

## CHAPTER 124

AN ACT concerning the NJ STARS and NJ STARS II Programs and amending and supplementing P.L.2004, c.59 and P.L.2005, c.359.

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

1. Section 5 of P.L.2004, c.59 (C.18A:71B-85) is amended to read as follows:

C.18A:71B-85 NJ STARS scholarships; eligibility.

5. a. A scholarship under the NJ STARS Program shall cover the full cost of tuition and fees, subject to the prior application of other grants and scholarships against those costs as provided under paragraph (2) of subsection c. of this section, for up to 18 credit hours in any semester, for an eligible student enrolled in a full-time course of study at the New Jersey county college serving the student's county of residence. An otherwise eligible student who demonstrates to the authority, in accordance with such criteria and by means of such documentation as the authority shall establish by regulation, that the county college serving the student's county of residence does not offer the curriculum that the student chooses to study shall be eligible for such scholarship at another New Jersey county college offering that curriculum. The amount of any scholarship allowed hereunder to a student at a county college serving a county other than the student's county of residence shall be computed as though the student were a resident of the county served by that college, and the college shall likewise compute the amount of any additional payment, required with respect to the enrollment of that student for credit hours of study during a semester in which the scholarship is awarded that are not covered by that scholarship, as though the student were a resident of the county.

b. A student shall be eligible for a scholarship under the NJ STARS Program for up to five semesters, including summer sessions. The scholarship shall be payable for the first year of enrollment in a county college to a student who:

(1) graduated in the top 15.0% of the student's high school graduating class, provided that in the case of students graduating from high schools that do not calculate the class rank of their students, the student's ranking shall be determined by the high school in consultation with the authority; and

(2) completed a rigorous high school course of study in accordance with standards established by the Commission on Higher Education in consultation with the Commissioner of Education.

During a student's enrollment in a county college after the first year of enrollment, the scholarship shall be payable to that student if the student attains a grade point average of at least 3.0 by the start of the student's second year of county college enrollment. A student who attains a grade point average of less than 3.0 at the start of the second semester of the student's first year of county college enrollment shall participate in an enrichment program designed by the county college during the second semester of the student's first year of enrollment.

c. To be eligible to receive a scholarship under the NJ STARS Program a student shall:

(1) be a State resident pursuant to guidelines established by the authority. Notwithstanding the provisions of section 1 of P.L.1979, c.361 (C.18A:62-4) or any other section of law to the contrary, a dependent child of a parent or guardian who has been transferred to a military installation located in this State shall be considered a resident of this State for the purposes of qualifying for an NJ STARS scholarship;

(2) have applied for all other available forms of State and federal need-based grants and merit scholarships, exclusive of loans, the full amount of which grants and scholarships shall be applied to tuition and fee charges to reduce the amount of any scholarship that the student shall receive under the provisions of this act;

(3) except as otherwise provided pursuant to subsection a. of section 3 of P.L.2008, c.124 (C.18A:71B-85.2), be enrolled in a full-time course of study at a New Jersey county college;

(4) have graduated from high school in 2004 or later, and not earlier than the calendar year two years prior to the first calendar year in which a scholarship payment is to be made; and

(5) except as otherwise provided pursuant to subsection a. of section 3 of P.L.2008, c.124 (C.18A:71B-85.2), maintain continuous enrollment in a full-time course of study, unless on medical leave due to the illness of the student or a member of the student's immediate family or emergency leave because of a family emergency, which medical or emergency leave shall have been approved by the county college, or unless called to partial or full mobilization for State or federal active duty as a member of the National Guard or a Reserve component of the Armed Forces of the United States.

d. A student who is dismissed for academic or disciplinary reasons from a county college shall no longer be eligible for a scholarship under this act. If a student participating in the program is dismissed for disciplinary reasons, the student shall repay in full all amounts received under the program. The county college shall be responsible for collecting the repayment, or the amount of any overpayment or other improper payment, of any State awards under the program, in accordance with the provisions of N.J.S.18A:71B-10.

e. A student scholarship under the NJ STARS Program may be renewed upon the student's filing of a renewal financial aid application and providing evidence that the student has satisfied the requirements pursuant to subsection b. of this section.

#### C.18A:71B-85.1 College placement test to determine eligibility for program.

2. a. Upon notice from the authority in a student's senior year of high school of conditional eligibility for the NJ STARS Program, a student who determines to pursue final eligibility for the program shall take a college placement test to determine readiness for college-level coursework. The test shall be selected by the New Jersey Council of County Colleges and administered by the county college of the county in which the student's school district is located at no cost to the student or the school district. A county college may enter into an agreement with the school district to administer the test at the high school or other selected site within the district.

b. A county college shall notify any student who does not achieve the required score on the placement test that the student requires remediation prior to pursuing county college coursework for credit under the NJ STARS Program. The student shall have the responsibility to address the identified deficiencies through such means as the student determines, including enrollment in remedial classes at the county college during the senior year of high school.

c. Upon graduation from high school, if a student meets the eligibility criteria for receipt of an NJ STARS scholarship but is not able to demonstrate the skill levels required to pursue courses for credit at a county college, the student shall not receive an NJ STARS scholarship until that ability is demonstrated. The student shall have one year from the September 1 next following the date of high school graduation to demonstrate such ability, and if at the end of the one-year period the student continues to require remediation, then the student shall lose eligibility for the NJ STARS Program. If during or at the end of the one-year period the

student demonstrates the required ability, then the student shall be eligible for an NJ STARS scholarship for five semesters.

C.18A:71B-85.2 Option for fewer credits for recipient, eligibility for NJ STARS II scholarship.

3. a. A student who receives an NJ STARS scholarship shall be eligible to take less than 12 credits in the final semester if the county college determines that the student needs to complete less than 12 credits in that semester to complete the degree program.

b. In the case of a student who is enrolled in an associate degree program regularly requiring six semesters, the student shall not receive an NJ STARS scholarship for the sixth semester but shall maintain eligibility for the New Jersey Student Tuition Assistance Reward Scholarship II (NJ STARS II) Program established pursuant to P.L.2005, c.359 (C.18A:71B-86.1 et seq.), provided that the student meets the requirements for receipt of an NJ STARS II scholarship.

C.18A:71B-85.3 Application of college credits earned in high school.

4. A student who is eligible for an NJ STARS scholarship who earned college credits while enrolled in high school may submit to the county college a transcript from the institution of higher education that awarded the credits. If the county college determines that the student's coursework is equivalent to that offered by the county college, then the county college shall apply the credits toward the award of the student's associate degree under the NJ STARS Program.

C.18A:71B-85.4 Current recipients unaffected; exceptions.

5. a. In the case of a student who is receiving a scholarship under the NJ STARS Program on the effective date of P.L.2008, c.124 (C.18A:71B-85.1 et al.), the scholarship shall be administered and the student shall remain eligible for the program in accordance with the provisions of P.L.2004, c.59 (C.18A:71B-81 et seq.) as the same read before the effective date of P.L.2008, c.124 (C.18A:71B-85.1 et al.); except that a student who is in the first year of county college enrollment shall be required to attain at least a 3.25 cumulative grade point average upon graduation from a county college in order to qualify for the New Jersey Student Tuition Assistance Reward Scholarship II (NJ STARS II) Program and a student who is in the second year of county college enrollment shall be required to attain at least a 3.0 cumulative grade point average upon graduation from a county college to qualify for NJ STARS II.

b. Notwithstanding the provisions of subsection a. of section 4 of P.L.2005, c.359 (C.18A:71B-86.4) to the contrary, in the case of a student who is in the second year of county college enrollment on the effective date of P.L.2008, c.124 (C.18A:71B-85.1 et al.) who attains a cumulative grade point average equal to or greater than 3.0 and less than 3.25 upon graduation from a county college and who meets all other requirements for receipt of an NJ STARS II scholarship, the amount of the scholarship for the student's third academic year of study shall equal up to \$3,000 per semester.

6. Section 4 of P.L.2005, c.359 (C.18A:71B-86.4) is amended to read as follows:

C.18A:71B-86.4 Eligibility for NJ STARS II; scholarship amounts.

4. a. A scholarship under the NJ STARS II Program shall be applied toward the cost of tuition or in the case of a student who receives a Tuition Aid Grant toward the cost of tuition

and fees, subject to the prior application of other grants and scholarships against such costs as provided under paragraph (2) of subsection e. of this section, for an eligible student enrolled in a full-time course of study at a New Jersey four-year public institution of higher education. In the case of a student with a grade point average equal to or greater than 3.25 and less than 3.50, the scholarship shall equal up to \$3,000 per semester, and in the case of a student with a grade point average equal to or greater than 3.50, the scholarship shall equal up to \$3,500 per semester. The cost of a scholarship shall be paid 50% by the State and 50% by the public institution of higher education. Any cost of attendance that is not covered by the NJ STARS II scholarship or other available forms of grants and scholarships shall be paid by the student.

b. A student shall be eligible for a scholarship under the NJ STARS II Program for up to four semesters, excluding summer sessions, at a New Jersey four-year public institution of higher education.

c. A student shall be eligible to receive a scholarship under the NJ STARS II Program for the student's third academic year of study if the student: has an annual family income, both taxable and non-taxable, as derived from the Free Application for Federal Student Aid (FAFSA) for the academic year, of less than \$250,000; attained an associate's degree from a New Jersey county college; except as otherwise provided pursuant to subsection c. of section 2 and subsection b. of section 3 of P.L.2008, c.124 (C.18A:71B-85.2), received a scholarship under the "New Jersey Student Tuition Assistance Reward Scholarship (NJ STARS) Program Act," P.L.2004, c.59 (C.18A:71B-81 et seq.), for each semester of study in the county college, or was eligible for but did not receive a scholarship under NJ STARS because the student's tuition and fees were fully covered by other State or federal need-based grants or merit scholarships, or was eligible for but did not receive a scholarship under NJ STARS because the student was enrolled while a high school student in county college courses and received an associate's degree in accordance with a joint program offered by the student's school district and a county college; attains a cumulative grade point average of at least 3.25 upon graduation from county college; enrolls in a baccalaureate degree program at a New Jersey four-year public institution of higher education for the third academic year of study in the academic year immediately following the student's attainment of an associate's degree; and meets the criteria set forth in subsection e. of this section. A grade for credits earned during a summer semester shall for the purposes of this subsection be included in the calculation of the cumulative grade point average. The amount of the scholarship awarded for the third academic year of study shall be based on the student's cumulative grade point average upon graduation from the county college in accordance with the provisions of subsection a. of this section.

d. A student shall be eligible to receive a scholarship under the NJ STARS II Program for the student's fourth academic year of study if the student: received a scholarship under the NJ STARS II Program for the student's third academic year of study pursuant to subsection c. of this section; based on the student's performance during the third academic year of study, attained a grade point average of at least 3.25; and meets the criteria set forth in subsection e. of this section. A grade for credits earned during a summer semester shall for the purposes of this subsection be included in the calculation of the grade point average for the preceding academic year. The amount of the scholarship awarded for the fourth academic year of study shall be based on the student's grade point average during the third academic year of study in accordance with the provisions of subsection a. of this section.

e. To be eligible to receive a scholarship under the NJ STARS II Program, a student shall:

(1) be a State resident pursuant to guidelines established by the authority. Notwithstanding the provisions of section 1 of P.L.1979, c.361 (C.18A:62-4) or any other section of law to the contrary, a dependent child of a parent or guardian who has been transferred to a military installation located in this State shall be considered a resident of this State for the purposes of qualifying for an NJ STARS II scholarship;

(2) have applied for all other available forms of State and federal need-based grants and merit scholarships, exclusive of loans, the full amount of which grants and scholarships shall be applied to tuition, and fee charges if applicable, to reduce the amount of any scholarship that the student shall receive under the provisions of P.L.2005, c.359 (C.18A:71B-86.1 et seq.);

(3) be enrolled in a full-time course of study at a four-year public institution of higher education; and

(4) maintain continuous enrollment in a full-time course of study, unless on medical leave due to the illness of the student or a member of the student's immediate family or emergency leave because of a family emergency, which medical or emergency leave shall have been approved by the four-year public institution of higher education, or unless called to partial or full mobilization for State or federal active duty as a member of the National Guard or a Reserve component of the Armed Forces of the United States.

f. A student who is dismissed for academic or disciplinary reasons from a four-year public institution of higher education shall no longer be eligible for a scholarship under this act. If a student participating in the program is dismissed for disciplinary reasons, the student shall repay in full all amounts received under the program. The four-year public institution of higher education shall be responsible for collecting the repayment, or the amount of any overpayment or other improper payment, of any State awards under the program, in accordance with the provisions of N.J.S.18A:71B-10.

g. A student scholarship under the NJ STARS II Program may be renewed upon the student's filing of a renewal financial aid application and providing evidence that the student has satisfied the requirements pursuant to this section.

7. Section 5 of P.L.2005, c.359 (C.18A:71B-86.5) is amended to read as follows:

C.18A:71B-86.5 Transfer of academic credits.

5. The policies and procedures set forth in the Statewide transfer agreement established pursuant to P.L.2007, c.175 (C.18A:62-46 et seq.) shall govern the transfer of academic credits awarded by a county college to an NJ STARS student who subsequently enrolls in a four-year public institution of higher education and is participating in the NJ STARS II Program at the institution.

8. Section 7 of P.L.2005, c.359 (C.18A:71B-86.7) is amended to read as follows:

C.18A:71B-86.7 Construction of act relative to application, admissions procedures.

7. Nothing in this act shall be construed to require a four-year public institution of higher education to admit a student eligible for a scholarship under this act or to waive its admission standards and application procedures; except that the institution shall apply the same admission standards and application procedures that it applies to all other transfer students.

C.18A:71B-86.4a Eligibility of certain NJ STARS II recipients.

9. In the case of a student who is receiving a scholarship under the NJ STARS II Program and is in the third academic year of study at a public institution of higher education on the effective date of P.L.2008, c.124 (C.18A:71B-85.1 et al.), the scholarship shall be administered and the student shall remain eligible for the program in accordance with the provisions of P.L.2005, c.359 (C.18A:71B-86.1 et seq.) as the same read before the effective date of P.L.2008, c.124 (C.18A:71B-85.1 et al.).

10. This act shall take effect immediately and shall first be applicable to the 2009-2010 academic year.

Approved December 19, 2008.