

CHAPTER 11
EDUCATIONAL OPPORTUNITY FUND:
ADMINISTRATIVE PROCEDURES
AND POLICIES

Authority

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

Source and Effective Date

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

Executive Order No. 66(1978) Expiration Date

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

Chapter Historical Note

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

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

Subchapter 2 was repealed by R.1978 d.201, effective for the academic year beginning the fall of 1978.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

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

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

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

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

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

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

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

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

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

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

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SUBCHAPTER 1. AUTHORITY, MISSION AND SCOPE

9A:11-1.1 Authority

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

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

9A:11-1.2 Definitions

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

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

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

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

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

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

“Campus EOF administrator/director” means the individual at a New Jersey institution of higher education directly responsible for the overall administration of the Educational Opportunity Fund (EOF) program at that particular college or university campus.

“Commission” means the New Jersey Commission on Higher Education, which is the State-level planning and coordinating agency for higher education in New Jersey.

“Commission/EOF” means the New Jersey Educational Opportunity Fund Program’s central office, located within the New Jersey Commission on Higher Education.

“Costs” means total educational expenses as defined by the institution.

“District Factor Group (DFG)” means an indicator of the socioeconomic status of citizens in each New Jersey school district. The New Jersey Department of Education uses this measure for the comparative reporting of test results from New Jersey’s Statewide testing programs. The indicators use demographic variables from the most recent U.S. census data, and school districts are ranked and divided into alphabetical groups. The groups range from “A” (lowest socioeconomic districts) to “J” (highest socioeconomic districts).

“EOF” means the New Jersey Educational Opportunity Fund Program.

“EOF Executive Director” means the chief executive officer of the New Jersey Educational Opportunity Fund Program.

“Ferguson Scholarship” means the C. Clyde Ferguson Law Scholarship program.

“First-generation college student” means an applicant whose parents or parent (in the case of an applicant who regularly resided with and received support from only one parent) did not complete a baccalaureate degree.

“Fund” means the New Jersey Educational Opportunity Fund Program.

“High-distress area” means an area in New Jersey characterized by low or substandard housing and/or low real estate value, low per capita income, high unemployment, population decline, and a high percentage of residents receiving welfare and other benefits targeted for low-income families.

“Initial student” means a student who is receiving an Article III EOF undergraduate student grant for the first time. The term “initial” is not synonymous with the word “freshman,” nor does it imply that the student is in his or her first year of college attendance.

“King Scholarship” means the Martin Luther King Physician-Dentist Scholarship program.

“Labor surplus area,” as defined by the New Jersey Department of Labor and the U.S. Bureau of Labor Statistics, is an area with an unemployment rate of at least 20 percent above the national average for the previous two calendar years. These areas also are eligible for Federal programs designed to provide assistance to impoverished, disadvantaged communities undergoing serious economic problems.

“Master contract” means an annual agreement entered between the Commission on Higher Education and individual New Jersey institutions of higher education specifying the contractual terms and conditions under which the Commission shall provide funds specified under the applicable project contract to the contractor.

“Need” means the difference between the total educational expenses to attend a particular college and what a student or student’s family is expected to contribute towards meeting those costs based on methodology contained in Federal Title IV of the Higher Education Act of 1965, P.L. 89-329, including all subsequent amendments and supplements.

“Opportunity grant” means an EOF Article III undergraduate or graduate academic year or summer student grant.

“PAB” means the Program Advisory Board appointed by institutions participating in the Fund.

“Participating institution” means a New Jersey institution of higher education that has entered into a contractual relationship with the Board to provide an EOF undergraduate, graduate, and/or summer program for eligible students.

“Renewal student” means a student who previously has received an Article III EOF undergraduate student grant.

“Special needs school district” means a New Jersey school district identified by the New Jersey Department of Education as economically disadvantaged.

“TRIO programs” means the Federally funded grant programs Upward Bound, Talent Search, and Student Support Services.

9A:11-1.3 EOF mission statement

The New Jersey Educational Opportunity Fund contributes to the development of a college-educated public that reflects the diversity of New Jersey. In partnership with New Jersey colleges and universities, the Fund provides access to higher education and support for highly motivated students who exhibit the potential for success, but who come from families/communities disadvantaged by low income and the lack of access to the quality educational preparation necessary to attend college. Through its partnership with participating institutions of higher education, the Fund seeks to maximize educational opportunities for EOF stu-

dents by providing direct program services designed to promote persistence through degree completion. Accordingly, EOF supports innovative educational initiatives, supplemental instruction, support services, and leadership development activities to improve the student's chance of academic success. In concert with other sources of student financial assistance, the Fund also attempts to make college affordable for those students who find the costs of higher education an impediment to access and student persistence.

9A:11-1.4 Scope

(a) The rules in this chapter govern the awarding of Article III undergraduate EOF grants to students for study leading to approved certificates, associate degrees, and/or baccalaureate degrees, and the awarding of Article III graduate EOF grants and Ferguson and King Scholarships for study leading to approved master's, doctoral and/or professional degrees. The rules also govern the development, administration, and maintenance of institutional programs of remedial and supplemental education for EOF students supported in part through Article IV funding in the summer and academic year.

(b) Institutions that participate in the EOF program shall not discriminate in their admissions decisions based on race, age, creed, religion, marital status, national origin, color, gender, sexual orientation, or disability.

SUBCHAPTER 2. UNDERGRADUATE EOF FINANCIAL ELIGIBILITY

9A:11-2.1 Scope

This subchapter governs the awarding of Article III undergraduate EOF grants. The Article III undergraduate EOF grant is not a financial aid entitlement. Institutions select students for participation based on the eligibility criteria in N.J.A.C. 9A:11-2.2 and 2.4.

9A:11-2.2 Student eligibility

(a) The undergraduate EOF Program is designed to provide an opportunity for higher education to disadvantaged New Jersey residents who would be unable to attend and/or succeed academically in college without the financial assistance and special services that are part of this program. The program is intended for students who show potential, but who traditionally have been unable to attend college because of poor high school preparation, and whose economic backgrounds reflect a history of poverty.

(b) To be eligible for an undergraduate EOF grant, a student must demonstrate a history of poverty, which generally includes documented, long-term economic hardship of the family, such as little or no accumulation of assets and the inability to provide more than the basic needs of family members, demonstrated by at least one of the following:

1. Having attended or graduated from a DFG A or B school district or a special needs school district;
2. Having resided in a municipality that is a high-distress/labor surplus area;
3. Having resided in an area that historically has been populated by low-income families; such an area, commonly called a "pocket of poverty," has characteristics of a high-distress/labor surplus area, even if the municipality is not formally so identified;
4. Having a sibling who was or is enrolled in an EOF Program; or
5. Being a first-generation college student who is, or whose family is, eligible for government assistance and/or educational programs targeted toward low-income and disadvantaged populations (TRIO programs, free and reduced breakfast/lunch programs, food stamps).

(c) The admitting institution determines eligibility for EOF at the time of a student's initial application. The institution, in the context of its own selectivity, shall make and document a broad assessment of the student's motivation and talent (latent, as well as demonstrated) based on interviews, recommendations, high school records, and other requisite application materials.

(d) To be initially eligible for an EOF undergraduate Article III grant, a student must demonstrate that he or she:

1. Meets N.J.A.C. 9A:9-2.2 and 2.3, which are the Tuition Aid Grant and Garden State Scholarship programs' rules governing residency, and noncitizens and resident aliens, respectively;
2. Meets the financial criteria established in N.J.A.C. 9A:11-2.4;
3. Is or will be a full-time student as defined by the institution offering the undergraduate program of study unless the institution has received approval under N.J.A.C. 9A:11-6.1 to award grants to part-time students; and
4. Is admitted to and intends full-time enrollment and matriculation in a curriculum leading to an undergraduate degree or certificate at an eligible institution as defined in N.J.S.A. 18A:71-47 and participating in the Fund. Degree and certificate programs shall require a minimum of 24 semester hours or the equivalent and be at least one academic year in duration. The Fund is not intended for a student whose primary educational goal is to complete an adult basic education curriculum or attain language proficiency.

(e) In addition, an eligible student shall exhibit evidence of the potential to succeed in college, but:

1. Shall not have demonstrated sufficient academic preparation to gain admission to an approved institution of higher education under its regular standards of admission (where applicable) and shall have standardized test scores that are below the institutional norms; or

2. At an approved institution with an open enrollment admissions policy, shall have an educational background that indicates a need for improvement in basic skills, additional academic support, and/or preparation for the applicant's desired degree program.

(f) Students shall not receive assistance under the programs administered by the Board if they owe a refund on a grant or scholarship previously received from a State or Federal program through any institution or are in default on any loan made under any State or Federal student financial assistance program at any institution. However, such students may receive State financial assistance if they make six consecutive monthly payments and have satisfactory repayment arrangements with the appropriate office.

(g) Students attending out-of-State institutions are not eligible for Article III undergraduate grants.

9A:11-2.3 Dependent/independent student defined

(a) For purposes of income eligibility and verification, the Fund shall adhere to N.J.A.C. 9A:9-2.6, which is the Tuition Aid Grant and Garden State Scholarship programs' rule defining dependent versus independent students.

(b) The institution shall share with the EOF Executive Director 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.

9A:11-2.4 Financial eligibility for initial Article III student grants

(a) The EOF Executive Director shall annually inform institutions of adjustments to the EOF Income Eligibility Scale in accordance with the Federal poverty guidelines published in the Federal Register and adjusted by 200 percent to reflect an eligible target population consistent with the intent of the original legislation.

1. Except as stipulated in (b) and (c) below, dependent and independent students are financially eligible for an initial Article III student grant if their gross household income does not exceed the applicable amounts set forth in the EOF Income Eligibility Scale, as follows:

Academic Year 2000-01	
Applicants with a Household size of	Gross Income Not to Exceed
1	\$16,480
2	22,120
3	27,760
4	33,400
5	39,040
6	44,680

Applicants with a Household size of
7
8

Gross Income Not to Exceed
50,320
55,960

2. For each additional member of the household, an allowance of \$5,640 shall be added to this amount in order to determine EOF eligibility for the 2000-01 academic year. This allowance shall be adjusted to reflect changes in the Federal poverty guidelines as published in the Federal Register. In addition, the gross income level for each household size shall also be adjusted annually.

(b) A dependent student's income shall not be considered in the gross household income.

(c) An applicant whose family receives welfare as the primary means of family support is presumed eligible regardless of the amount of primary welfare support.

(d) In determining financial eligibility for an Article III student grant, separation or divorce or the disability or death of a wage earner in the calendar year before the academic year for which eligibility is being determined, with an accompanying decrease in household income below the EOF Income Eligibility Scale, does not automatically satisfy the financial eligibility criteria stated in (a) above.

(e) The campus EOF administrator/director shall approve students in cases such as those cited in (d) above, after review and recommendation by the financial aid office. The campus EOF administrator/director, in cooperation with the director of financial aid, shall have the discretion to use professional judgment to assess whether an applicant or the applicant's family meets the spirit and intent of the Fund.

(f) Where there is evidence that strict adherence to the maximum income eligibility cut-off will not serve the purpose of the Fund, the campus EOF administrator/director has the discretion to admit, up to a maximum of 10 percent of the annual EOF freshman class, students with family incomes as high as, but no more than, 281 percent of the Federal poverty guidelines as published annually by the Federal government. These discretionary admits, however, shall also meet all other eligibility provisions of N.J.A.C. 9A:11-2.2.

(g) Institutions shall obtain permission from the EOF Executive Director before exceeding the 10 percent discretionary, over-income waiver set forth in (f) above.

(h) The records of applicants deemed eligible in accordance with the provisions of (e), (f) and (g) above shall contain sufficient documentation to support the use of professional judgement, as stated in (e), and the discretionary criteria, as stated in (f) above.

(i) Notwithstanding provisions of (e) and (f) above, priority shall be given to students whose incomes are within the limits of (a) above.

Amended by R.2000 d.18, effective January 18, 2000.

See: 31 N.J.R. 3034(a), 32 N.J.R. 275(a).

In (a), substituted references to 2000-01 for references to 1999-2000 throughout, increased gross income maximums in 1, and increased allowance in 2.

9A:11-2.5 Verification of financial eligibility

(a) At the time of initial enrollment, the institution shall verify the income and assets of all undergraduate EOF grant applicants' parent(s) or guardian(s) or of applicants and spouses, as appropriate. The purpose of the verification is to ensure that EOF funds are granted only to students who meet the eligibility criteria in N.J.A.C. 9A:11-2.2 and 2.4.

(b) In cases where earnings are not the source of an initial awardee's income as described in (a) above, the file shall contain appropriate, verified documentation on which to base the award (for example, statements from the public assistance agency, Social Security Administration, Bureau of Children's Services, Veterans Administration, or other appropriate administrative agency), regardless of the awardee's dependency status.

(c) In all cases, files shall contain completed forms indicating all relevant data for determining initial eligibility, such as household size, annual income, and sources of income and assets: for dependent students, of parent(s) or guardian(s), for independent students, of the student or student and spouse, as appropriate. A student's records shall also include the application for financial aid, the student's signed acceptance of the financial aid package, and proof that the student received the grant.

(d) To receive an Article III undergraduate grant, all students shall comply with N.J.A.C. 9A:9-2.4, which is the Tuition Aid Grant and Garden State Scholarship programs' rule governing the determination of eligibility for, and value of, student assistance. All applicants shall also indicate that they applied for a Federal Pell Grant and a New Jersey Tuition Aid Grant. The Board annually establishes deadline dates for submitting the form specified in N.J.A.C. 9A:9-2.4 which are a year in advance to ensure that the Fund's expenditures are maintained within available appropriations and to provide for timely disbursement of payments to participating institutions. Students shall submit the form specified in N.J.A.C. 9A:9-2.4 in accordance with the Board's annual deadlines.

(e) Students found eligible to receive student assistance shall comply with the N.J.A.C. 9A:9-2.7, which is the Tuition Aid Grant and Garden State Scholarship programs' rule governing verification of family financial data.

9A:11-2.6 Grant amount

(a) The dollar amount of each Article III undergraduate EOF grant shall be based on three factors:

1. Full or approved part-time enrollment;

2. The financial need of the student as determined by a needs analysis; and

3. The type of institution the student attends.

(b) The institution's EOF and financial aid directors shall determine the exact amount of each student's grant. In determining need and awarding Article III grants, priority shall be given first to students who meet the educational criteria of N.J.A.C. 9A:11-2.2 and the income criteria of N.J.A.C. 9A:11-2.4(a), (b) and (c), followed by students admitted under N.J.A.C. 9A:11-2.4(e) and (f).

(c) An EOF undergraduate grant awardee shall receive not less than the minimum nor more than the maximum award, except that under no circumstances shall the grant combined with other aid exceed the cost of attendance as determined by the institution.

(d) The Board shall annually review the State grant amounts for EOF students and make adjustments, if necessary. The minimum and maximum award ranges for full- and part-time Article III undergraduate student grants for each type of institution follows.

<u>Undergraduate Community Colleges</u>		<u>Minimum</u>	<u>Maximum</u>
Full-time		\$200.00	\$ 750.00
Part-time:			
6-8 credits		200.00	376.00
9-11 credits		200.00	562.00
<u>State Colleges</u>			
<u>Commuter</u>			
Full-time		200.00	850.00
Part-time:			
6-8 credits		200.00	426.00
9-11 credits		200.00	638.00
<u>Residential</u>			
Full-time		200.00	1,100.00
Part-time:			
6-8 credits		200.00	676.00
9-11 credits		200.00	888.00
<u>Rutgers, NJIT, UMDNJ-SHRP</u>			
<u>Commuter</u>			
Full-time		200.00	850.00
Part-time:			
6-8 credits		200.00	426.00
9-11 credits		200.00	638.00
<u>Residential</u>			
Full-time		200.00	1,100.00
Part-time:			
6-8 credits		200.00	676.00
9-11 credits		200.00	888.00
<u>Independent Colleges</u>			
Full-time		200.00	2,100.00
Part-time:			
6-8 credits		200.00	1,050.00
9-11 credits		200.00	1,572.00

9A:11-2.7 Financial aid packaging

Because EOF students are from historically poor backgrounds, all sources of student financial aid shall be used to

augment the financial aid package. Loan encumbrance shall be a low priority, and loans shall be given to complete the package only after all other forms of financial aid are exhausted.



9A:11-2.8 Duration of student eligibility

(a) Students deemed eligible at the time of initial enrollment shall retain eligibility for program support services and Article III student grant funds as long as they continue to:

1. Demonstrate financial need as determined by the institution through a Board-approved financial aid form submitted by the student in accordance with the annually established deadline dates;

2. Meet academic progress standards in accordance with N.J.A.C. 9A:11-2.12;

3. Maintain their status as a legal resident of the State of New Jersey as defined in N.J.A.C. 9A:9-2.2, which is the Tuition Aid Grant and Garden State Scholarship programs' rules governing residency;

4. Maintain full-time enrollment or have the campus EOF administrator/director's written approval for a part-time Article III undergraduate grant. Part-time grant eligibility is available only at those institutions approved to award part-time Article III undergraduate grants by the Board; and

5. Meet the maximum number of semesters of eligibility as prescribed in N.J.A.C. 9A:11-2.8 and 2.9.

(b) The number of semesters of Article III grant payment is cumulative; EOF students shall be eligible for no more than 12 semesters of payment over the course of their entire undergraduate careers, except as noted in (d) below. When a funded EOF student transfers from one participating institution to another, the semesters of payment at the second institution are added to those at the first and the total shall not exceed 12.

(c) Students attending senior institutions may receive a maximum of 12 semesters of EOF payment to complete a baccalaureate degree as long as they are making satisfactory academic progress as stipulated in N.J.A.C. 9A:11-2.12.

(d) Students in an established five-year undergraduate course of study at a senior institution shall be eligible for an additional two semesters beyond the maximum of 12 upon a formal written request from the institution and approval by the EOF Executive Director. Under no circumstances shall a student receive more than 14 semesters of Article III undergraduate grants.

(e) Students enrolled at institutions that award associate degrees may be eligible for a maximum of eight terms of Article III undergraduate grant payments to complete an associate degree as long as they are making satisfactory academic progress as stipulated in N.J.A.C. 9A:11-2.12.

(f) Students in their last semester of study to complete degree requirements may take fewer than 12 credits (full-time status) and still receive the maximum Article III undergraduate grant for which they would be eligible as a full-time student.

(g) Summer sessions shall not be counted in determining the total number of semesters of payment student has received.

9A:11-2.9 Part-time students

(a) The EOF Article III undergraduate grant award to part-time students provides EOF-eligible students with an opportunity to address personal, financial, and/or academic concerns that impede their ability to pursue a full-time course of study.

(b) Part-time grant eligibility shall be available only to EOF students attending those institutions approved by the Board to award part-time Article III undergraduate grants.

(c) Eligible students shall be advised by institutional EOF staff to pursue part-time enrollment and shall enroll for at least six credits, be matriculated in a certificate or degree program, and maintain minimum standards of academic progress as determined by the institution in the context of the provisions of N.J.A.C. 9A:11-2.12.

(d) Each semester of part-time attendance for which an Article III part-time undergraduate grant is awarded shall count as one-half of a semester of grant eligibility. In no case shall a student receive such a grant for more than three semesters in pursuit of an associate degree or four semesters in pursuit of a baccalaureate degree.

(e) Institutions approved to award Article III part-time undergraduate grants shall not award such grants to more than 10 percent of their total EOF-funded population in any given semester.

9A:11-2.10 Nonfunded students

(a) Students who receive an initial Article III undergraduate grant but because of a change in income or enrollment status no longer demonstrate need for Article III funds shall be termed nonfunded.

(b) Students who are enrolled in college but are denied Article III undergraduate grants due to their inability to make satisfactory academic progress as defined in N.J.A.C. 9A:11-2.12 may be considered nonfunded and may receive Article IV program support services, as determined by the institutional EOF administrator/director.

(c) Students who, due to extenuating circumstances, are advised to enroll at less than full-time status but are not eligible for an Article III part-time undergraduate grant may be considered nonfunded and may receive Article IV program support services, as determined by the institutional EOF administrator/director. Documentation of advisement shall be maintained in the student's record.

(d) To retain eligibility for Article IV program support services, a nonfunded student must continue to file the financial aid form approved by the Board and must have

received Article III undergraduate academic year funds during initial enrollment in the program.

(e) A student who enrolls in the prefreshman summer program before his or her eligibility has been determined and who is later found financially ineligible cannot be considered a nonfunded student.

9A:11-2.11 Transfer of eligible students to another participating institution

(a) Students who wish to complete a degree at an institution other than the one where they received their initial Article III undergraduate student grant must meet all of the receiving institution's criteria for the admission of transfer students, as well as the receiving institution's criteria for participation in the EOF program.

(b) Once deemed initially eligible for an Article III undergraduate grant at the sending institution, a student is presumed to have met the historical poverty eligibility criteria (as outlined in N.J.A.C. 9A:11-2.2(b)) and the financial eligibility criteria (as outlined in N.J.A.C. 9A:11-2.4) for a renewal EOF grant at the receiving institution.

9A:11-2.12 Academic progress

(a) Before payment of an Article III undergraduate student grant may be made to an eligible continuing student, the institution shall have satisfactory evidence that the student is maintaining academic progress and class standing according to the institution's established policy for academic progress of EOF students, as outlined in (b) below.

(b) For purposes of determining continued eligibility for an Article III undergraduate student grant, the Board shall recognize the same standards for academic performance and progress that an institution adopts to determine eligibility for Federal student financial aid programs under Title IV of the Higher Education Act of 1965, as amended, and its implementing regulations, 20 U.S.C. § 1091(d) and 34 C.F.R. § 668.84 ("satisfactory progress"), as well as the following provisions:

1. Due to the special nature of the EOF mission, an institution's satisfactory progress standards for EOF students shall take into consideration the maximum semesters of payment for which an EOF student is eligible under N.J.A.C. 9A:11-2.8. Other factors that shall be considered include the time an EOF student needs to adjust to college life, with the help of the program's supportive services, and the institution's remedial/developmental and ESL policies and programs for EOF students.

2. The summer program is a critical component of the EOF program. Courses that an EOF student schedules and completes using EOF Article III undergraduate summer funds, in addition to academic year courses, shall be considered in determining the student's academic progress. However, as stipulated at N.J.A.C. 9A:11-2.8(f), Article III undergraduate summer grants are not considered a semester of payment.

3. EOF students have the first four semesters of payment to complete all courses that the institution designates as remedial/developmental. The EOF Executive Director may approve additional remedial/developmental work (beyond the four semesters) upon formal written request and approval by the institution.

- i. The institution's formal request to the EOF Executive Director shall detail reasons for the request. If there are extenuating circumstances, such as prolonged illness or a death in the family, the student shall provide suitable evidence in the form of one or more of the following documents: letter from the attending physician, obituary notice, and/or death certificate. The request shall also indicate how many remedial/developmental courses the student must complete to fulfill the institution's requirement and the number of additional semesters needed to do so; the student's most recent academic transcript, which shall reflect all remedial/developmental courses and grades earned to date; a copy of the institution's Federal Title IV standards of academic progress policy for EOF students; and why the institutional administrator believes the student can complete the requirement successfully if given additional semester(s) of funding.

- ii. The request shall be approved if the institution demonstrates that with the additional semesters the student is highly likely to complete the remedial/developmental requirement, the student has not otherwise exhausted his or her eligibility for EOF funding, and the student is in compliance with all of the institution's other academic progress requirements.

- (c) The class standing and academic progress of all students receiving Article III undergraduate financial assistance shall be monitored by institutions at least once a year before the fall semester.

- (d) Students who fail to achieve the standards set forth in this section shall be ineligible to receive academic year Article III undergraduate financial assistance until the institution certifies that they are in good academic standing and are achieving satisfactory academic progress.

- (e) The institution shall share with the Commission/EOF any material findings or audit exceptions related to the determination of academic progress at any time that they are revealed in the course of an audit or program review.

- (f) Students and institutions shall have the right to appeal, through the procedures in N.J.A.C. 9A:11-6.7, a denial under this section of Article III undergraduate financial assistance. The EOF Executive Director may, at his or her discretion, consider individual cases and shall have the authority to make such exceptions as unusual circumstances may warrant.

9A:11-2.13 Discontinuance of Article III student grants

(a) The Article III student grant shall be discontinued for any student who fails to meet the participating institution's policies governing academic performance and progress pursuant to N.J.A.C. 9A:11-2.12.

(b) The Article III student grant shall be discontinued for any student who has been academically dismissed unless reinstated in good standing by institutional officials.

(c) The Article III student grant shall be discontinued for any student who is not matriculated in a full-time or a Board-approved part-time program of study or for any student who is not enrolled. The amount of any grants paid to the institution for that student shall be repaid by the institution.

(d) The Article III student grant shall be discontinued for any student who refuses to abide by regulations established by the institution for participation in the EOF program.

(e) The Article III student grant shall be discontinued for any student who intentionally falsifies or gives misleading information upon which eligibility was based. That student shall repay the amount of any grants previously awarded to him or her.

(f) Article III grants cannot be guaranteed to renewal students who transfer to another participating institution in New Jersey. Students are advised to contact the EOF director at the receiving institution of their intent to transfer.

SUBCHAPTER 3. GRADUATE EOF FINANCIAL ELIGIBILITY

9A:11-3.1 Scope

This subchapter governs the awarding of Article III graduate EOF grants. The overall objective of the graduate EOF program is to increase the participation of New Jersey residents from backgrounds of historical poverty in graduate and professional study. Priority in granting EOF graduate grants shall be given to students who received EOF undergraduate grants.

9A:11-3.2 Student eligibility

(a) The academic deficiencies that identify the undergraduate student as educationally disadvantaged do not apply at the graduate level. The graduate EOF program is designed to provide an opportunity for New Jersey residents whose undergraduate record reflects the potential for advanced study beyond the baccalaureate degree. Eligible students shall have economic backgrounds that reflect a history of poverty as described in N.J.A.C. 9A:11-2.2(b)1 through 5.

(b) Students who received Article III EOF grants as undergraduates shall be given priority consideration for Article III graduate grants. These students are presumed to have met the financial eligibility criteria (as outlined in N.J.A.C. 9A:11-2.4) for graduate EOF as long as they continue to demonstrate financial need.

(c) To be initially eligible for an EOF Article III graduate student grant, a student must demonstrate that he or she:

1. Meets N.J.A.C. 9A:9-2.2 and 2.3, which are the Tuition Aid Grant and Garden State Scholarship programs' rules governing residency, and noncitizens and resident aliens, respectively;

2. Meets the financial criteria established in N.J.A.C. 9A:11-2.4, Financial Eligibility for Article III student grants;

3. Is or will be a full-time graduate student as defined by the institution offering the graduate program of study; and

4. Is admitted to and intends full-time enrollment and matriculation in a curriculum leading to a graduate degree or certificate at an eligible institution as defined in N.J.S.A. 18A:71-47 and participating in the Fund, provided that the student has not already received a graduate or professional degree at the same level of study for which he or she is applying. Graduate degree and certificate programs must have a minimum requirement equivalent to 24 semester hours and be at least one academic year in duration.

(d) Students shall not receive assistance under the programs administered by the Board if they owe a refund on a grant or scholarship previously received from a State or Federal program through any institution or are in default on any loan made under any State or Federal student financial assistance program at any institution. However, such students may receive State financial assistance if they make six consecutive monthly payments and have satisfactory repayment arrangements with the appropriate office.

(e) Students attending out-of-State institutions are not eligible for Article III graduate grants.

9A:11-3.3 Verification of financial eligibility

(a) For students who did not receive an Article III undergraduate grant, the institution shall verify, at the time of initial graduate enrollment, a background of historical poverty as outlined in N.J.A.C. 9A:11-2.2(b)1 through 5.

(b) The annual gross income and assets of all graduate grant recipients shall be verified by the institution through the use of Internal Revenue Service documents.

(c) In cases where earnings are not the source of an awardee's income, the file shall contain appropriate, verified documentation on which to base the award (for example,

statements from the public assistance agency, Social Security Administration, Bureau of Children's Services, Veterans Administration, or other appropriate administrative agency).

9A:11-3.4 Grant amounts

(a) The dollar amount of each Article III graduate grant shall be based on three factors:

1. Full-time enrollment as defined by the institution offering the graduate program of study;
2. The financial need of the student as determined by a needs analysis; and
3. The type of institution the student attends.

(b) The institution's EOF and financial aid directors shall determine the exact amount of each student's grant. In determining need and awarding Article III graduate grants, priority shall be given first to students who received an undergraduate EOF grant, followed by students who did not receive such an award but now meet the educational criteria of N.J.A.C. 9A:11-2.2 and the income criteria of N.J.A.C. 9A:11-2.4(a), (b) and (c), followed by students admitted under N.J.A.C. 9A:11-2.4(e).

(c) An EOF graduate grant awardee shall receive not less than the minimum nor more than the maximum award, except that under no circumstances shall the grant combined with other aid exceed the cost of attendance as determined by the institution.

(d) The Board shall annually review the State grant amounts for EOF students and make adjustments, if necessary. The minimum and maximum award ranges for Article III graduate grants for each type of institution follows.

Graduate	Minimum	Maximum
State Colleges and Universities	\$200.00	\$2,100.00
Independent	200.00	2,650.00
Rutgers, NJIT	200.00	2,650.00
UMDNJ	200.00	4,150.00

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

9A:11-3.5 Duration of graduate student eligibility

(a) To retain eligibility for an Article III graduate grant, students shall comply with N.J.A.C. 9A:9-2.4, which is the Tuition Aid Grant and Garden State Scholarship programs' rule governing the determination of eligibility for, and value of, student assistance, in accordance with the Board's annually established deadline dates.

(b) No student shall be eligible for an Article III graduate grant for more than 10 semesters; however:

1. Duration of eligibility shall be extended to one semester beyond the normal number of semesters usually required for a full-time student to complete the degree requirements. For example:

Degree Requirements	Full-Time Graduate Student	Length of Eligibility
36 credits	9 credits	$(36/9) = 4 + 1 = 5$ semesters
84 credits	12 credits	$(84/12) = 7 + 1 = 8$ semesters

2. Duration of eligibility in pursuit of a medical or dental degree shall be extended to one year beyond the normal number of years usually required for a full-time student to complete the degree requirements.

(c) Graduate grant recipients may pursue more than one advanced degree; however:

1. Each degree must be a higher level than the previous one; and
2. In no case shall the combined eligibility exceed the equivalent of 10 semesters.

(d) An Article III graduate grant shall not be awarded for summer program study except in those programs that, by their nature, require specific course(s) to be taken during the summer.

1. Exceptions are possible in cases where the program of study requires a mandatory sequence of courses for more than two terms in an academic year.

2. To qualify for an exception, the institution shall submit a written request to the EOF Executive Director.

9A:11-3.6 Discontinuance of Article III graduate student grants

(a) The Article III student grant shall be discontinued for any student who has been academically dismissed unless reinstated in good standing by institutional officials.

(b) The Article III student grant shall be discontinued for any student who is not matriculated in a full-time program of study or for any student who is not enrolled. The amount of any grants paid to the institution for that student must be repaid by the institution.

(c) The Article III student grant shall be discontinued for any student who refuses to abide by regulations established by the institution for participation in the EOF program.

(d) The Article III student grant shall be discontinued for any student who intentionally falsifies or gives misleading information upon which eligibility was based. That student must repay the amount of any grants previously awarded to him or her.

(g) The EOF Executive Director on behalf of the Board shall execute a project contract with the president of each participating institution; the contract shall include any special provisions or limitations of the EOF funding and a statement of intent to comply with all program regulations and the master contract.

9A:11-6.2 Application process for new institutions to participate in the EOF program

(a) Institutions that wish to participate in the EOF program for the first time shall submit to the EOF Executive Director a letter of intent and a plan that includes the following information:

1. The identification of an eligible target population;
2. The proposed structure of the institutional program;
3. A description of the processes for delivering the student services outlined in N.J.A.C. 9A:11-4.3, 4.4, 4.5, 4.6 and 4.8; and
4. A budget proposal that accords with the provisions of N.J.A.C. 9A:11-6.9 and 6.10.

(b) The Commission/EOF shall review the letter of intent and may select an external consultant(s) to conduct, at the institution's expense, a site visit to assess the requesting institution's capability to provide the type of program described in the plan.

(c) The Board shall consider recommendations from the consultant(s). With a favorable recommendation and the sufficient funds available in the annual appropriation, the Board may elect to contract with the institution to establish an EOF program.

(d) If the consultant recommendation is not favorable, the requesting institution may revise its plan to address the areas of concern identified by the consultant(s) or may appeal the decision of the consultant to the Board.

9A:11-6.3 Use of Article III grant funds

(a) The EOF Article III academic year grant shall be applied to the student's educational costs only. Such costs shall include whatever constitutes the participating institution's educational budget and may include tuition, fees, room and board, transportation, books, educational supplies and child care.

(b) The EOF Article III summer program grant shall be applied to the student's educational costs only. Such costs shall include whatever constitutes the participating institution's educational budget and may include tuition, fees, room and board, transportation, books, educational supplies, and child care, as well as stipends and insurance.

(c) Use of Article III student grants for any other costs is strictly prohibited.

9A:11-6.4 Academic year Article III award cycle

(a) An Article III student grant shall be available for each semester of an academic year, which usually includes two terms.

1. If a student is not enrolled for two terms, then the Article III student grant shall only be awarded for the term in which the student is enrolled.

2. In no case shall an initial Article III undergraduate grant be given for a student's last two terms of study.

9A:11-6.5 Article III student grant notification and payment

(a) Before Article III student grant funds can be disbursed in their name, eligible students shall demonstrate that they have complied with the Military Selective Service Act pursuant to N.J.A.C. 9A:8-5, Selective Service Compliance.

(b) The institution shall notify a student in writing of the content of his or her academic year financial aid package. The institution's written notification shall contain a clause absolving the State of any obligation for funding if the grant award was based on fraudulent, inaccurate, or misleading information.

(c) N.J.A.C. 9A:9-2.9, which is the Tuition Aid Grant and Garden State Scholarship programs' rule governing award combinations and overawards, shall also apply to Article III undergraduate student grant notifications and payment.

(d) Payments shall be provided to institutions on behalf of student recipients, which payments shall be made in installments over the summer and academic year, with the number of installments corresponding to the number of terms the student is enrolled.

9A:11-6.6 Request for payment, adjustment, refund, and/or repayment of Article III student grants

(a) Payment deadlines shall be established annually and included as an addendum to the contract between the Board and each participating institution.

(b) To request payment of undergraduate Article III student grant funds, the campus EOF and financial aid directors shall follow payment procedures as outlined in the EOF Executive Director's annual administrative memorandum.

(c) At the request of the EOF Executive Director, institutions shall submit to the Commission/EOF student background information that was essential in determining a particular student's eligibility or ineligibility for the EOF program.

(d) All files of students receiving Article III student grants are subject to audit in compliance with the provisions of the project and master contracts.

(e) All participating institutional programs shall cooperate fully in specified program analyses and evaluation activities carried out by the Commission/EOF in accordance with N.J.A.C. 9A:11-6.13, Program improvement and evaluation process, and 9A:11-6.14, Fiscal audit requirements.

(f) The general provisions for Tuition Aid Grant and Garden State Scholarship programs at N.J.A.C. 9A:9-2.12, which is the Tuition Aid Grant and Garden State Scholarship programs' rule governing award adjustments/refunds, shall apply to the adjustment, refund, and/or repayment of Article III student grant disbursements.

9A:11-6.7 Appeals

(a) A student or his or her parent(s) may file a written appeal with the EOF Executive Director regarding an institutional determination of ineligibility for an Article III student grant, but only after the student has appealed through all institutional channels, because EOF is a campus based program. (Participating institutions are responsible for verifying grant and scholarship eligibility and for establishing appeal procedures.)

1. Appeals shall be in the form of a letter addressed to the EOF Executive Director at the Commission/EOF, PO Box 542, Trenton, New Jersey 08625-0542.

2. The letter shall contain the student's full name and social security number, identify the college of attendance, and present detailed information about the case, including a description of the basis for appeal and the names of institutional officials contacted during the institutional appeal process.

(b) If an institution presents, after State payment deadline dates, new information or evidence that justifies reversing previous institutional determinations of ineligibility, the institution may seek authorization from the EOF Executive Director to receive payments in the same fiscal year; such requests shall be submitted before June 30th of each year.

9A:11-6.8 Liability

(a) The basic responsibility for submitting accurate information to institutional officials rests with the student.

(b) If an institution knowingly conveys fraudulent or misleading information in order to obtain Article III grants for ineligible students, the institution shall be held liable and shall be required to make restitution to the State.

(c) If an institution makes an award in good faith based on information provided by the student and later found to be fraudulent or misleading, the student is liable for returning the Article III grant. The institution shall include a written statement to this effect with each student's award notification.

(d) The institution shall undertake the appropriate steps to reclaim moneys due the Fund from ineligible students. When EOF grants have been received based on fraudulent information, institutions shall notify the EOF Executive Director and shall report on efforts made to reclaim said funds.

(e) The Board is not liable for institutional financial expenditures that exceed a participating institution's fiscal year budgeted contract allocations for Article III or Article IV funds.

9A:11-6.9 Institutional commitment

(a) EOF students, as students who pay tuition and for whom the institution receives State support other than EOF, are entitled to all services available to any other students at the institution.

(b) Article IV program support funds are intended to supplement, not supplant, existing services provided by the institution. A participating institution shall not charge the EOF program, either directly or through the institutional match provision of (c) below, for services that are not over and above those available to the general student population.

(c) Participating institutions shall provide a broad range of support services to students enrolled in the program. Institutions shall provide matching funds equivalent to no less than the total academic year Article IV program support allocation provided by the Board.

1. The institutional match for campus EOF program costs may consist of any of the following:

i. Funds contributed or donated to the institution by public agencies, private organizations, or individuals;

ii. Real or personal property contributed or donated to the institution by public agencies, private organizations, or individuals;

iii. The provision and maintenance of state of the art technological equipment (that is, computer hardware, modems, fax machines);

iv. Direct services rendered by other institutional staff to the EOF program;

v. All or a portion of any EOF staff member's salary, wages, or fringe benefits; or

vi. Indirect expenses, such as space, light, heat, etc., up to but not more than 10 percent of total program costs.

2. Institutional match items shall not include:

i. The salary and/or fringe benefits of high-level institutional officers who serve all students. Where these individuals are included, a detailed justification shall accompany the proposed contract budget. The justification shall include services provided to EOF students that would not normally accrue as a result of tuition payment. Expenditures for personnel who provide direct services to EOF students will be allowed;

(b) The institution's EOF program shall be included as part of the institution's periodic audit by an independent accounting firm to ensure compliance with this chapter, and the institution shall provide a copy of the audit report to the Commission on Higher Education. The Board through the Commission reserves the right to conduct its own institutional audit.

(c) Institutions shall, upon reasonable notice, make available to the EOF Executive Director or his or her designee access to institutional and student records for audit purposes.

9A:11-6.18 Program noncompliance

(a) Upon an institution's unsatisfactory program evaluation or fiscal audit or its failure to achieve the program outcomes contractually agreed upon, the EOF Executive Director or his or her designee may conduct an inquiry at the institution. The purpose of the inquiry shall be to discuss and investigate the apparent noncompliance with the institutional president, EOF director, and other appropriate officials.

(b) The EOF Executive Director shall make a written report on the findings of the inquiry and shall transmit a copy to the institutional president and campus EOF administrator/director. The report shall describe the noncompliance in detail and provide specific recommendations to correct the situation within a time period that the EOF Executive Director shall determine.

(c) The institution may appeal the findings. Such appeal shall be in writing and directed to the Chairperson of the Board; the Board shall consider the appeal within a reasonable time period. The Board may uphold or overturn the report of the Executive Director and modify the recommendations as it deems appropriate.

9A:11-6.19 Program probationary status

(a) The Board may place an institutional EOF program on probation for failure to correct program deficiencies within the time specified by the EOF Executive Director. The Board shall impose such restrictions as it deems necessary, which restrictions may include, but are not limited to, the following:

1. Restrict the recruitment of new students into the program;
2. Withhold funds for the program pursuant to provisions of the contract; and
3. Terminate an institutional program pursuant to contractual provisions.

9A:11-6.20 Program Advisory Board (PAB)

(a) Each participating institution shall establish a Program Advisory Board (PAB). The size and method of selection of the PAB shall be at the institution's discretion.

Membership may include representatives of its students, faculty, and administration, as well as local citizens who reflect the student population being served by the campus program. The campus EOF administrator/director shall serve ex-officio on the PAB.

(b) The PAB shall establish a meeting schedule for the academic year. The PAB shall demonstrate, at a minimum, its involvement in the following activities:

1. Advising during the search and selection of the campus EOF administrator/director;
2. Acquainting the local and campus communities with the goals and objectives of the EOF Program;
3. Reviewing the admissions criteria and the procedures used in recruiting EOF students;
4. Being knowledgeable about institutional methods for recruiting, interviewing, and screening potential students for admission into the college who may require EOF financial assistance and/or special educational assistance;
5. Serving as a resource for student mentoring, internships, and employment opportunities; and
6. Reviewing and commenting on the institution's program goals, objectives and outcomes.

SUBCHAPTER 7. C. CLYDE FERGUSON LAW SCHOLARSHIP

9A:11-7.1 Student eligibility

(a) To be eligible for a C. Clyde Ferguson Law Scholarship (Ferguson Scholarship), a student shall demonstrate that he or she:

1. Is or has been a legal resident of the State of New Jersey for at least one year immediately before receiving the scholarship;
2. Is a student who meets the requirements of N.J.A.C. 9A:11-2.4 or falls within one of the following categories:
 - i. A minority or disadvantaged student who is traditionally underrepresented in the law profession and has demonstrated financial need;
 - ii. A former or current recipient of the New Jersey EOF Article III undergraduate or graduate grant; or
 - iii. A student who would have been eligible as an undergraduate for a New Jersey EOF Article III student grant; and
3. Is or will be a full-time student enrolled for an initial law degree through the Minority Student Program at Rutgers, The State University School of Law-Newark; Rutgers, The State University School of Law-Camden; or Seton Hall University School of Law.

(b) Students shall not receive assistance under the programs administered by the Board if they owe a refund on a grant or scholarship previously received from a State or Federal program through any institution or are in default on any loan made under any State or Federal student financial assistance program at any institution. However, such students may receive State financial assistance if they make six consecutive monthly payments and have satisfactory repayment arrangements with the appropriate office.

9A:11-7.2 Grant amounts

(a) The maximum and minimum award ranges for a Ferguson Scholarship shall be annually established by the Board but shall not exceed the maximum amount of tuition, fees, room, and board charged at Rutgers University School of Law-Newark.

(b) The amount of each Ferguson Scholarship shall be based on the financial need of the student determined pursuant to N.J.A.C. 9A:11-3.4(a), (b) and (c).

9A:11-7.3 Rules incorporated by reference

The following provisions of this chapter governing the EOF program shall also apply to grants made under the Ferguson Scholarship unless they are inconsistent with, or otherwise excepted within, the provisions of this subchapter: N.J.A.C. 9A:11-3.2(b)1, 3.5, 6.1, 6.3, 6.5, 6.6, 6.7 and 6.8.

SUBCHAPTER 8. MARTIN LUTHER KING PHYSICIAN-DENTIST SCHOLARSHIP PROGRAM

9A:11-8.1 Student eligibility

(a) To be eligible for a Martin Luther King Physician-Dentist Scholarship (King Scholarship), a student shall demonstrate that he or she:

1. Is or has been a legal resident of the State of New Jersey for at least two years immediately before receiving the scholarship;
2. Is a student who meets the requirements of N.J.A.C. 9A:11-2.4 and falls within one of the following categories:

i. A minority student included in one of the ethnic groups recognized by the Association of American Medical Colleges or the American Association of Dental Schools as underrepresented in the medical or dental professions;

ii. A former or current recipient of the New Jersey EOF Article III undergraduate or graduate grant; or

iii. A student who would have been eligible as an undergraduate for a New Jersey EOF Article III student grant; and

3. Is or will be a full-time student enrolled for an initial M.D., D.O., or D.M.D. degree at the University of Medicine and Dentistry of New Jersey.

(b) Priority shall be given to those students who meet two or more of the criteria in (a)2 above.

(c) Students shall not receive assistance under the programs administered by the Board if they owe a refund on a grant or scholarship previously received from a State or Federal program through any institution or are in default on any loan made under any State or Federal student financial assistance program at any institution. However, such students may receive State financial assistance if they make six consecutive monthly payments and have satisfactory repayment arrangements with the appropriate office.

9A:11-8.2 Grant amounts

(a) The maximum and minimum award ranges for a King Scholarship shall be annually established by the Board but shall not exceed the maximum amount of tuition charged at the University of Medicine and Dentistry of New Jersey.

(b) The amount of each King Scholarship shall be based on the financial need of the student as determined pursuant to N.J.A.C. 9A:11-3.4(a), (b) and (c).

9A:11-8.3 Rules incorporated by reference

The following provisions of this chapter governing the EOF program shall also apply to grants made under the King Scholarship unless they are inconsistent with, or otherwise excepted within the provisions of this subchapter: N.J.A.C. 9A:11-3.2(b)1, 3.5, 6.1, 6.3, 6.5, 6.6, 6.7 and 6.8.