

CHAPTER 9

GRANT AND SCHOLARSHIP PROGRAMS

Authority

N.J.S.A. 18A:71A-8, 18A:71B-12, 18A:71B-19, 18A:71B-23, 18A:71B-25, and 18A:71B-86.6; and Title V, Part E of the Higher Education Act of 1965, as amended.

Source and Effective Date

R.2002 d.290, effective August 2, 2002.
See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 9, Grant and Scholarship Programs, expires on January 29, 2008. See: 39 N.J.R. 1375(a).

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 became 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).

Pursuant to Executive Order No. 66(1978), Chapter 9, Student Assistance Board, was readopted as R.1997 d.454, effective October 1, 1997. As part of R.1997 d.454, effective November 3, 1997, Subchapter 6,

Garden State Graduate Fellowship Program, was repealed. See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Subchapter 6, Miss New Jersey Educational Scholarship Program, was adopted as R.1998 d.416, effective August 17, 1998. See: 30 N.J.R. 2147(a), 30 N.J.R. 3033(b).

Chapter 9, Student Assistance Board, was readopted as R.2002 d.290, effective August 2, 2002. As a part of R.2002 d.290, Chapter 9, Student Assistance Board, was renamed Grant and Scholarship Programs, Subchapter 1, Student Assistance Board, was renamed Administration for State Grants and Scholarships, and Subchapter 5, Public Tuition Benefits Program, was renamed Survivor Tuition Benefits Program, effective September 3, 2002. See: Source and Effective Date. See, also, section annotations.

Subchapter 10, New Jersey Student Tuition Assistance Reward Scholarship (NJ STARS) Program, was adopted as an emergency new rule by R.2004 d.310, effective July 14, 2004. See: 36 N.J.R. 3589(a). Subchapter 10, New Jersey Student Tuition Assistance Reward Scholarship (NJ STARS) Program, was readopted by R.2004 d.379, effective September 10, 2004. See: 36 N.J.R. 4466(a).

Subchapter 11, New Jersey Student Tuition Assistance Reward Scholarship II (NJ STARS II) Program, was adopted as new rules by R.2006 d.303, effective August 21, 2006. See: 38 N.J.R. 1975(a), 38 N.J.R. 3303(b).

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SUBCHAPTER 1. ADMINISTRATION FOR STATE GRANTS AND SCHOLARSHIPS

9A:9-1.1 Policy responsibility

The Higher Education Student Assistance Authority shall develop, coordinate, and administer policies for scholarship and tuition aid programs as provided by law. The Authority shall create and adopt such rules and regulations deemed necessary for the proper administration of these programs.

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Substituted "Governor" for "Board of Higher Education".

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

9A:9-1.2 Creation of Student Advisory Committee

The Higher Education Student Assistance Authority shall create a Student Advisory Committee whose purpose shall be to advise the Authority on the effect of Authority policy and regulations; suggest alternative policy and regulations to the Authority; and provide a means of communication between the Authority and students. The Authority shall initially appoint a nine member Student Advisory Committee from nominations provided by the students and student associations of each 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 each of whom shall be from different collegiate institutional sectors. The Chairperson and Vice Chairperson shall serve as voting members on the Higher Education Student Assistance Authority board. In the event of a vacancy

on the Student Advisory Committee, the Authority 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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:71B-1 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 Higher Education Student Assistance Authority.

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.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 the academic period for which aid is being requested. 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, shall be considered a legal resident of the state in which his or her parent(s) is domiciled. A dependent student whose parent(s) has not established a domicile in New Jersey shall be considered to be in the State for the temporary purpose of obtaining an education and shall be ineligible for State student financial aid. However, any dependent student who continues to reside in this State and who has previously received at least one semester of payment of a State grant or scholarship shall continue to be eligible for State student financial aid during the course of each academic year at an eligible institution of higher education in New Jersey, despite his or her parent(s)' subsequent change of domicile to another state.

2. A student may not establish State residence solely for the purpose of attending a particular college and will not be considered as fulfilling the definition of domicile for the purposes of State student financial aid.

(b) When a student's domicile is in question, he or she must demonstrate proof of residence by submitting to the Higher Education Student Assistance Authority one or more of the following documents:

1. Student's and/or parent(s)' New Jersey driver license;

2. Student's and/or parent(s)' New Jersey State Income Tax Resident Return(s); or

3. Such documentation as may be deemed necessary by the Authority upon specific case review.

(c) The provisions for establishing legal residence in New Jersey as stipulated in (a) and (b) above are excepted for a dependent child of a parent who has been transferred to a military installation located in this State and such dependent child shall be considered a resident of New Jersey for the purposes of qualifying for State student financial aid under the State Tuition Aid Grant Program pursuant to P.L. 2005, c.60.

(d) Institutions that certify a student's state of legal residence shall maintain documentation concerning the student's New Jersey residency and shall provide this certified documentation, if requested by the Authority, to substantiate an appeal.

(e) The Higher Education Student Assistance Authority shall have final decision making authority to determine the state of residence/domicile for any individual whose residency/domicile is in question.

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.

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

Amended by R.2005 d.357, effective October 17, 2005.

See: 37 N.J.R. 2602(a), 37 N.J.R. 4020(b).

Rewrote the section.

9A:9-2.3 Noncitizens and resident aliens

(a) In order to receive a grant or scholarship, a noncitizen of the United States of America or resident alien 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 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.

(b) The Arrival Departure Record form I-94 for persons in the categories in (a)3 above must be updated for each award year as required by the Immigration and Naturalization Service.

(c) Aliens with Student Visa Status, F1 or F2 Exchange Visitor Visa and J1 or J2 even when stamped "employment authorized" or holders of form I-766 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.

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4979(b).

Changed the section name; in (a), in the first sentence, added the introductory clause; inserted new (a)4 and recodified existing (a)4 and (a)5 as (a)5 and (a)6; and in (b), substituted "Aliens" for "Foreign nationals" and inserted "or holders of form I-766".

Amended by R.1998 d.415, effective August 17, 1998.

See: 30 N.J.R. 2146(a), 30 N.J.R. 3033(a).

In (a), deleted former 3 and 4, and recodified former 5 as 3; recodified former (a)6 as (b), and inserted a reference to (a)3; and recodified former (b) as (c).

9A:9-2.4 Eligibility and repayments

(a) In order to receive a need-based award students must have demonstrated financial need through submission of a financial aid form approved by the Higher Education Student Assistance Authority in accordance with annually established deadline dates.

(b) Students may not receive State financial assistance under the programs administered by the Authority 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.

(c) 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 Authority 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.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

9A:9-2.5 Student notification

Students shall be notified of grant eligibility through the Student Eligibility Notice issued by the Higher Education Student Assistance Authority. 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority 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.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

9A:9-2.7 Verification of family financial data

Students upon request must provide an authorization to the Higher Education Student Assistance Authority 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 Authority and/or institution through the comparison of information reported on income tax returns and other docu-

mentation. 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.

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 various combinations of awards. 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, as amended, and its implementing regulations and rules) 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.
 Amended by R.2002 d.290, effective September 3, 2002.
 See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority 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 Authority 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 Authority 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 Authority 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 (e) and added new (f).
 Amended by R.2002 d.290, effective September 3, 2002.
 See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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:

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

¹ As stipulated in N.J.A.C. 9A:11-2.8.

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

³ 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:

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

Enrollment Status	Maximum Semesters for Award Payments
COLLEGES: 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 Higher Education Student Assistance Authority to comply with the State's fiscal year and to allow for academic term expenditure control. The Authority 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended N.J.A.C. references.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

In (a), amended N.J.A.C. reference.

9A:9-2.12 Award adjustments, refunds and collections

(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 awarded for the payment period divided by the total amount of financial aid (minus Federal Work-Study earnings) awarded for the period.

(b) "Payment period" as used in (a) above means 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 formula in (a) above 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 formula in (a) above 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 Higher Education Student Assistance Authority 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).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority 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.

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority within 60 days of notification of eligibility or ineligibility. Appeals should be in the form of a letter addressed to the Director of Grants and Scholarships in the Authority, PO Box 540, Trenton, New Jersey 08625-0540, 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 Authority.

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.

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

9A:9-2.16 Accounting and auditing standards

(a) Institutions shall either maintain separate accounts for each State student assistance program for which funds are received or deposit State funds in the institution's general account, provided the funds are identified as "Higher Education Student Assistance Authority, Grants and Scholarships" and a clear audit trail is maintained. 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 generally made available for Title IV, Higher Education Act and State Single Audit Act purposes, as further specified by the Director of Grants and Scholarships in the Authority. 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 Authority rules, and a copy of the audit report must be provided to the Authority, Grants and Scholarships. The Authority reserves the right to conduct its own institutional audit and campus level State student financial aid program reviews pursuant to N.J.S.A. 18A:71A-9p. Such program reviews will be conducted by the Authority to provide assurance that institutions have administered their State scholarship and tuition aid grant programs in accordance with all applicable rules and regulations.

(c) Based on prior coordination with financial aid, registration and business personnel, institutions will be notified in writing at least 30 days in advance when a program review has been officially scheduled at their school and what institutional files and student records will be required for analysis. Institutions shall provide access to institutional and student records as required by the program review team to conduct their on-site review.

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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Rewrote (a).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

Rewrote (b) and (c).

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 Higher Education Student Assistance Authority. 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.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority 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 based on the student fulfilling the provisions of N.J.A.C. 9A:9-2.2 and 2.4.

(d) Subsequent to approval of a final TAG Award Table by the Authority, 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 Authority 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority 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 Authority 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 Authority, 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).
Amended by R.2002 d.290, effective September 3, 2002.
See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority and the Commission on 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:11-2.9.

(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.
Amended by R.1997 d.454, effective November 3, 1997.
See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).
Amended by R.2002 d.290, effective September 3, 2002.
See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).
In (b)4, amended the N.J.A.C. reference.

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 Higher Education Student Assistance Authority to be eligible to receive a grant in any program category.

(b) The academic requirements for Garden State Scholarships include secondary school ranking in the graduating class and/or a combination of the secondary school ranking and combined critical reading and math Scholastic Assessment Test (SAT) scores or grade point average. Where critical reading and math 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 and rank within the top 10 percent of 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 critical reading and math SAT scores of 1260 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 and provided in written notice to the Authority pursuant to a Memorandum of Understanding between the New Jersey Department of Education and the Authority 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:

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

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 critical reading and math 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 formula in (h)1 below 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 critical reading and math SAT scores from the College Entrance Examination Board and a converted secondary school rank in class. The formula for combining the two factors is:

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

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

ii. Rank in class: In order to weight secondary school rank equally with combined critical reading and math 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 critical reading and math SAT scores which have also been standardized. The table below 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 (h)1 above.

SECONDARY SCHOOL RANK
CONVERSION TABLE

Percent Standing	Converted Rank × 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).
 Amended by R.1997 d.454, effective November 3, 1997.
 See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).
 In (d), inserted "and provided ... Office of Student Assistance".
 Amended by R.2002 d.290, effective September 3, 2002.
 See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).
 Amended by R.2005 d.357, effective October 17, 2005.
 See: 37 N.J.R. 2602(a), 37 N.J.R. 4020(b).
 In (b), deleted "will" following "Scholarships"; added "critical reading and math" throughout (b), (c), (g); in (c)1, added "and rank within the top 10 percent of the graduating class"; in (c)2, rewrote score "1,260" as "1260"; rewrote (h).

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:71B-1.

(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 Higher Education Student Assistance Authority 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.
 Amended by R.1997 d.454, effective November 3, 1997.
 See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).
 Amended by R.2002 d.290, effective September 3, 2002.
 See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).
 In (a), amended N.J.A.C. reference.

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:

NJEI	Additional Amount of Grant			Rutgers Univ.
	County Colleges	State Colleges	Independent Institutions	NJIT & UMDNJ
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.
	County Colleges	State Colleges	Independent Institutions	NJIT & UMDNJ
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 required under N.J.S.A. 18A:71B-1 et seq. and rules thereunder, specifically N.J.A.C. 9A:9-2.2 and 2.3.

(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.

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.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

Amended (a); deleted (c).

SUBCHAPTER 5. SURVIVOR 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), noncitizens and resident aliens (2.3), payments (2.11), award adjustments, refunds and collections (2.12), check endorsements (2.14), appeals (2.15), and accounting and auditing standards (2.16) shall be in effect for the Survivor 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.
Amended by R.1997 d.454, effective November 3, 1997.
See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Substituted "non-citizens and resident aliens" for "foreign nationals".
Amended by R.2002 d.290, effective September 3, 2002.
See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

Inserted "and collections" following "refunds" and substituted "Survivor" for "Public" at the end of the section.

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 higher education in New Jersey that is approved or licensed by the Commission on Higher Education and accredited or preaccredited by a nationally recognized accrediting association.

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.
Amended by R.1997 d.454, effective November 3, 1997.
See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.
See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

Rewrote the section.

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 Survivor 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."

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

Substituted "Survivor" for "Public".

9A:9-5.6 Student notification

Students will be notified of their eligibility by the Higher Education Student Assistance Authority. 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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. MISS NEW JERSEY EDUCATIONAL SCHOLARSHIP PROGRAM

9A:9-6.1 Purpose and scope

The rules established by this subchapter provide for the administration of the Miss New Jersey Educational Scholarship Program by the Higher Education Student Assistance Authority. A Miss New Jersey Educational Scholarship, in a sum equal to the cost of tuition at a public institution enrolling a Miss New Jersey Educational Scholarship recipient, shall be awarded annually to an individual designated by the Authority, in consultation with the Miss New Jersey Pageant Organization, for attendance at any public institution of higher education in this State.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

9A:9-6.2 Eligibility requirements

(a) In the spirit of the Miss New Jersey Pageant, the designated individual shall be an exceptional young leader who has demonstrated involvement in civic, cultural or charitable affairs for a minimum of three years prior to applying for the scholarship, as determined by the Miss New Jersey Pageant Organization.

(b) The designated individual shall be enrolled in or accepted into a full-time course of study leading to an initial bachelor's degree or a postgraduate degree at any public institution of higher education in this State, as defined in N.J.S.A. 18A:62-1.

(c) For the first year only following adoption of these rules, academic year 1998-1999, the designated individual shall be governed by the residency rules of the Miss America Pageant. For subsequent years, the designated individu-

al shall be a New Jersey resident in accordance with N.J.A.C. 9A:9-2.2.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

Deleted (a)1.

9A:9-6.3 Application procedures

In order to apply for the Miss New Jersey Educational Scholarship, the individual shall submit an application to participate in the program which shall be completed and returned to the Miss New Jersey Pageant Organization by the deadline date specified by the Higher Education Student Assistance Authority. The application shall include the following information: public institution of higher education in New Jersey attending or planning to attend, enrollment status, expected degree, state of residency, New Jersey Statement of Selective Service Registration Status, applicant statement indicating exceptional leader in civic, cultural or charitable endeavors for three years prior to application, and two letters of reference. In lieu of the applicant statement, an applicant may show evidence of exceptional leadership through a presentation or other equivalent means acceptable to the Miss New Jersey Pageant Organization.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

9A:9-6.4 Amount and use of the scholarship

(a) The scholarship shall pay the annual cost of tuition at the enrolled undergraduate or graduate/professional public institution in New Jersey.

(b) The amount of the scholarship may be adjusted to ensure that the combination of State aid and other college financial aid does not exceed the student's cost of education.

(c) The scholarship may be used for the student's college budget expenses.

9A:9-6.5 Candidate approval and notification

After the applications have been reviewed by the Miss New Jersey Pageant Organization and an eligible candidate has been selected, the Miss New Jersey Pageant Organization shall certify the candidate as eligible, and the application with certification shall be forwarded to the Higher Education Student Assistance Authority. Once approved, the Authority shall notify the candidate of the nomination for the Miss New Jersey Educational Scholarship, subject to appropriations and institutional certification of eligibility.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

9A:9-6.6 Payment

The Higher Education Student Assistance Authority shall obtain school certification of full-time enrollment each semester and shall disburse scholarship funds to the school in equal installments on behalf of the scholarship recipient.

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

9A:9-6.7 Renewal and period of eligibility

(a) In order to continue to receive the scholarship, the award recipient shall meet the following criteria:

1. Maintain a grade point average (GPA) of 3.0 or higher as certified by the public institution of higher education at least once a year, prior to the fall term;
2. Remain in full-time enrollment in a course of study leading to a degree in a public institution of higher education in New Jersey; and
3. Maintain continuous enrollment each term with the exception of a one-time, maximum one-year leave of absence for study abroad programs, documented medical reasons, or extreme family financial hardship. Requests for a leave of absence/deferment shall be handled on a case-by-case basis only upon written request to the Higher Education Student Assistance Authority by the scholarship recipient prior to the period for which the leave of absence/deferment is required. The request shall be accompanied by supporting documentation including evidence of an approved leave of absence/deferment from the scholarship recipient's New Jersey institution.

(b) Duration of the scholarship is the awarding of an initial bachelor's degree or postgraduate degree as long as the individual remains a full-time student in good standing at the institution and fulfills all other requirements for renewal.

Amended by R.2002 d.290, effective September 3, 2002.
See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

SUBCHAPTER 7. NEW JERSEY WORLD TRADE CENTER SCHOLARSHIP PROGRAM

Authority

N.J.S.A. 18A:71B-23.7.

Source and Effective Date

R.2003 d.202, effective April 23, 2003.
See: 35 N.J.R. 1452(a), 35 N.J.R. 2177(a).

Subchapter Historical Note

Subchapter 7, New Jersey World Trade Center Scholarship Program, was adopted as emergency new rules by R.2003 d.134, effective February 26, 2003 to expire April 27, 2003. See: 35 N.J.R. 1452(a).

Subchapter 7, New Jersey World Trade Center Scholarship Program, was adopted as new rules by R.2003 d.202, effective April 23, 2003. See: Source and Effective Date.

9A:9-7.1 General provisions

General provisions for the Tuition Aid Grant and Garden State Scholarship Programs (N.J.A.C. 9A:9-2) which pertain to noncitizens and resident aliens (2.3), payments (2.11(a)1), award adjustments, refunds and collections (2.12), check endorsements (2.14), appeals (2.15), and accounting and auditing standards (2.16) shall be in effect for the New Jersey World Trade Center Scholarship Program.

9A:9-7.2 Eligible institutions

Scholarships are available to eligible students enrolled in an institution of higher education licensed by the New Jersey Commission on Higher Education or its equivalent in another state and accredited or preaccredited by a nationally recognized accrediting association. An institution of higher education shall also include certain proprietary institutions, but only for degree granting programs approved by the New Jersey Commission on Higher Education, or other proprietary institutions as determined by the Authority.

9A:9-7.3 Undergraduate enrollment

The dependent child or surviving spouse must be enrolled or plan to be enrolled as a full-time undergraduate student in good standing in a curriculum leading to a degree at an institution of higher education in order to be eligible to receive a New Jersey World Trade Center Scholarship. Students possessing a Baccalaureate Degree are not eligible.

9A:9-7.4 Eligibility requirements and financial need

(a) Scholarships shall be awarded annually for the costs of undergraduate study at an eligible institution of higher education to the dependent children or surviving spouses of persons who were New Jersey residents on September 11, 2001 and who were killed in the terrorist attack on the United States on September 11, 2001, or who died as a result of injuries received in the attack, or who are missing and officially presumed dead as a direct result of the attack. The terrorist attack on the United States shall include the hijackings of American Airlines Flight 11, American Airlines Flight 77, United Airlines Flight 93 and United Airlines Flight 175 and the subsequent crashes at the World Trade Center in New York City, the Pentagon in Washington, DC and in Somerset County, Pennsylvania.

(b) The period of eligibility to apply for a scholarship, in the case of a surviving spouse, shall be limited to a period of eight years from the date of death of the person described in (a) above for initial receipt of the benefits under the program. In the case of a dependent child, eligibility shall be limited to a period of eight years following graduation from high school.

(c) For the purpose of establishing the financial need eligibility of students for this scholarship, those students incurring the cost of a full-time undergraduate program of study at an eligible institution of higher education, having lost the financial resources of a parent or spouse, are deemed to have financial need.

9A:9-7.5 Application procedures

In order to apply for the New Jersey World Trade Center Scholarship, the student must complete a scholarship program application and submit it to the Higher Education Student Assistance Authority. The Authority will determine the student's eligibility for the scholarship and obtain verification from the New Jersey Department of Law and Public Safety concerning the relationship of the dependent child or surviving spouse to the terrorist attack of September 11, 2001.

9A:9-7.6 Amount of the scholarship

The scholarship shall pay the annual costs of the student's undergraduate study at an eligible institution of higher education up to the annual cost of attendance at the highest cost public institution of higher education in New Jersey as determined by that institution. The value of the student's scholarship may change dependent upon State appropriated funds, moneys contributed to the New Jersey World Trade Center Scholarship Fund from private sources, investment earnings of the fund, the student's cost of attendance and other financial assistance available to the student to meet higher education costs. The student will be notified of any change in his or her scholarship.

9A:9-7.7 Student notification

Students will be notified of their eligibility for a scholarship by the Higher Education Student Assistance Authority. Notification to eligible students will specify the amount of the scholarship based on their annual costs of undergraduate study and will provide information regarding the manner in which payment will be disbursed from moneys in the New Jersey World Trade Center Scholarship Fund.

9A:9-7.8 Verification of enrollment and academic performance

Before payment may be made to an eligible student, the institution must certify that the student has registered full time 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.

9A:9-7.9 Renewal

In order to continue to receive a New Jersey World Trade Center Scholarship, students must continue to be enrolled full time in an undergraduate degree program and remain in good academic standing at their institution.

SUBCHAPTER 8. LAW ENFORCEMENT OFFICER MEMORIAL SCHOLARSHIPS PROGRAM

Authority
N.J.S.A. 18A:71B-24.3.

Source and Effective Date

R.2004 d.137, effective April 5, 2004.
See: 35 N.J.R. 5530(a), 36 N.J.R. 1776(a).

Subchapter Historical Note

Subchapter 8, Law Enforcement Officer Memorial Scholarships Program, was adopted as R.2004 d.137, effective April 5, 2004. See: Source and Effective Date.

9A:9-8.1 Purpose and scope

The rules established by this subchapter provide the policies and the procedures for participation in the Law Enforcement Officer Memorial Scholarships Program administered by the New Jersey Higher Education Student Assistance Authority. These scholarships shall be awarded annually to the dependent children of New Jersey law enforcement officers who were killed in the line of duty for the costs of their undergraduate study at an eligible New Jersey institution of higher education.

9A:9-8.2 General provisions

General provisions for the Tuition Aid Grant and Garden State Scholarship Programs which pertain to noncitizens and resident aliens set forth in N.J.A.C. 9A:9-2.3, award adjustments, refunds and collections set forth in N.J.A.C. 9A:9-2.12, check endorsements set forth in N.J.A.C. 9A:9-2.14, appeals set forth in N.J.A.C. 9A:9-2.15, and accounting and auditing standards set forth in N.J.A.C. 9A:9-2.16 shall be in effect for the Law Enforcement Officer Memorial Scholarships Program.

9A:9-8.3 Eligible institutions

Scholarships are available to eligible students enrolled in an institution of higher education in New Jersey that is licensed by the Commission on Higher Education and accredited or preaccredited by a nationally recognized accrediting association. An institution of higher education shall also include certain proprietary institutions in New Jersey, but only for degree granting programs approved by the Commission on Higher Education.

9A:9-8.4 Undergraduate enrollment

The dependent child must be enrolled or plan to be enrolled as a full-time undergraduate student in good standing in a curriculum leading to a degree at an institution of higher education in New Jersey in order to be eligible to receive a Law Enforcement Officer Memorial Scholarship. Students possessing a Baccalaureate Degree are not eligible.

9A:9-8.5 Eligibility requirements and financial need

(a) Scholarships shall be awarded annually for the costs of undergraduate study at an eligible New Jersey institution of higher education to the dependent children of New Jersey law enforcement officers killed in the line of duty.

(b) For the purpose of establishing the financial need eligibility of students for this scholarship, those students

incurring the cost of a full-time undergraduate program of study at an eligible New Jersey institution of higher education, having lost the financial resources of a parent, are deemed to have financial need.

9A:9-8.6 Application procedures

In order to apply for a Law Enforcement Officer Memorial Scholarship, the student must complete a scholarship program application and submit it to the Higher Education Student Assistance Authority. The application shall include identifying information about the student, his or her college of attendance, the name of the deceased parent and information about the law enforcement organization with which the deceased was affiliated. The student must also submit documentation of his or her relationship to the deceased as well as verification of the law enforcement officer's death in the line of duty. The Authority will determine the student's eligibility for the scholarship based upon the information and documentation submitted and provide notification to the student.

9A:9-8.7 Amount of the scholarship

The scholarship shall pay the annual costs of the student's undergraduate study at an eligible institution of higher education in New Jersey. The amount of the scholarship shall not exceed an amount equal to the portion of the recipient's cost of attendance at the institution that is not otherwise covered by any other scholarship, tuition aid grant, benefit or other assistance awarded to the recipient under the Higher Education Student Assistance Authority Law, N.J.S.A. 18A:71A-1 et seq. The value of the student's scholarship may change dependent upon State appropriated funds, moneys available in the Law Enforcement Officer Memorial Fund, interest or other income earnings of the fund, the student's cost of attendance and other State financial assistance available to the student to meet higher education costs. The student will be notified of any change in his or her scholarship.

9A:9-8.8 Student notification

Students will be notified of their eligibility for a scholarship by the Higher Education Student Assistance Authority. Notification to eligible students will specify the amount of the scholarship based on their annual costs of undergraduate study and other available State financial assistance and will provide information regarding the manner in which payment will be disbursed from moneys in the Law Enforcement Officer Memorial Fund.

9A:9-8.9 Verification of enrollment and academic performance

Before payment may be made to an eligible student, the institution must certify that the student has registered full time 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.

9A:9-8.10 Renewal

The scholarships are renewable for up to four years. In order to continue to receive a Law Enforcement Officer Memorial Scholarship, students must continue to be enrolled full time in an undergraduate degree program and remain in good academic standing at their institution.

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 N.J.A.C. 9A:9-2.2 residency, 2.3 noncitizens and resident aliens, 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.

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Substituted "non-citizens and resident aliens" for "foreign nationals".

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 Higher Education Student Assistance Authority 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 up to \$5,000 per year, in accordance with (a) above; 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).
Amended by R.1997 d.454, effective November 3, 1997.
See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).
Amended by R.2002 d.290, effective September 3, 2002.
See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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:

Higher Education Student Assistance Authority
4 Quakerbridge Plaza
PO Box 540
Trenton, NJ 08625-0540

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).
Amended by R.1997 d.454, effective November 3, 1997.
See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).
Amended by R.2002 d.290, effective September 3, 2002.
See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

9A:9-9.7 Criteria for scholarships

(a) The Higher Education Student Assistance Authority 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).
Amended by R.2002 d.290, effective September 3, 2002.
See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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, or for a prorated period of time directly linked to the ratio between the scholarship amount and a full program annual award, 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 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 Higher Education Student Assistance Authority 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.

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

In (a), inserted "or for a prorated period ... program annual award"; and in (b), deleted "to teach two years for each year of scholarship assistance".

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority; and

2. A letter or other appropriate certification from the chief school administrator submitted by a date specified by the Authority 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority; 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 Authority.

(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 Authority 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 Authority.

(e) A scholar who has entered repayment status pursuant to (d)3 above may apply for a deferment of further payments upon obtaining a full-time teaching position eligible for redemption.

(f) The scholar shall make payments to the Authority which cover principal, interest, and collection costs according to a schedule established by the Authority which calls for complete repayment within 10 years after the scholar enters repayment status and which amount annually is not 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 Authority.

(g) The Authority 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 Authority shall not require scholarship repayments amounting to more than \$1,200 annually unless higher payments are needed to complete the entire repayment within the 10-year period.

(i) The scholar will notify the Authority by certified mail within a 15-day period of withdrawal from the program. The Authority will then 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 Authority. 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 Authority, 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority, 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 Authority; 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

9A:9-9.13 Cancellation of repayment schedule

(a) The Higher Education Student Assistance Authority 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).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority and final determination will be made by the director of the applicable program within the Authority. 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

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 Higher Education Student Assistance Authority 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 Authority will then 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).

Amended by R.1997 d.454, effective November 3, 1997.

See: 29 N.J.R. 2763(a), 29 N.J.R. 4679(b).

Amended by R.2002 d.290, effective September 3, 2002.

See: 34 N.J.R. 1392(a), 34 N.J.R. 3079(c).

SUBCHAPTER 10. NEW JERSEY STUDENT TUITION ASSISTANCE REWARD SCHOLARSHIP (NJ STARS) PROGRAM

9A:9-10.1 Purpose and scope

The rules established by this subchapter provide the policies and the procedures for participation in the New Jersey Student Tuition Assistance Reward Scholarship (NJ STARS) Program administered by the New Jersey Higher Education Student Assistance Authority (Authority). These scholarships shall be awarded annually to eligible students enrolled in a full-time course of study at a New Jersey county college.