

ii. Items and services normally provided to students by the institution without charge;

iii. Items and services normally provided to the institution by other government agencies without charge;

iv. Charges incurred by the institution as program costs but require no cash outlay by the institution during the grant period; or

v. Any cost incurred or contribution of services made in a prior fiscal year.

(d) The contract budget shall provide a format for the institution to record separately all institutional match and grant award items, including fringe benefits: budgets are subject to audit.

(e) The EOF Executive Director shall review all budgets to determine appropriateness of any in-kind contributions offered as institutional match and make recommendations to the Board. An institution may appeal the disallowance of an institutional match item in writing within 30 days of issuance of the formal agreement. The EOF Executive Director shall consider the appeal and make a recommendation to the Board.

9A:11-6.10 Restrictions on use of Article IV program support funds

(a) Article IV program support funds shall not be used for the following items:

1. Employee benefits for student assistants and part-time personnel;
2. The purchase of equipment/hardware;
3. Indirect expenses (such as space, heat, lights, postage, and telephone) that exceed 10 percent of the total program costs;
4. Transportation of students for normal commuting costs;
5. The salary and fringe benefits of the campus EOF administrator/director;
6. Any fringe benefits for EOF staff at public senior institutions and, for EOF staff at community colleges and independent institutions, fringe benefits that exceed 21 percent of the salaries and wages paid by EOF funds;
7. The cost of instruction for which students are charged tuition;
8. Other student costs that normally are covered by a student's financial aid package, such as fees, room and board, books, educational supplies, transportation, and child care;
9. Partisan political and/or fund raising activities; or
10. The purchase of alcoholic beverages.

9A:11-6.11 Transfer of Article IV program support funds

(a) Institutions shall not transfer Article IV program support funds to establish new personnel or new other-than-personnel items that were not part of the original contract without prior written approval by the EOF Executive Director.

(b) Transfers within existing personnel lines or within existing other-than-personnel-services (OTPS) lines, as included in the original contract, do not require prior approval, but the institution shall notify the EOF Executive Director in writing that such transfers have taken place.

9A:11-6.12 Academic progress

Each institution shall establish a policy and maintain a process to monitor EOF students' performance and inform students of their academic progress and standing. This process shall include operational procedures to record and review student progress prior to the fall semester of each academic year, in accordance with N.J.A.C. 9A:11-2.12, and to provide student advisement through the counseling component of the program.

9A:11-6.13 Academic probation/dismissal of EOF students

(a) Program support services may be discontinued for reasons outlined in N.J.A.C. 9A:11-2.13, Discontinuance of Article III student grants, and 9A:11-4.10, Discontinuance of Article IV program support services.

(b) Each participating institution shall have procedures to notify the campus EOF administrator/director about program participants placed on academic probation and dismissal. EOF staff shall conduct a personal interview with each such EOF student and require the student's participation in such support programs as may be appropriate.

(c) Each participating institution shall establish an appeal process for EOF students who fail to meet the institution's academic progress standards. The process shall involve the campus EOF administrator/director and should employ appropriate academic support remedies before academic dismissal.

9A:11-6.14 Recordkeeping and data collection

(a) Data collection is essential to identifying target populations and developing admissions criteria, as well as designing program services, monitoring student progress, determining the effectiveness of program activities, and documenting outcomes. Each campus EOF program should have access to state of the art hardware/software capabilities, as well as management information systems and research staff. Data to support recruitment and admissions shall include, at a minimum, each student's:

1. High school;
2. Home address;
3. Home county;

4. Gender;
5. Race/ethnicity;
6. Family income used to determine eligibility or continued financial need;
7. Standardized test scores, such as SATs, basic skills assessments;
8. High school transcript (rank, coursework, and type of diploma) and college transcript;
9. Other educational experience records (such as GED, transfers); and
10. Renewal status.

(b) Other data elements shall include recruitment schedule, number of applications received, number eligible or ineligible students, number of students admitted, and number of students matriculating.

(c) Each participating institution shall maintain thorough academic and financial aid files on EOF students. The information for each individual shall include, but is not limited to, the following:

1. Data on and assessment of the student's performance in the areas of basic skills, learning styles, and computer literacy;
2. Data on and assessment of counseling contacts and other initiatives to help students improve their academic performance;
3. Data on and assessment of tutorial/supplemental instruction contacts;
4. Financial data, including eligibility determination and annual notification of financial aid package;
5. Current registration and academic transcripts; and
6. Data on and assessment of the career and graduate placement contacts provided to program participants.

(d) Each participating institution shall maintain adequate financial documentation of all program budgets and expenditures. Accounts shall reflect EOF and institutional monies separately by line item. State, institutional, Federal, and other funding sources shall be clearly delineated.

(e) The EOF administrator/director, along with appropriate institutional officials, shall be involved in and responsible for preparing budget documents and coordinating EOF fiscal affairs.

9A:11-6.15 Program improvement and evaluation process

(a) The EOF Executive Director shall maintain adequate procedures to monitor program components and fiscal functions at institutions receiving Article III and Article IV funds pursuant to this chapter.

(b) The EOF Executive Director will annually provide each participating institution with both quantitative and qualitative performance indicators that the Board has adopted as benchmarks of satisfactory program outcomes.

(c) The following indices shall be used to determine the effectiveness of campus EOF programs and their compliance with this chapter:

1. Institutional goals for the EOF program;
2. Program outcomes including:
 - i. Cohort retention rates;
 - ii. Cohort graduation rates;
 - iii. Enrollment through the program of at least 10 percent of the full-time first time New Jersey residents in the institution's freshman class, as specified at N.J.A.C. 9A:11-4.5(b); and
 - iv. The number of EOF community college students who transfer to New Jersey senior institutions; and
3. Fiscal budgets and expenditure reports.

(d) The EOF Executive Director shall conduct regular program audits and evaluations to determine regulatory compliance and program effectiveness. The Commission/EOF or its assigned representatives shall provide due notice of a visit to a participating institution to conduct monitoring activities, which may include evaluation, audits, and postaudit activities.

9A:11-6.16 Annual program report

(a) Participating institutions shall submit to the Commission/EOF reports of program activities, outcomes, and fiscal expenditures in a format established before the reporting period.

(b) The timetable for submission of the reports shall be included in the final contract executed with each participating institution.

(c) Institutions that fail to report in a timely manner shall not receive their next scheduled grant payment and may not receive any payments for the rest of the fiscal year.

9A:11-6.17 Fiscal audit requirements

(a) Participating institutions shall either have separate accounts for each EOF allocation for which funds are received or deposit State funds in a general account, the latter only if funds are identified by their separate EOF categories; in either case, the institution shall maintain a clear audit trail. The institution also shall maintain student records that include name, address, social security number, date, amount of each EOF semester award, and such other information as required for compliance with 20 U.S.C. § 1070 et seq.; 34 C.F.R. § 668.24; the Single Audit Act, as contained in the New Jersey Department of Treasury, Office of Management and Budget (OMB) Circular Letter 98-07, and as further specified in this chapter. Records of receipts and disbursements shall be maintained in accordance with generally accepted accounting principles.