



State of New Jersey

NEW JERSEY HIGHER EDUCATION

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Minutes of Educational Opportunity Fund Board of Directors Conference Call Meeting May 6, 2016

The New Jersey Educational Opportunity Fund Board of Directors conference call meeting was held on May 6, 2016, originating from the Office of the Secretary of Higher Education (OSHE), Mary Roebling Building, Trenton, N.J.

Welcome and Call to Order/Open Public Meetings Statement – Ms. Bennerson welcomed all of the Board members participating in the conference call. She called the meeting to order at 10:00 a.m., noting for the record that the date, time and location were provided to the Office of the Secretary of State and published on the Office of the Secretary of Higher Education’s website.

Board members were reminded that if there is a need to recuse themselves on any agenda item to do so before discussion of the item began.

Board members present - The Board members participating in the conference call were Mr. Anthony Falcone, Ms. Saara Marte, Mr. Franklin Moore, Ms. Lisa Pantel, Mr. Bader Qarmout, and Mr. Eric Taylor (representing the Secretary of Higher Education). Board members absent: Ms. Ivette Santiago-Green, Mr. Nacovin Norman, and Dr. Nannette Wright. Also participating in the conference call were Dr. Hasani Carter, EOF Statewide Director and Ms. Janis Flanagan, EOF Assistant Director.

Resolution 12:16 Approval of Proposed Readoption with Amendments to Regulations Governing the Educational Opportunity Fund (EOF) Administrative Procedures & Policies

In Dr. Wright’s absence, Ms. Bennerson introduced Resolution 12:16 which calls for the Board’s consideration of the proposed readoption with amendments to the regulations governing the Educational Opportunity Fund programs’ administrative procedures and policies for submission to the Office of Administrative Law for noticing in the New Jersey Register. According to N.J.S.A. 18A:71-28 et seq the EOF Board of Directors is responsible for the administration of the EOF program and for the promulgation of all rules to that effect. Pursuant to N.J.S.A. 52:14B-5.1b the rules governing the EOF program were scheduled to expire on May 13, 2016 and the submission of this notice of proposal in accordance with NJ.S.A. 52:14B-5.1.c (2) will



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extend that date for 180 days. The OSHE/EOF staff proposed the readoption of these rules with amendments to remove outdated references that are no longer applicable to program operations and to provide clarity on program requirements, all of which are summarized below:

Summary

The EOF Administrative Procedures and Policies are organized into eight subchapters and amendments were proposed for readoption in six of the eight subchapters. Ms. Bennerson summarized the major changes in each subchapter as follows:

Subchapter 1 contains the general authority under which the EOF program operates, definitions, mission statement and scope. The amendments proposed in subchapter 1 describe the transfer of authority from the "Commission on Higher Education" to the Office of the Secretary of Higher Education" (OSHE) and changes definitions to reflect the new name of the agency where appropriate.

Subchapter 2 outlines the awarding of Article III undergraduate EOF grants. Amendments were proposed to N.J.A.C. 9A:11-2.3(a) 1 and 2 to replace the academic year 2016-2017 EOF Income Eligibility Scale and gross income by household size with the 2017-2018 scale. Several amendments were proposed to align the EOF financial eligibility criteria with the revised New Jersey Foster Care Scholarship program requirements. In N.J.A.C. 9A:11-2.9, Part-time students, new language was proposed at (f) that will codify the disbursement of a semester maximum full-time EOF Article III academic year student grant to EOF renewal students enrolled in their last semester of study before graduation, who can meet the requirements for their degree by registering as part-time, as long as the student's financial aid award package consisting on NJ Tuition Aid Grant (TAG), scholarships and other financial assistance does not exceed the cost of attendance. This amendment will make it possible for eligible part-time EOF graduating seniors to also receive a TAG grant.

Language was added to clarify that non-funded EOF students {N.J.A.C. 9A:11-2.10(a)} may continue to receive Article IV program support services as determined by the institutional EOF administrator. To clarify the process for EOF students transferring from one campus EOF program to another {N.J.A.C. 9A:11-2.12(c)}, an amendment was added to emphasize that the Article III undergraduate student grant students received at their initial institution of enrollment does not transfer with the student to another participating institution in New Jersey. The transfer student must notify the EOF administrator at their new school that they wish to be part of the EOF program and the EOF administrator at the new school has to actually request the student's Article III undergraduate grant.



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Subchapter 3 describes graduate EOF financial eligibility. Amendments were proposed in the verification of financial eligibility N.J.A.C. 9A:11-3.3(b). The new language reference the at Tuition Aid Grant & Garden State Scholarship programs rules governing verification of family financial data at N.J.A.C.9A:9-2.7.

Subchapter 4 delineates EOF program support services and amendments were proposed in seven areas. The major changes in this subchapter are at N.J.A.C. 9A:4.2(a) which adds new language to specify what should be included in campus programs' mission statements and program goals and objectives.

Throughout the proposed rules the words "Commission" are replaced by "EOF Central Office".

In N.J.A.C. 9A:11-4.5 Recruitment and Admission several amendments were proposed to comply with the N.J.S.A.52:13H-2 State Mandate/State Pay Law. The current recruitment and admissions regulations require public institutions to enroll ten percent of their first-time, full-time students in the EOF program and independent institutions are encouraged to do the same. The State of New Jersey's EOF appropriation has not been sufficient to support this current rule for more than 15 years and the state mandate/state pay law makes the rule illegal. OSHE/EOF staff proposed new language which will require "institutions to establish an annual goal within its program objectives to enroll a percentage of its entering fall, full-time, first-time undergraduates" through the EOF program. The proposed new language further states "the EOF fall full-time, first-time undergraduate enrollment goal shall be based on the institutions' resources from all sources and current demographic profile of its full-time undergraduate students. Participating institutions are encouraged to establish a goal of at least ten percent."

At N.J.A.C. 9A:11-4.8 amendments were proposed to clarify the EOF advisement/counseling process for campus programs which is designed to address student learning and development , as well as helping students explore their educational, career and personal goals and assisting them with enrolling in the appropriate courses for their desired degree program.

Subchapter 5 governs the development and maintenance of the summer program. The attorney general's office felt that the language in N.J.A.C. 9A:11-5.4(b) needed to emphasize that EOF initial students permitted to enroll without participation in a summer program, must have an alternative activity provided during the academic year, that is consistent with the scope and goals listed under 9A:11-5.1 and the requirements of the initial summer program listed under 9A:11-5.3.



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Subchapter 6 governs the operational procedures for academic year and summer Article III student grants and Article IV program support services funds. At N. J.A.C. 9A:11-6.1 language was added that articulates that some campus EOF programs receive Article IV funds when applicable for the operation of their summer programs.

In N.J.A.C. 9A:11-6.1(d) the language referencing the description of program goals is replaced with language referencing mandatory goals delineated in N.J.A.C. 9A:11-4.2(a)2.

All students are required to register with the selective service and at N.J.A.C. 9A:11-6.5(a) the referenced is changed from and administrative code to the N.J.S.A. 18A:71B-6.

The word "overhead" was proposed as an addition to N.J.A.C. 9A:11-6.9 institutional commitment to further define indirect expenses.

At N.J.A.C. 9A:11-6.14(a) Recordkeeping and data collection the word "shall" was proposed to replace the word "should", and the word "institutional" was proposed as an addition to management information systems and research staff. Language was also added which requires EOF programs to have access to an electronic recordkeeping system with the ability to integrate EOF student data from institutional offices including admissions, financial aid, registrar, bursar academic advisement and other student support services. All of the campus programs currently use some form of an electronic data management system. The impetus for this amendment was the recent legislative audit of the OSHE which called for the program to improve its recordkeeping.

In N.J.A.C. 9A:11-6.15(c) 1 the addition of language was added to reference where the institutional goals for the EOF program are located in the administrative code. Language was also removed that specifically references the ten percent first-time full-time freshman goal. Proposed to replace this language will be "EOF full-time, first-time undergraduate students as a percentage of the institution's entering fall cohort."

Ms. Bennerson also called the Board's attention to the fact that the original materials sent to them included proposed amendments to the Martin Luther King Physician Dentist Scholarship Program. Those proposed amendments are not being included in this document because staff discovered that the medical higher education restructuring act which was the law that disbanded the University of Medicine and Dentistry and transferred the medical schools to Rowan University and Rutgers, the State University of New Jersey. When the medical higher education restructuring act was rewritten all of the references to medical higher education were revised. The Martin Luther King Physician Dentist Scholarship program contains an error which only



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permits student pursuing a dental degree to receive the scholarship. The Office of the Attorney General recommended that our office not proceed with proposed amendments to this subchapter since this program currently has no appropriation and students are not receiving scholarships. Since the program exist statutorily, if a future administration and legislature decided to provide the program with an appropriation the correction to the rule could be made at that time to ensure that students pursuing a medical degree would also be eligible for the scholarship.

Ms. Lisa Pantel offered a motion to approve Resolution 12:16 which was seconded by Mr. Moore and unanimously approved.

The meeting was adjourned at 10:40 a.m.