

ASSEMBLY, No. 767

STATE OF NEW JERSEY

INTRODUCED MAY 20, 1968

By Assemblymen KEAN, KALTENBACHER, DENNIS, WILSON,
FIORE, CAPUTO, VANDER PLAAT, RICHARDSON, OWENS,
WILENTZ and PFALTZ

Referred to Committee on Education

AN ACT concerning higher education, creating the New Jersey Educational Opportunity Fund in the Department of Higher Education, supplementing subtitle 12 of Title 18A of the New Jersey Statutes, and providing an appropriation.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

ARTICLE I

1 1. This act shall be known as, and may be cited as, the "New
2 Jersey Educational Opportunity Act of 1968."

1 2. This act shall be liberally construed to effectuate the purposes
2 and intent thereof.

1 3. As used in this act, unless the context clearly indicates other-
2 wise, the following terms shall have the following meanings:

3 (a) The term "board" shall mean the Board of Directors of the
4 New Jersey Educational Opportunity Fund created by section 4
5 of this act.

6 (b) The term "chancellor" shall mean the Chancellor of Higher
7 Education.

8 (c) The term "department" shall mean the Department of
9 Higher Education.

10 (d) The term "fund" shall mean the New Jersey Educational
11 Opportunity Fund created by section 4 of this act.

12 (e) The term "higher education" shall mean that education
13 which is provided by any or all of the public institutions of higher
14 education as herein defined or any or all equivalent private insti-
15 tutions.

16 (f) The term "public institutions of higher education" shall
17 mean and include Rutgers, The State University, Newark College
18 of Engineering, the New Jersey College of Medicine and Dentistry,

19 the 6 State colleges, the College of Aeronautical and Air-space
20 Science established in Atlantic county pursuant to chapter 285 of
21 the laws of 1964, the county colleges, the public junior colleges, the
22 industrial schools, and any other public universities, colleges,
23 county colleges or junior colleges now or hereafter established or
24 authorized by law.

ARTICLE II

1 4. (a) There is hereby created and established in the department
2 an educational opportunity fund which shall be known as the "New
3 Jersey Educational Opportunity Fund." The fund shall identify,
4 recruit and provide financial assistance to needy students who are
5 residents of this State in order that they may be able to attend
6 institutions of higher education.

7 (b) The business and operations of the fund shall be adminis-
8 tered by the chancellor and the board of directors created pursuant
9 to section 5 of this act.

10 (c) The chancellor shall serve as the chief executive officer of
11 the fund and shall organize the work of the fund in such manner
12 as he deems necessary to carry out the provisions of this act. The
13 chancellor may employ such persons, contract for such services,
14 make such expenditures and adopt such rules and regulations as
15 may be necessary or appropriate to carry out the provisions of this
16 act.

1 5. (a) The board of directors of the fund shall consist of the
2 chancellor, who shall serve as chairman, and 8 citizens of this State
3 appointed by the State Board of Higher Education with the ap-
4 proval of the Governor. Citizen members of the board shall be
5 selected without regard to political affiliation and, as far as may
6 be practicable, on the basis of their knowledge of, or interest in,
7 the problems of needy students and higher education.

8 (b) Each citizen member of the board shall serve for a term of
9 4 years and until his successor shall have been appointed and quali-
10 fied; provided, that in the case of the first appointments to the
11 board, 2 members shall be appointed for terms expiring June 30,
12 1969; 2 members shall be appointed for terms expiring June 30,
13 1970; 2 members shall be appointed for terms expiring June 30,
14 1971; and 2 members shall be appointed for terms expiring June
15 30, 1972. Any vacancy in the membership of the board shall be
16 filled in the same manner as the original appointment for the re-
17 mainder of the unexpired term.

18 (c) The board shall develop and maintain a State-wide system
19 for the identification of potential college students from needy fam-
20 ilies; devise methods for recruiting such students; advise the chan-

21 cellor on the organization, co-ordination and support, in co-opera-
22 tion with public and private institutions of higher education of the
23 State, of programs of remedial education for such students; and
24 provide financial assistance as required by such students.

25 (d) Members of the board shall serve without compensation but
26 shall be entitled to be reimbursed for all reasonable and necessary
27 expenses incurred in the discharge of their duties.

1 6. The board shall:

2 (a) Administer all funds appropriated by the Legislature for the
3 purpose of carrying out the provisions of this act.

4 (b) Be an agency of communication with departments and
5 agencies of the United States on the availability of grants or loans
6 to this State for purposes related or similar to those set forth in
7 this act.

8 (c) Develop, establish and publicize criteria for the determina-
9 tion of eligibility for financial assistance from the fund based on
10 need and potential for success in college.

11 (d) Established procedures for determining the amount of each
12 award according to the total financial need of each student.

13 (e) Through the chancellor, be responsible and report periodi-
14 cally in writing to the Board of Higher Education on the perform-
15 ance of its duties in accordance with the provisions of this act.

16 (f) Adopt by-laws, and make, enforce, alter and repeal rules for
17 its own operation and for carrying out the provisions of this act.

18 (g) Receive and disburse such contributions to the fund as may
19 be forthcoming from private and public sources.

ARTICLE III

1 7. (a) The board is hereby authorized to award "opportunity
2 grants" from the fund to needy students for undergraduate study
3 leading to a baccalaureate degree, associate degree, or other ap-
4 proved certificate at institutions of higher education, public and
5 private, located in New Jersey; provided, that the board shall allow
6 not more than 10% of the needy students to be awarded opportunity
7 grants in any year to use their opportunity grants at institutions of
8 higher education located outside this State.

9 (b) Opportunity grants may be awarded annually, upon proper
10 application to the fund, to any needy student who qualifies under
11 the standards to be developed and promulgated by the board and
12 who is or will be attending an institution of collegiate grade located
13 in New Jersey and approved for this purpose by the Board of
14 Higher Education, except that in cases where the student will be
15 or is attending an institution in another State, the accreditation

16 procedures of that State shall be accepted, subject to the approval
17 of the board.

1 8. (a) No opportunity grant shall be awarded to any applicant
2 therefor unless such applicant shall have demonstrated to the
3 satisfaction of the board that he or she:

4 (1) Is and has been a resident of the State for at least 12 months
5 prior to receiving the grant;

6 (2) Will be or is attending a full-time or other program leading
7 to a degree, or other organized program of study approved by the
8 institution which he or she is or will be attending;

9 (3) Has demonstrated financial need for such grant, as deter-
10 mined by standards and procedures to be established by the board,
11 in accordance with the provisions of this and the preceding article;
12 and

13 (4) Has complied with all rules and regulations adopted pur-
14 suant to this act by the board for the award, regulation and ad-
15 ministration of opportunity grants.

16 (b) In addition to the requirements of subsection (a) of this
17 section, the board is hereby authorized to require the satisfaction
18 of such other requirements as it may deem necessary to carry out
19 the provisions of this act.

1 9. In awarding opportunity grants pursuant to this act, the board
2 shall take into account the financial resources available to the
3 applicant to meet the cost of his higher education and the tuition,
4 fees and living expenses at the institution of higher education
5 which the applicant is attending or to which he has been admitted.
6 Opportunity grants awarded pursuant to this act shall be paid to
7 recipients by the State Treasurer in accordance with rules and
8 regulations adopted by the board.

1 10. No person shall be eligible for educational opportunity assist-
2 ance pursuant to this act for more than 6 years, or for such other
3 period of time as may be determined by the board to be necessary
4 for the completion of an organized course of study. Each opportu-
5 nity grant awarded pursuant to this act shall remain in effect only
6 so long as the recipient thereof achieves academic progress to the
7 satisfaction of the board and demonstrates continued eligibility
8 pursuant to the provisions of this act.

1 11. Opportunity grants shall be awarded by the board without
2 regard to race, creed or religion and in such number and amount as
3 may be within the limits of funds appropriated or otherwise made
4 available therefor.

ARTICLE IV

1 12. The chancellor shall develop, establish and maintain pro-
2 grams of remedial and supplementary education for the students
3 who will receive educational opportunity assistance under this act.
4 Such programs may be administered directly by the Department
5 of Higher Education or may be co-operative ventures undertaken
6 with any or all of the public and private institutions of higher
7 education in the State.

1 13. The chancellor shall:

2 (a) Administer all funds appropriated by the Legislature to
3 fulfill the purposes of this article.

4 (b) Be an agency of communication with any department or
5 agency of the United States on public funds available to the State
6 for purposes related to those set forth in this act.

7 (c) Enter into joint-funding arrangements with public and pri-
8 vate institutions of higher education for purposes related to this
9 act.

ARTICLE V

1 14. (a) There is hereby appropriated to the Department of
2 Higher Education for the New Jersey College Opportunity Fund,
3 the sum of \$2,000,000.00 to carry out the provisions of Articles II
4 and III of this act including the administration thereof, for the
5 period ending June 30, 1969.

6 (b) There is hereby appropriated to the Department of Higher
7 Education the sum of \$400,000.00 to carry out the provisions of
8 Article IV of this act for the period ending June 30, 1969.

1 15. This act shall take effect immediately.

SENATE COMMITTEE AMENDMENTS TO
ASSEMBLY, No. 767

STATE OF NEW JERSEY

ADOPTED JUNE 17, 1968

Amend page 3, section 7, line 4, after "certificate", insert "and for graduate and professional study leading to approved master's and doctor's degrees".

Amend page 3, section 7, line 8, after "State", insert "; and, provided further, that no more than 10% of the funds appropriated and available for the purposes of this act shall be awarded to students for use in graduate study".

Amend page 5, section 14, line 3, delete "\$2,000,000.00", insert "\$1,600,000.00".

[OFFICIAL COPY REPRINT]
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13 which is provided by any or all of the public institutions of higher
14 education as herein defined or any or all equivalent private insti-
15 tutions.

16 (f) The term "public institutions of higher education" shall
17 mean and include Rutgers, The State University, Newark College

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

18 of Engineering, the New Jersey College of Medicine and Dentistry,
19 the 6 State colleges, the College of Aeronautical and Air-space
20 Science established in Atlantic county pursuant to chapter 285 of
21 the laws of 1964, the county colleges, the public junior colleges, the
22 industrial schools, and any other public universities, colleges,
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6 institutions of higher education.

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8 tered by the chancellor and the board of directors created pursuant
9 to section 5 of this act.

10 (c) The chancellor shall serve as the chief executive officer of
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12 as he deems necessary to carry out the provisions of this act. The
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 8B located outside this State; *and, provided further, that no more than*
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ARTICLE V

1 14. (a) There is hereby appropriated to the Department of
2 Higher Education for the New Jersey College Opportunity Fund,
3 the sum of *~~[\$2,000,000.00]~~* *\$1,600,000.00* to carry out the provi-
4 sions of Articles II and III of this act including the administration
5 thereof, for the period ending June 30, 1969.

6 (b) There is hereby appropriated to the Department of Higher
7 Education the sum of \$400,000.00 to carry out the provisions of
8 Article IV of this act for the period ending June 30, 1969.

1 15. This act shall take effect immediately.

A-767

FROM: OFFICE OF THE GOVERNOR

FOR RELEASE: July 12, 1968

STATEMENT BY GOVERNOR RICHARD J. HUGHES
ON SIGNING OF A-767
FRIDAY, JULY 12, 1968

The enactment of this bill creating the Educational Opportunity Fund marks another in the significant advances which this State has made in the development of solutions to critical problems facing us. Assembly Bill No. 767 will establish a substantial source of funds by which the citizens of New Jersey can hope to achieve an equal opportunity for higher education. In my Special Message to the Legislature earlier this year, I noted the distressing loss to our community of the talents of many of our citizens unable to secure necessary higher education by reason of financial hardship. This Educational Opportunity Fund will enable New Jersey to utilize federal resources already allocated for disadvantaged students in this State. Our matching funds will enable the attendance of many young citizens, not only at our public colleges and universities, but also at the independent educational institutions of this State. I am advised that an immediate result of this Act today will be the availability of 500 scholarships to students who wish to attend college this September.

The fund will be administered by the Educational Opportunity Commission through college aid officers under strict standards of need and performance. It is designed to supplement, but not replace, private scholarships, work study stipends, loans and individual student resources. The benefits of this fund will reach not only those students otherwise unable to attend college, but also the colleges themselves by complementing their efforts to address more directly the problems of our cities and our disadvantaged citizens.

It is my firm conviction as I have stated in the Message of last April that "no investment in human resources could promise a greater return."