

## HIGHER EDUCATION

(a)

### SECRETARY OF HIGHER EDUCATION EDUCATIONAL OPPORTUNITY FUND EOF Authority; Mission and Scope; and Undergraduate EOF Academic and Financial Eligibility

#### Proposed Amendments: N.J.A.C. 9A:11-2.6 and 3.4

Authorized By: Educational Opportunity Fund Board of Directors,  
Audrey Bennerson, EOF Executive Director.

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

Calendar Reference: See Summary below for explanation of  
exception to calendar requirement.

Proposal Number: PRN 2017-222.

Submit written comments by November 4, 2017, to:

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The agency proposal follows:

#### Summary

The Educational Opportunity Fund (EOF) program provides students from educationally disadvantaged backgrounds with financial aid and other support services while attending participating New Jersey colleges and universities. The program is a collaborative effort. Under the general supervision of the Secretary of Higher Education, the EOF Board of Directors (EOF Board) administers the program and the participating institutions directly serve students.

Working with participating institutions, the EOF Board maintains a Statewide system to identify and recruit potential college students from backgrounds of historical poverty, develops eligibility criteria for EOF financial assistance based on students' income and their potential for success in college, establishes procedures to determine the amount of the academic year grants according to the total financial need of each student, and advises on the development, organization, and coordination of a wide range of educational support and enrichment activities.

The proposed amendments to N.J.A.C. 9A:11-2.6(d) and 3.4(d) will add \$50.00 to the semester maximum grant amount and add \$100.00 to the academic year maximum grant amount.

As the EOF Board has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

#### Social Impact

EOF students come from every county in New Jersey. They have generally lived and attended high school in neighborhoods characterized by depressed economic conditions, substandard educational services, and unequal opportunities. Approximately 60 percent of total EOF enrollment comes from the State's most distressed municipalities (communities that have been designated "labor surplus areas" by the New Jersey Department of Labor and Workforce Development and the U.S. Bureau of Labor Statistics). The vast majority of EOF students spend their elementary and secondary school years in public school districts that by all objective measures fail to provide the level of educational preparation required for success in the more demanding curricula and challenging majors of our colleges and universities. The proposed amendments include the addition of \$50.00 to the semester maximum grant amount and \$100.00 to the academic year maximum grant amount will be the first increase in the EOF grant amounts in over a decade. As the cost of higher education continues to rise, students have

increased the amount of money borrowed to finance their education. This increase will help to decrease the level of loan indebtedness EOF students incur.

#### Economic Impact

During the 2016-17 academic year, the EOF program served 13,335 undergraduate and graduate students enrolled in 59 programs at 41 New Jersey colleges and universities. The Fiscal Year 2018 EOF appropriation provides sufficient resources to provide students with the first increase in the amount of the student grant in over a decade. Approximately \$18.6 million of the annual \$43.8 million dollar appropriation is used for EOF Article III academic year undergraduate and graduate student financial aid grants. The amendments will have no direct impact on the total number of students awarded grants because the EOF Board of Directors provides each participating higher education institution with a dollar allocation that they cannot exceed without authorization from the EOF Board.

#### Federal Standards Statement

The proposed amendments do not require a Federal standards analysis under Executive Order No. 27 (1994) and N.J.S.A. 52:14B-22 et seq., because EOF was established by New Jersey legislation, is wholly supported by State appropriations, and is not subject to any Federal requirements or standards.

#### Jobs Impact

The proposed amendments will not result in the generation or loss of any jobs.

#### Agriculture Industry Impact

The proposed amendments will have no impact on the agriculture industry.

#### Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the proposed amendments to the rules do not impose recordkeeping, reporting, or compliance requirements on small businesses as defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed amendments to the rules pertain strictly to public and publicly funded independent colleges and universities in New Jersey, none of which qualify as a small business as they employ more than 100 employees full-time.

#### Housing Affordability Impact Analysis

The proposed amendments do not impact housing affordability because the rules pertain to a request to increase the amount of the EOF Article III student grant students receive to cover the cost of college attendance not supported by their Federal Pell and State tuition aid grants. The proposed amendments will not result in a change in the average costs associated with housing or affect the affordability of housing in New Jersey.

#### Smart Growth Development Impact Analysis

The Office of the Secretary of Higher Education staff believes there is an extreme unlikelihood that the proposed amendments to the rules would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan because the rules govern a request to increase the amount of the Article III student grants.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

#### SUBCHAPTER 2. UNDERGRADUATE EOF ACADEMIC AND FINANCIAL ELIGIBILITY

9A:11-2.6 Grant amounts

(a)-(c) (No change.)

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

HIGHER EDUCATION

PROPOSALS

<u>Undergraduate</u>	<u>Semester Minimum</u>	<u>Semester Maximum</u>	<u>Academic Year Maximum</u>
<u>Community Colleges</u>			
Full-time	\$100.00	\$[525.00]575.00	\$[1,050]1,150
Part-time:			
6-8 credits	\$100.00	\$[263.00]288.00	\$[526.00]576.00
9-11 credits	\$100.00	\$[394.00]431.00	\$[788.00]862.00
<u>State Colleges and Universities</u>			
<u>Commuter</u>			
Full-time	\$100.00	\$[575.00]625.00	\$[1,150]1,250
Part-time:			
6-8 credits	\$100.00	\$[288.00]313.00	\$[576.00]626.00
9-11 credits	\$100.00	\$[431.00]469.00	\$[862.00]938.00
<u>Residential</u>			
Full-time	\$100.00	\$[700.00]750.00	\$[1,400]1,500
Part-time:			
6-8 credits	\$100.00	\$[427.00]450.00	\$[854.00]900.00
9-11 credits	\$100.00	\$[560.00]600.00	\$[1,120]1,200
<u>Public Research Universities</u>			
<u>Commuter</u>			
Full-time	\$100.00	\$[575.00]625.00	\$[1,150]1,250
Part-time:			
6-8 credits	\$100.00	\$[288.00]313.00	\$[576.00]626.00
9-11 credits	\$100.00	\$[431.00]469.00	\$[862.00]938.00
<u>Residential</u>			
Full-time	\$100.00	\$[700.00]750.00	\$[1,400]1,500
Part-time:			
6-8 credits	\$100.00	\$[427.00]450.00	\$[854.00]900.00
9-11 credits	\$100.00	\$[560.00] 600.00	\$[1,120]1,200
<u>Independent Colleges</u>			
Full-time	\$100.00	\$[1,250]1,300	\$[2,500]2,600
Part-time:			
6-8 credits	\$100.00	\$[625.00]650.00	\$[1,250]1,300
9-11 credits	\$100.00	\$[938.00]975.00	\$[1,876]1,950

SUBCHAPTER 3. GRADUATE EOF FINANCIAL ELIGIBILITY

9A:11-3.4 Grant amounts

(a)-(c) (No changes.)

(d) The Board shall annually review the State grant amounts for EOF students and make adjustments, if necessary. The minimum and maximum semester and maximum academic year award ranges for Article III graduate grants for each sector of higher education follows:

<u>Graduate</u>	<u>Semester Minimum</u>	<u>Semester Maximum</u>	<u>Academic Year Maximum</u>
State Colleges and Universities	\$100.00	\$[1,150] 1,200	\$[2,300] 2,400
Independent	100.00	[1,425] 1,475	[2,850] 2,950
Public Research Universities	100.00	[1,425] 1,475	[2,850] 2,950
Biomedical and Health Sciences Schools	100.00	[2,175] 2,225	[4,350] 4,450

(e) (No change.)

**HUMAN SERVICES**

**(a)**

**DIVISION OF FAMILY DEVELOPMENT**

**Child Support Program**

**Clarification of the Term “Regular Payments” When Used to Determine FIDM Eligibility; Denial, Revocation, or Limitation of U.S. Passport**

**Proposed Amendment: N.J.A.C. 10:110-15.2**

Authorized By: Elizabeth Connolly, Acting Commissioner, Department of Human Services.