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HIGHER EDUCATION STUDENT ASSISTANCE AUTHORITY**Student Loan and College Savings Programs STEM Loan Redemption Program****Adopted New Rules: N.J.A.C. 9A:10-5**

Proposed: December 6, 2021, at 53 N.J.R. 1978(a).

Adopted: April 20, 2022, by the Higher Education Student

Assistance Authority, Christy Van Horn, Chairperson.

Filed: May 2, 2022, as R.2022 d.063, **without change**.

Authority: P.L. 2018, c. 142 (N.J.S.A. 18A:71C-66 et seq.).

Effective Date: June 6, 2022.

Expiration Date: October 26, 2023.

Summary of Public Comment and Agency Response:

The comment period officially ended on February 4, 2022. The Higher Education Student Assistance Authority (Authority) received one comment from Robert Heinrich, Ed. D., Chief Enrollment Management Officer of Stockton University

COMMENT: The commenter expressed no concerns with the proposed new rules and plans to promote the program with admissions, academic schools, and alumni relations.

RESPONSE: The Authority appreciates Stockton University's support.

Federal Standards Statement

A Federal standards analysis is not required since the adopted new rules are not subject to any Federal requirements or standards.

Full text of the adopted new rules follows:

SUBCHAPTER 5. STEM LOAN REDEMPTION PROGRAM**9A:10-5.1 Purpose and scope**

The rules established by this subchapter provide the policies and procedures for participation in the STEM Loan Redemption Program administered by the Higher Education Student Assistance Authority. This Program shall provide \$1,000 to Program participants for each year of employment in a designated high-growth STEM occupation, up to a maximum of four years, for the redemption of a portion of their eligible qualifying loan expenses.

9A:10-5.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Approved STEM degree program" means an undergraduate or advanced degree program required for a participant to engage in a designated high-growth STEM occupation.

"Authority" means the Higher Education Student Assistance Authority.

"Designated high-growth STEM occupation" means the designated list of occupations, to be posted on the Authority's website and updated every two years by the Authority, in consultation with the Department of Labor and Workforce Development. The list shall include occupations with projected growth in New Jersey of at least 10 percent, based on the most recently reported data from the United States Bureau of Labor Statistics, or occupations the Authority deems important to the State's strategic economic goals. Medical doctor and teaching professions are not high-growth STEM occupations. The initial list of designated high-growth STEM occupations is as follows:

1. Operations research analyst;
2. Statistician;
3. Mathematician;
4. Software developer, applications;
5. Web developer;
6. Computer systems analyst;
7. Biomedical engineer;
8. Computer and information systems manager;
9. Geological and petroleum technician;

10. Geoscientist, except hydrologist and geographer;
11. Environmental engineer;
12. Hydrologist;
13. Actuary;
14. Software developer/systems software;
15. Physicist; and
16. Biochemist and biophysicist.

"Eligible qualifying loan expenses" means the cumulative outstanding balance of qualifying student loans, including interest paid or due, covering the cost of attendance at an institution of higher education for an undergraduate or advanced degree from an approved STEM degree program.

"Executive Director" means the Executive Director of the Higher Education Student Assistance Authority.

"Program" means the STEM Loan Redemption Program established pursuant to N.J.S.A. 18A:71C-66 et seq.

"Program participant" means a person who contracts with the Authority to maintain employment in a designated high-growth STEM occupation in exchange for the redemption of eligible qualifying loan expenses provided under the Program.

"Qualifying student loan" means a State or Federal loan for the actual costs paid for tuition and reasonable education and living expenses relating to obtaining an academic degree in an approved STEM degree program.

"STEM" means science, technology, engineering, and math.

"Total and permanent disability" means a physical or mental disability that is expected to continue indefinitely or result in death and renders a Program participant unable to perform that person's employment obligation, as determined by the Executive Director, or designee.

9A:10-5.3 Eligibility requirements for Program participation

(a) To be eligible for participation in the Program, an applicant must:

1. Be a New Jersey resident and maintain residency in the State during Program participation;
2. Be a graduate of an approved STEM degree program at an institution of higher education located in New Jersey;
3. Have an outstanding balance on a qualifying student loan and not be in default on any qualifying student loan;
4. Have been employed full-time in a designated high-growth STEM occupation in the State for a minimum of four years prior to initial application to the program and be employed thereafter for an additional one to four years in a designated high-growth STEM occupation in the State;
5. Not have previously been selected for participation in the Program; and
6. Provide certification from the applicant's employer agreeing to make a payment to the Authority of at least a 100 percent match of the State-funded loan redemption benefit under the Program at the conclusion of each year of employment completed by the applicant in a designated high-growth STEM occupation.

9A:10-5.4 Application procedures

(a) In order to apply for participation in the Program, an applicant must complete a Program application and submit the complete application to the Authority.

1. The Program application includes, but is not limited to:
 - i. The applicant's identification and contact information;
 - ii. Identification and contact information for the applicant's employer;
 - iii. Documentation proving that at the time of the application, the applicant had been employed for a minimum of four years in a designated high-growth STEM occupation in New Jersey. Acceptable documentation includes, but is not limited to: certifications from all employers attesting to start and end dates in a previous position, W-2 forms, or other substantiating documentation, as may be deemed acceptable by the Authority upon specific case review; and
 - iv. Certification, in the form approved by the Authority, from the applicant's employer verifying the participant's start date and continuous employment with the employer and agreeing to make a payment to the Authority of at least a 100 percent match of the State-funded loan redemption benefit under the Program at the conclusion of each year of

employment completed by the applicant in a designated high-growth STEM occupation.

(b) The Authority will consider applications for approval of Program participation in the date order they are received, subject to available funding.

(c) The Authority will determine the applicant's eligibility for the Program based upon the information submitted on the application and will provide notification to the applicant of their acceptance into the Program.

9A:10-5.5 Terms for loan redemption

(a) An applicant who is selected for participation in the Program shall enter into a written participation contract with the Authority. The contract shall specify the dates of required employment by the Program participant in a designated high-growth STEM occupation and shall require the Program participant to serve at least one year in a designated high-growth STEM occupation after the effective date of the contract.

(b) In order for a participant to qualify for an annual redemption payment:

1. The Program participant shall submit to the Authority certification, in the form approved by the Authority, of full-time employment in a designated high-growth STEM occupation for the full-year period; and

2. The employer of the Program participant shall certify, in the form approved by the Authority, that the Program participant met the employer's performance standards and shall pay the annual matching contribution to the Authority in an amount equal to or greater than the \$1,000 annual State-funded loan redemption benefit.

(c) If a participant becomes employed by a different employer while participating in the Program, that participant must:

1. Be employed in either the exact same occupation for which the participant was approved to participate in the Program, or in an occupation that is a designated high-growth STEM occupation at the time the participant begins the new occupation;

2. Provide the Authority with a certification, in the form approved by the Authority, signed by the previous full-time employer containing the termination date from that position; and

3. Prior to the annual redemption of loan indebtedness, provide a certification, in the form approved by the Authority, from the new employer:

i. Agreeing to make a payment to the Authority of at least a 100 percent match of the State-funded loan redemption benefit under the Program at the conclusion of each year of employment completed by the applicant in a designated high-growth STEM occupation, to be prorated to the actual amount of time worked for the new employer;

ii. Stating the start date for the designated high-growth STEM occupation at the new employer; and

iii. Verifying the participant's continued employment and satisfactory performance in a designated high growth STEM occupation.

(d) If there is a gap in full-time service between employment in designated high-growth STEM occupations, the participant's service obligation will be extended a commensurate amount of time to complete a full year of service. A gap of longer than six months will nullify the agreement, unless the Authority has suspended the participant's participation contract pursuant to N.J.A.C. 9A:10-5.6(b).

(e) Upon receipt of all required documentation from the participant, the Authority will combine the employer matching contribution and the State appropriated funds into a single payment made directly to the participant's lender(s) to redeem a portion of the participant's student loans.

9A:10-5.6 Termination or suspension of the participant's participation contract

(a) The Authority shall terminate the participant's participation contract if it determines:

1. On the basis of a sworn affidavit of a qualified physician, that the participant is totally and permanently disabled;

2. On the basis of a death certificate, or other evidence of death that is conclusive under State law, that the participant has died;

3. On the basis of substantiating documentation as may be deemed necessary by the Authority upon specific case review, that continued enforcement of the employment service obligation may result in extreme hardship for the participant;

4. That the participant is no longer employed in a designated high-growth STEM position;

5. That the participant has been convicted of a felony and/or a high misdemeanor, as defined at N.J.S.A. 2C:1-4.d, has committed an act of gross negligence in the performance of his or her employment service obligation, or that the participant has not met the employer's performance standards; or

6. The participant has not completed the tasks required pursuant to N.J.A.C. 9A:10-5.5(b) to receive the loan redemption within 60 days of written request for the required documents by the Authority.

(b) The Authority may suspend the participant's participation contract if the Authority determines, on the basis of substantiating documentation as may be deemed necessary by the Authority upon specific case review, that continued enforcement of the employment service obligation may result in extreme hardship for the participant. Extreme hardships include, but are not limited to, temporary disability, active duty military service, changing designated high-growth STEM position, or temporary suspension of the participant's professional license pending the outcome of an investigation.

1. The Authority may suspend the participant's participation contract for a period of up to two calendar years from the date the suspension commences. At the end of the first year of suspension, the participant must provide the Authority with substantiating documentation, as defined in this subsection, to renew the suspension for a second year.

2. The suspension, as stipulated at (b)1 above, may be extended beyond two years for exceptional circumstances at the discretion of the Authority on the basis of substantiating documentation, as defined in this subsection.

(c) A participant may nullify the participation contract by notifying the Authority in writing.

(d) The Authority shall have final decision-making authority to terminate a participant's participation contract.

(e) Participants who nullify their participation agreement, or whose participation agreements are terminated by the Authority, are not eligible to reapply to participate in the Program.

9A:10-5.7 Appeals process

(a) When an applicant has received a notification of ineligibility for Program participation, the applicant may submit a written appeal to the Authority within 30 days of the date of the notification. The written appeal must include the following:

1. A copy of the notification of ineligibility received by the applicant from the Authority; and

2. The reason(s) why the applicant feels the applicant is eligible to participate in the Program along with any documentation that the applicant has obtained to support the appeal, if applicable.

(b) Within 30 days of the receipt of the appeal, the Authority shall provide the applicant with the Authority's final determination of the appeal. Final decisions of the Authority can be appealed to the Appellate Division of the Superior Court.

HUMAN SERVICES

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DIVISION OF FAMILY DEVELOPMENT

Notice of Administrative Changes

Standard of Need

N.J.A.C. 10:84-1.6

Effective Date: May 9, 2022.

Take notice that, in accordance with P.L. 1997, c. 13, the Department of Human Services announces an updated standard of need for 2022. The standard of need is calculated based on the methodology described at N.J.A.C. 10:84-1.6.

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