

18A:71-64

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(Veterans Tuition
Credit program)

LAWS OF: 1990

CHAPTER: 119

Bill No: S233

Sponsor(s): Paterniti

Date Introduced: Pre-filed

Committee: Assembly: Higher Education

Senate: Education

Amended during passage: No

Date of Passage: Assembly: October 18, 1990

Senate: March 8, 1990

Date of Approval: November 30, 1990

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

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P.L.1990, CHAPTER 119, approved November 30, 1990

1990 Senate No. 233

1 AN ACT concerning tuition credit available to certain veterans
2 of the Armed Forces of the United States, amending P.L.1975,
3 c.356 and repealing sections 10 and 13 of that act.

4

5 BE IT ENACTED by the Senate and General Assembly of the
6 State of New Jersey:

7 1. Section 1 of P.L.1975, c.356 (C.18A:71-64) is amended to
8 read as follows:

9 1. As used in this act:

10 a. "Eligible veteran" means any veteran of the Armed Forces
11 of the United States residing in New Jersey who is or was eligible
12 for Veterans Educational Assistance pursuant to Federal Law and
13 who (1) was domiciled in New Jersey [either] at the time of his
14 induction into the armed forces [or at the time of his discharge
15 therefrom], or (2) has been domiciled in New Jersey for a period
16 of not less than [2] 12 consecutive [years] months prior to the
17 date of application, exclusive of any time spent on active duty.

18 b. "Approved educational institution" means (1) any
19 academic, professional or vocational school operating within this
20 State or (2) any graduate level school operating within the
21 United States or (3) any academic, professional or vocational
22 school operating outside of this State; provided, however, that
23 any such institution shall have made a prior written agreement to
24 accept the tuition credit and reimbursement provided for in
25 sections 6 and 7 of this act; provided further, that no more than
26 20% of the eligible veterans under (1) and (3) of this subsection
27 shall attend an approved educational institution operating outside
28 of this State. To qualify as an "approved educational institution"
29 under this act, any such institution must have been approved for
30 Veteran's Educational Assistance pursuant to Federal Law.

31 c. "Approved course of study" means any curriculum or any
32 combination of unit courses or subjects pursued at an educational
33 institution which is accepted for Veteran's Educational
34 Assistance pursuant to the Federal Law.

35 d. ["Chancellor" means the Chancellor of Higher Education,
36 "Commissioner" means the Commissioner of Education and
37 includes any deputies or employees of the department designated
38 by him to administer and enforce this act] "Board" means the

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 Student Assistance Board established pursuant to P.L.1977, c.330
2 (C.18A:71-15.1).

3 (cf: P.L.1975, c.356, s.1)

4 2. Section 2 of P.L.1975, c.356 (C.18A:71-65) is amended to
5 read as follows:

6 2. For the purposes of this act:

7 a. (1) an institutional trade or technical course offered at a
8 nonaccredited school on a clock-hour basis [below the college
9 level] involving shop practice as an integral part thereof, shall be
10 considered a full-time course when a minimum of 30 hours per
11 week of attendance is required with no more than two and
12 one-half hours of rest periods per week and no more than three
13 hours of supervised study per week allowed;

14 [b.] (2) an institutional course offered at a nonaccredited
15 school on a clock-hour basis [below the college-level] in which
16 theoretical or classroom instruction predominates shall be
17 considered a full-time course when a minimum of 25 hours per
18 week net of instruction (which may include customary intervals
19 not to exceed 10 minutes between hours of instruction) is
20 required and no more than three hours of supervised study per
21 week is allowed;

22 b. (1) an institutional trade or technical course offered at an
23 accredited school on a clock-hour basis which leads to a standard
24 trade or technical degree and involves shop practice as an
25 integral part thereof, shall be considered a full-time course when
26 a minimum of 22 hours per week of attendance is required with
27 no more than two and one-half hours of rest periods per week and
28 no more than three hours of supervised study per week allowed;

29 (2) an institutional course offered at an accredited school on a
30 clock-hour basis which leads to a standard trade or technical
31 degree in which theoretical or classroom instruction
32 predominates shall be considered a full-time course when a
33 minimum of 18 hours per week of instruction (which may include
34 customary intervals not to exceed 10 minutes between hours of
35 instruction) is required and no more than two and one-half hours
36 of supervised study is allowed;

37 c. an academic high school course requiring 16 units for a full
38 course shall be considered a full-time course when a minimum of
39 four units per year is required. For the purpose of this clause, a
40 unit is defined to be not less than 120 60-minute hours or their
41 equivalent of study in any subject in one academic year; and

42 d. an institutional undergraduate course offered by a college
43 or university on a quarter- or semester-hour basis shall be
44 considered a full-time course when a minimum of 14 semester
45 hours or the equivalent thereof, for which credit is granted
46 toward a standard college degree (including those for which no
47 credit is granted but which are required to be taken to correct an
48 educational deficiency), is required, except that where such

1 college or university certifies, upon the request of the
2 [chancellor] board, that (a) full-time tuition is charged to all
3 undergraduate students carrying a minimum of less than 14 such
4 semester hours or the equivalent thereof or (b) all undergraduate
5 students carrying a minimum of less than 14 such semester hours
6 or the equivalent thereof, are considered to be pursuing a
7 full-time course for other administrative purposes, then such an
8 institutional undergraduate course offered by such college or
9 university with such minimum number of such semester hours
10 shall be considered a full-time course, but in the event such
11 minimum number of semester hours is less than 12 semester hours
12 or the equivalent thereof, then 12 semester hours or the
13 equivalent thereof shall be considered a full-time course.

14 (cf: P.L.1975, c.356, s.2)

15 3. Section 4 of P.L.1975, c.356 (C.18A:71-67) is amended to
16 read as follows:

17 4. Any eligible veteran who desires tuition credit pursuant to
18 this act, within eight years from the date of (a) his separation
19 from active duty or (b) the effective date of this act, whichever
20 is later, shall submit an application to the [chancellor] board
21 which shall be in a form and contain information as the
22 [chancellor] board shall prescribe. The [chancellor] board shall
23 approve the application unless he finds that the veteran is
24 ineligible for or not entitled to tuition credit or that his course of
25 study is not approved pursuant to this act, or that he has already
26 been approved. The [chancellor] board shall notify the veteran
27 and his selected educational institution of the approval of his
28 application.

29 (cf: P.L.1975, c.356, s.4)

30 4. Section 5 of P.L.1975, c.356 (C.18A:71-68) is amended to
31 read as follows:

32 5. a. Each eligible veteran shall be entitled to tuition credit
33 pursuant to this act in accordance with the following schedule:

34 (1) For a period of one semester (or the equivalent thereof in
35 part-time tuition credit), in the case of educational institutions
36 regularly operated on the semester system, for each three months
37 or fraction thereof of the veteran's service on active duty after
38 December 31, 1960 and [before the date of termination as
39 proclaimed by the Governor] May 7, 1975. If an eligible veteran
40 has served a period of 18 months or more on active duty during
41 such period of time, he shall be entitled to tuition credit pursuant
42 to this act for a period of eight semesters (or the equivalent
43 thereof in part-time tuition credit); the maximum credit
44 hereunder shall be for a period of eight semesters; or

45 (2) For a period of one-quarter (or the equivalent thereof in
46 part-time tuition credit) in the case of educational institutions
47 regularly operated on the quarter system, for each two months or
48 fraction thereof of the veteran's service on active duty after

1 December 31, 1960 and before [the date of termination as
2 proclaimed by the Governor] May 7, 1975. If an eligible veteran
3 has served a period of 18 months or more on active duty during
4 such period of time, he shall be entitled to tuition credit pursuant
5 to this act for a period of 12 quarters; the maximum credit
6 hereunder shall be for a period of 12 quarters; or

7 (3) For a period of one and one-half months of any tuition
8 period (or the equivalent thereof in part-time tuition credit) in
9 the case of educational institutions not operated on the quarter
10 or semester system, for each month or fraction thereof of the
11 veteran's service on active duty after December 31, 1960 and
12 before [the date of termination as proclaimed by the Governor]
13 May 7, 1975. If an eligible veteran has served a period of 18
14 months or more on active duty during such period of time, he
15 shall be entitled to tuition credit pursuant to this act for 36
16 months of tuition credit (or the equivalent thereof in part-time
17 tuition credit). The maximum credit hereunder shall be for a
18 period of 36 months.

19 b. If an eligible veteran shall change his program of study from
20 an educational institution regularly operated on the quarter or
21 semester system or otherwise, to an educational institution
22 regularly operated on a different system, the remainder of his
23 credit shall accordingly be redistributed by the [chancellor] board
24 in such manner as to carry out the intent of this act.

25 (cf: P.L.1975, c.356, s.5)

26 5. Section 6 of P.L.1975, c.356 (C.18A:71-69) is amended to
27 read as follows:

28 6. Benefits hereunder shall be in the form of tuition credits
29 limited by the lesser of full tuition or:

30 a. For educational institutions regularly operated on the
31 semester system, \$200.00 per semester.

32 b. For educational institutions regularly operated on the
33 quarter system, \$100.00 per quarter.

34 c. For educational institutions not regularly operated on the
35 semester or quarter system, \$400.00 per full school year prorated
36 on an equal basis as the [chancellor] board shall determine.

37 d. For veterans pursuing a program of part-time education,
38 the tuition credit shall be in such amounts as the [chancellor]
39 board shall determine. These veterans shall be eligible to receive
40 awards during summer terms, provided that the total award
41 during the period from September 1, to August 31 of any
42 academic year does not exceed the amount of assistance a
43 full-time student at the same institution would receive.

44 (cf: P.L.1975, c.356, s.6)

45 6. Section 7 of P.L.1975, c.356 (C.18A:71-70) is amended to
46 read as follows:

47 7. Reimbursement for tuition credit shall be made by the State
48 Treasurer to the approved educational institution upon

1 certification by the institution that the veteran is enrolled for
2 the current period and upon certification by the [chancellor]
3 board that the veteran is both eligible and entitled to tuition
4 credit hereunder subject to the provisions of section 12 of this
5 act. Reimbursement for tuition credit shall be made out of funds
6 accumulated from the State Lottery.

7 (cf: P.L.1975, c.356, s.7)

8 7. Section 8 of P.L.1975, c.356 (C.18A:71-71) is amended to
9 read as follows:

10 8. The [chancellor, in consultation with the commissioner as to
11 matters under the jurisdiction of the commissioner] board shall
12 promulgate such rules and regulations in accordance with the
13 "Administrative Procedure Act" (P.L.1968, c.410) (C.52:14B-1 et
14 seq.) as [he] it deems necessary to effectuate the purposes of this
15 act.

16 (cf: P.L.1975, c.356, s.8)

17 8. Section 12 of P.L.1975, c.356 (C.18A:71-75) is amended to
18 read as follows:

19 12. In the event that the amount appropriated in any fiscal
20 year is insufficient to carry out in full the provisions of this act,
21 the [chancellor] board shall apportion such amount among the
22 eligible veterans applying for tuition credit pursuant to the act in
23 proportion to the amount each such veteran would be allocated if
24 the full amount were appropriated.

25 (cf: P.L.1975, c.356, s.12)

26 9. Section 10 of P.L.1975, c.356 (C.18A:71-73) and section 13
27 of P.L.1975, c.356 (C.18A:71-76) are repealed.

28 10. This act shall take effect immediately.

29
30
31 HIGHER EDUCATION

32
33 Revises the administration of the veterans tuition credit program.

1 certification by the institution that the veteran is enrolled for
2 the current period and upon certification by the [chancellor]
3 board that the veteran is both eligible and entitled to tuition
4 credit hereunder subject to the provisions of section 12 of this
5 act. Reimbursement for tuition credit shall be made out of funds
6 accumulated from the State Lottery.

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9 read as follows:

10 8. The [chancellor, in consultation with the commissioner as to
11 matters under the jurisdiction of the commissioner] board shall
12 promulgate such rules and regulations in accordance with the
13 "Administrative Procedure Act" (P.L.1968, c.410) (C.52:14B-1 et
14 seq.) as [he] it deems necessary to effectuate the purposes of this
15 act.

16 (cf: P.L.1975, c.356, s.8)

17 8. Section 12 of P.L.1975, c.356 (C.18A:71-75) is amended to
18 read as follows:

19 12. In the event that the amount appropriated in any fiscal
20 year is insufficient to carry out in full the provisions of this act,
21 the [chancellor] board shall apportion such amount among the
22 eligible veterans applying for tuition credit pursuant to the act in
23 proportion to the amount each such veteran would be allocated if
24 the full amount were appropriated.

25 (cf: P.L.1975, c.356, s.12)

26 9. Section 10 of P.L.1975, c.356 (C.18A:71-73) and section 13
27 of P.L.1975, c.356 (C.18A:71-76) are repealed.

28 10. This act shall take effect immediately.

29
30
31 STATEMENT

32
33 This bill will streamline the administration of the veterans tuition
34 credit program.

35 Specifically, the bill:

36 1) Amends current law to give the Student Assistance Board,
37 rather than the Chancellor of Higher Education, responsibility for
38 administering and coordinating the veterans tuition credit
39 program;

40 2) Permits eligible veterans pursuing a program of part-time
41 study to receive tuition awards for summer courses;

42 3) Modifies the residency requirement and reduces residency
43 eligibility from two years to 12 months; and

44 4) Changes the termination date of the Vietnam conflict used
45 by the program from the date of termination as proclaimed by
46 the Governor to May 7, 1975 to conform the dates of that
47 conflict with those used by the federal government to determine
48 eligibility for certain veterans' benefits.

1 Sections 10 and 13 of P.L.1975, c.356 (C.18A:71-73,
2 18A:71-76), which deal with the authority of the Chancellor of
3 Higher Education, the Department of Higher Education and the
4 Department of Education with regard to this program, are
5 repealed.

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HIGHER EDUCATION

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10 Revises the administration of the veterans tuition credit program.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 233

STATE OF NEW JERSEY

DATED: SEPTEMBER 13, 1990

The Assembly Higher Education Committee favorably reports Senate Bill No. 233.

This bill will streamline the administration of the veterans tuition credit program.

Specifically, the bill:

- 1) Amends current law to give the Student Assistance Board, rather than the Chancellor of Higher Education, responsibility for administering and coordinating the veterans tuition credit program;
- 2) Permits eligible veterans pursuing a program of part-time study to receive tuition awards for summer courses;
- 3) Modifies the residency requirement and reduces residency eligibility from two years to 12 months; and
- 4) Changes the termination date of the Vietnam conflict used by the program from the date of termination as proclaimed by the Governor to May 7, 1975, which conforms the dates of that conflict with those used by the federal government to determine eligibility for certain veterans' benefits.

In addition, the bill conforms current State law concerning the veterans' tuition credit program with current federal regulations for such programs by: 1) differentiating between nonaccredited and accredited trade or technical schools and establishing the criteria necessary for tuition credit for veterans who attend accredited trade or technical schools; and 2) adding the requirement to current law that no trade or technical course offered at a nonaccredited school may allow more than three hours of supervised study for a course that involves shop class or no more than two and one-half hours for a course that involves theoretical instruction.

The bill repeals sections 10 and 13 of P.L.1975, c.356 (C.18A:71-73, 18A:71-76), which deal with the authority of the Chancellor of Higher Education, the Department of Higher Education and the Department of Education with regard to this program, since their role will be handled by the Student Assistance Board.

According to a fiscal note prepared for an identical bill during the prior legislative session, the Department of Higher Education estimates the cost of the streamlined program at \$21,200 for each of the first three years of operation. This is based upon full-time grants of \$400 and part-time grants of \$200 as established by statute. The department also estimates that expenditures under this

program will probably decrease in future years as the eligible veteran population completes its educational and degree requirements.

A Department of Higher Education representative indicated that the department supports the bill, but indicated that they also support legislation to be introduced that would move this program to the Veterans Department.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 233

STATE OF NEW JERSEY

DATED: JANUARY 25, 1990

The Senate Education Committee favorably reports this bill without committee amendments.

This bill will streamline the administration of the veterans tuition credit program.

Specifically, the bill:

- 1) Amends current law to give the Student Assistance Board, rather than the Chancellor of Higher Education, responsibility for administering and coordinating the veterans tuition credit program;
- 2) Permits eligible veterans pursuing a program of part-time study to receive tuition awards for summer courses;
- 3) Modifies the residency requirement and reduces residency eligibility from two years to 12 months; and
- 4) Changes the termination date of the Vietnam conflict used by the program from the date of termination as proclaimed by the Governor to May 7, 1975 to conform the dates of that conflict with those used by the federal government to determine eligibility for certain veterans' benefits.

In addition, the bill conforms current State law concerning the veterans' tuition credit program with current federal regulations for such programs by: 1) differentiating between nonaccredited and accredited trade or technical schools and establishing the criteria necessary for tuition credit for veterans who attend accredited trade or technical schools; and 2) adding the requirement to current law that no trade or technical course offered at a nonaccredited school may allow more than three hours of supervised study for a course that involves shop class or no more than two and one-half hours for a course that involves theoretical instruction.

Sections 10 and 13 of P.L.1975, c.356 (C.18A:71-73, 18A:71-76), which deal with the authority of the Chancellor of Higher Education, the Department of Higher Education and the Department of Education with regard to this program, are repealed.

According to a fiscal note prepared for this bill during the prior legislative session, the Department of Higher Education estimates that this bill would provide grants to an additional 84 veterans, 30 as a consequence of the change in residency requirements, 35 through the change in the dating of the Vietnam conflict and 19 by the addition of summer term eligibility. On the basis of current enrollment patterns, the department assumes that 22 of these veterans would attend school full time and 62 would enroll part-time. The department also assumes that 10 percent of the part-time students would attend summer classes.

Predicated upon these assumptions, the department estimates the cost of this bill at \$21,200 for each of the first three years of operation. This is based upon full-time grants of \$400 and part-time grants of \$200 as established by statute. The department also estimates that expenditures under this program will probably decrease in future years as the eligible veteran population completes its educational and degree requirements.

This bill is identical to Senate Bill No. 3075 (1R) and Assembly Bill No. 2416 (1R) of 1989. Both bills were released by the Senate Education Committee during the previous session, but were not acted upon by the full Senate.

This bill was pre-filed for introduction in the 1990 session pending technical review. As reported the bill includes the changes required by technical review which has been performed.
