).

At (c)4, deleted need for affidavit and added reference to criteria at N.J.A.C. 9:11-1.5(e).
Amended by R.1989 d.468, effective September 5, 1989.
See: 21 N.J.R. 1489(a), 21 N.J.R. 2788(a).

Increased maximum gross income levels for participation in program.
Amended by R.1990 d.556, effective November 19, 1990.
See: 22 N.J.R. 1659(a), 22 N.J.R. 3485(a).

Increased maximum gross income levels for program participation.
Amended by R.1992 d.223, effective May 18, 1992.
See: 23 N.J.R. 1739(a), 24 N.J.R. 1898(a).

Revised (a) and (d).
Amended by R.1992 d.353, effective September 8, 1992.
See: 24 N.J.R. 1859(a), 24 N.J.R. 3091(c).

Revised (a), (d) and (e).
Amended by R.1993 d.479, effective October 4, 1993.
See: 25 N.J.R. 1946(a), 25 N.J.R. 4597(a).

Recodified from 9:11-1.5 and amended by R.1994 d.226, effective May 2, 1994.

See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).
Amended by R.1995 d.248, effective May 15, 1995.
See: 27 N.J.R. 812(a), 27 N.J.R. 1993(a).

Amended by R.1996 d.220, effective May 6, 1996.
See: 28 N.J.R. 23(b), 28 N.J.R. 2386(a).

In (a)1 and 2 increased gross income limits.

9A:11-1.7 Verification of financial eligibility

(a) It is the responsibility of institutional officials to verify the income and assets of all undergraduate EOF grant applicants' parent(s) or guardian(s), as well as the applicant

and applicant's spouse at the time of initial enrollment. The purpose of the verification is to insure that EOF funds are not granted to a student, regardless of his or her status or relationship to his or her family, whose family is in an economic position to assist in financing his or her education.

(b) It is required that all recipients of undergraduate EOF grants apply for the Federal Pell Grant and the New Jersey Tuition Aid Grant and all students' files shall contain information from a financial aid form approved by the EOF Board and Student Assistance Board indicating application for the above.

(c) Students who have been found eligible to receive student assistance must provide an authorization to the 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 a financial aid form approved by the EOF Board and Student Assistance Board 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 reevaluation of the student's eligibility. Students as well as institutions will be notified if an adjustment in the value of aid is required.

(d) In those instances where earnings are not the source of income, regardless of the status of dependency of the awardee, files must contain appropriate documentation and verification on which to base awards (e.g., statements from the Welfare Department, Social Security Administration, Bureau of Children's Services, Veteran's Administration or any other approved administrative agency).

(e) In order to receive an EOF grant, students must demonstrate eligibility through submission of a financial aid form approved by the Educational Opportunity Fund Board of Directors in accordance with established deadline dates. This information must be in the student's file prior to granting an award.

(f) In every case, files should contain completed forms indicating all relevant data such as annual income, household size, sources of income and assets, parent(s) or guardian(s) income and assets, etc. Students' records should include the application for financial aid, the student's signed acceptance of the financial aid package and proof that the grant was actually received by the student.

Amended by R.1982 d.385, effective November 1, 1982.
See: 14 N.J.R. 691(a), 14 N.J.R. 1214(c).

This section was formerly codified as N.J.A.C. 9:11-1.7. The former N.J.A.C. 9:11-1.6 concerning financial eligibility for graduate grants was repealed and subsequent sections were renumbered. Also old (c) deleted and new (c) added.

Amended by R.1986 d.107, effective April 7, 1986.
See: 17 N.J.R. 2214(a), 18 N.J.R. 682(c).

Old (a) deleted; (b)-(g) renumbered (a)-(e).
Amended by R.1989 d.221, effective April 17, 1989.
See: 20 N.J.R. 1769(a), 21 N.J.R. 1011(c).

Deleted use of New Jersey Financial Aid Form and substituted use of a form approved by EOF Board and Student Assistance Board.

Amended by R.1993 d.480, effective October 4, 1993.
See: 25 N.J.R. 1663(a), 25 N.J.R. 4596(a).
Recodified from 9:11-1.6 and amended by R.1994 d.226, effective May 2, 1994.
See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).
Amended by R.1994 d.596, effective December 5, 1994.
See: 26 N.J.R. 3586(a), 26 N.J.R. 4760(b).

9A:11-1.8 Grant amount

(a) The dollar amount of each E.O.F. grant will be based on three factors:

1. Full or approved part-time enrollment;
2. The financial need of the student; and
3. The type of institution which the student will be attending.

(b) The exact amount of the EOF award will be determined by the institution's EOF and financial aid directors. Priority for determining need and awarding EOF grants shall be given first to students who meet the educational and income criteria in accordance with N.J.A.C. 9A:11-1.1(c) and (d), 9A:11-1.2(a) through (c), and 9A:11-1.6(a) through (c), followed by those students admitted using N.J.A.C. 9A:11-1.6(f) through (h).

(c) Once it is determined that a student is eligible, he or she shall not receive less than the minimum grant nor more than the maximum grant. Under no circumstance shall an E.O.F. award be granted which, in combination with other aid, exceeds the cost of attendance as determined by the institution.

(d) The EOF Board of Directors shall annually review the State grant amounts of EOF students and make adjustments, if necessary. The minimum and maximum award ranges for undergraduate EOF grants for each type of institution follow:

	Minimum	Maximum
Undergraduate		
Community Colleges:		
Full-time:	\$200.00	\$ 750.00
Part-time:		
6-8 credits	200.00	376.00
9-11 credits	200.00	562.00
State Colleges:		
Commuter:		
Full-time:	200.00	850.00
Part-time:		
6-8 credits	200.00	426.00
9-11 credits	200.00	638.00
Residential:		
Full-time:	200.00	1,100.00
Part-time:		
6-8 credits	200.00	676.00
9-11 credits	200.00	888.00
Rutgers, NJIT, UMDNJ-SHRP:		
Commuter:		
Full-time:	200.00	850.00
Part-time:		
6-8 credits	200.00	426.00

	Minimum	Maximum
Undergraduate		
9-11 credits	200.00	638.00
Residential:		
Full-time:	200.00	1,100.00
Part-time:		
6-8 credits	200.00	676.00
9-11 credits	200.00	888.00
Independent Colleges:		
Full-time:	200.00	2,100.00
Part-time:		
6-8 credits	200.00	1,050.00
9-11 credits	200.00	1,572.00

(e) The Minimum Award, as set forth in this section, shall be granted to all eligible E.O.F. students.

(f) The awarding of all grants within the above stated minimum and maximum shall be based upon a careful analysis of the student's total financial situation and financial need. The neediest students must be accorded priority.

Amended by R.1979 d.230, effective June 13, 1979.
 See: 11 N.J.R. 237(e), 11 N.J.R. 342(c).
 Amended by R.1982 d.385, effective November 1, 1982.
 See: 14 N.J.R. 691(a), 14 N.J.R. 1214(c).
 This section was formerly codified as N.J.A.C. 9:11-1.8.
 Amended by R.1984 d.549, effective December 17, 1984.
 See: 16 N.J.R. 1932(a), 16 N.J.R. 3434(a).

(c) substantially amended.
 Amended by R.1986 d.107, effective April 7, 1986.
 See: 17 N.J.R. 2214(a), 18 N.J.R. 682(c).
 Section substantially amended.
 Amended by R.1986 d.343, effective August 18, 1986.
 See: 18 N.J.R. 926(b), 18 N.J.R. 1704(b).
 Increase of maximum grant awards for undergraduate and graduate students.
 Amended by R.1987 d.418, effective October 19, 1987.
 See: 19 N.J.R. 399(a), 19 N.J.R. 1893(a).
 Amended maximum awards.
 Amended by R.1988 d.152, effective April 4, 1988.
 See: 19 N.J.R. 1879(a), 20 N.J.R. 807(a).
 Changed maximum for State Colleges from \$1,500 to \$2,000.
 Amended by R.1988 d.151, effective April 4, 1988 (operative July 1, 1988).
 See: 19 N.J.R. 2373(a), 20 N.J.R. 805(a).
 Added new (a)1; amended State Colleges from \$1,500 maximum to \$2,000 maximum.
 Amended by R.1989 d.223, effective April 17, 1989.
 See: 20 N.J.R. 1770(a), 21 N.J.R. 1013(a).

(b), deleted use of College Scholarship Service, Uniform Methodology; established priorities for determining and awarding E.O.F. grants. Recodified from 9:11-1.7 and amended by R.1994 d.226, effective May 2, 1994.
 See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).
 Amended by R.1994 d.596, effective December 5, 1994.
 See: 26 N.J.R. 3586(a), 26 N.J.R. 4760(b).
 Amended by R.1996 d.23, effective January 2, 1996.
 See: 27 N.J.R. 2996(a), 28 N.J.R. 150(a).

9A:11-1.9 Duration of student eligibility

(a) Students deemed eligible at the time of initial enrollment shall retain eligibility for program support services throughout the duration of the initial degree of study as long as he or she maintains full-time enrollment or has been approved in writing for a part-time EOF grant by the campus EOF program director. Part-time grant eligibility will be available only at those institutions approved to award part-time EOF grants by the EOF Board of Directors. In

addition, students shall retain eligibility for an EOF grant as long as the student has demonstrated financial need as determined by the institution through submission of a financial aid form approved by the EOF Board of Directors in accordance with the annually established deadline dates and continues to meet the academic progress standards in accordance with N.J.A.C. 9A:11-1.11.

(b) Students are eligible for a maximum of 12 semesters or the equivalent of undergraduate study. Students in an established five year undergraduate course of study at a senior institution shall be eligible for an additional two semesters beyond the 12 semesters as stipulated in (c), (d) and (e) below.

(c) Students attending four-year institutions will receive ten terms of EOF payment to complete four class levels. Additional term awards up to the maximum allowable terms are available to students who are making satisfactory academic progress as stipulated in N.J.A.C. 9A:11-1.11 and will be able to complete the institution's graduation requirements in these two additional semesters.

(d) Students attending two year institutions will be eligible to receive six terms of EOF payment to complete two class levels. Additional term awards up to the eight maximum allowable terms are available to students who are making satisfactory academic progress as stipulated in N.J.A.C. 9A:11-1.11 and will be able to complete the institution's graduation requirements in these two additional semesters.

(e) A formal written request from the institution and approval by the Executive Director of EOF is required for students enrolled in an established five year course of study who require additional term awards up to the 14th maximum allowable term.

(f) Graduating seniors in their last semester of study, and sophomores in their last semester at a county college, may take less than 12 credits (full-time status) and remain eligible for E.O.F.

Amended by R.1979 d.59, effective June 1, 1979.
 See: 10 N.J.R. 537(a), 11 N.J.R. 131(d).
 Amended by R.1979 d.230, effective June 13, 1979.
 See: 11 N.J.R. 237(e), 11 N.J.R. 342(c).
 Amended by R.1981 d.100, effective April 9, 1981.
 See: 12 N.J.R. 658(b), 13 N.J.R. 220(c).
 (a) "Students ... stipulated above. Graduating seniors ... for E.O.F." added.
 Amended by R.1982 d.385, effective November 1, 1982.
 See: 14 N.J.R. 691(a), 14 N.J.R. 1214(c).
 Added 1 and 2 to (a). This section was formerly codified as N.J.A.C. 9:11-1.9.
 Amended by R.1986 d.107, effective April 7, 1986.
 See: 17 N.J.R. 2214(b), 18 N.J.R. 682(c).
 Section substantially amended.
 Amended by R.1988 d.151, effective April 4, 1988 (operative July 1, 1988).
 See: 19 N.J.R. 2373(a), 20 N.J.R. 805(a).
 Added text is (a) "or has been ... Board of Directors".
 Amended by R.1989 d.221, effective April 17, 1989.

See: 20 N.J.R. 1769(a), 21 N.J.R. 1011(c).

Deleted use of New Jersey Financial Aid Form, substituted use of form approved by EOF Board.

Amended by R.1990 d.1, effective January 2, 1990.

See: 21 N.J.R. 1963(a), 22 N.J.R. 29(c).

Removed requirement that institutions submit a formal written request and obtain approval from the EOF for students to receive additional term awards up to available maximum.

Recodified from 9:11-1.8 and amended by R.1994 d.226, effective May 2, 1994.

See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).

9A:11-1.10 Non-funded students

(a) Students who have received an initial E.O.F. grant, but as a result of a change in income status or enrollment status no longer demonstrate need for Article III funds, shall be termed non-funded.

(b) Students who are denied Article III grants due to their inability to meet satisfactory academic progress, as defined in N.J.A.C. 9:11-1.11, who enroll full-time the subsequent term, may be considered non-funded and are entitled to Program Support Services.

(c) Students who, due to extenuating circumstances, are advised to enroll at less than full time status, may be considered non-funded and are entitled to Program Support Services. Documentation of advisement shall be maintained in the student's record.

(d) To retain eligibility for program services a non-funded student must continue to file the financial aid form approved by the Educational Opportunity Fund Board of Directors and have been determined eligible and received Article III academic year funds during initial enrollment into the program.

(e) A student who enrolls in the pre-freshman summer program prior to the completion of eligibility determination and who is determined financially ineligible at the end of the eligibility determination process cannot be considered as a non-funded student.

New Rule R.1986 d.107, effective April 7, 1986.

See: 17 N.J.R. 2214(b), 18 N.J.R. 682(c).

Amended by R.1989 d.221, effective April 17, 1989.

See: 20 N.J.R. 1769(a), 21 N.J.R. 1011(c).

At (d), deleted reference to New Jersey Financial Aid Form, referenced form approved by EOF Board.

Recodified from 9:11-1.9 and amended by R.1994 d.226, effective May 2, 1994.

See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).

9A:11-1.11 Academic progress

(a) Before payment may be made to an eligible student, the institution shall have satisfactory evidence that the student is eligible for an Educational Opportunity Fund Article III student grant by maintaining academic progress and standing according to the institution's established policy for academic progress of Educational Opportunity Fund students.

(b) Academic progress criteria for EOF Article III Student Grants is as follows:

1. EOF students must complete 12 credits, or their equivalent, in a semester. With the written approval of the EOF campus director, a student may, for academic reasons, complete no less than an average of nine credits in a semester. Directors approving such circumstances must maintain documentation on file. The provision permitting completion of less than 12 credits in a semester may only be used during the first four terms of enrollment or in the first year following transfer for transfer students.

2. E.O.F. students will be required to complete all remedial courses within the first four terms of E.O.F. payment, excluding the pre-freshman summer program. Approval for additional remedial/developmental work beyond the four terms may be granted upon formal written request to and approval by the Executive Director of E.O.F.

3. Students and institutions shall have the right to appeal the denial of State financial assistance based upon these guidelines through the established appeal procedures in N.J.A.C. 9A:11-1.21. The Executive Director of E.O.F. will consider individual cases and shall have the authority to make such exceptions as unusual circumstances may warrant.

(c) The Educational Opportunity Fund Board of Directors shall recognize minimum standards for academic progress that an institution adopts for determining financial aid eligibility if these standards are the same as or stricter than those outlined in this section.

New Rule R.1986 d.107, effective April 7, 1986.

See: 17 N.J.R. 2214(a), 18 N.J.R. 682(c).

Amended by R.1993 d.480, effective October 4, 1993.

See: 25 N.J.R. 1663(a), 25 N.J.R. 4596(a).

Recodified from 9:11-1.10 and amended by R.1994 d.226, effective May 2, 1994.

See: 26 N.J.R. 711(a), 26 N.J.R. 1857(a).

9A:11-1.12 Financial aid packaging

(a) A total financial aid package shall be granted to all freshmen and sophomore E.O.F. students, wherever possible, to meet 100 percent of need.

(b) All sources of student financial aid should be used to augment the financial aid package.

(c) Because E.O.F. students are from historically poor backgrounds, loan encumbrance shall be a low priority and loans shall be given to complete the package only after all other forms of financial aid are exhausted.

Amended by R.1979 d.230, effective June 13, 1979.

See: 11 N.J.R. 237(e), 11 N.J.R. 342(c).

Amended by R.1982 d.385, effective November 1, 1982.

See: 14 N.J.R. 691(a), 14 N.J.R. 1214(c).

Section heading changed from "matching funds" to "financial aid packaging". Deleted old (b) and renumbered old (c) as (b). This section was formerly codified as N.J.A.C. 9:11-1.10.

Amended by R.1986 d.107, effective April 7, 1986.
See: 17 N.J.R. 2214(a), 18 N.J.R. 682(a).