

CHAPTER 4830
HIGHER EDUCATION COORDINATING BOARD
FINANCIAL ASSISTANCE

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4830.0100 DEFINITIONS FOR HIGHER EDUCATION PROGRAMS.

Subpart 1. **Scope.** For the purposes of chapters 4800, 4810, and this chapter, the terms defined in this part have the meanings given them unless specifically provided otherwise.

Subp. 2. **Board.** "Board" means the Higher Education Coordinating Board.

Subp. 3. **Dependent student.** "Dependent student" means a student who:

- A. lives with the parent or legal guardian for at least six weeks;
- B. receives support from the parent or legal guardian; or
- C. is claimed as a tax exemption by the parent or legal guardian in the calendar year prior to or during the calendar year in which the application is made.

Subp. 4. **Educational costs.** "Educational costs" means tuition, required fees, room and board, books, and miscellaneous expenses.

Subp. 5. **Eligible student.** "Eligible student" means a student who meets, at a minimum, all of the following requirements:

- A. has not earned a baccalaureate degree and has not entered a graduate school program as a full-time graduate student;
- B. is a resident of Minnesota;
- C. qualifies for resident tuition other than through a tuition reciprocity agreement;
- D. is enrolled or is intending to enroll as at least a half-time student in an eligible school;
- E. is in good standing and making satisfactory progress, as determined by the school; and
- F. is a permanent resident of the United States, if the student is not a United States citizen.

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Subp. 6. **Executive director.** "Executive director" means the executive director of the Higher Education Coordinating Board.

Subp. 7. **Financial need.** "Financial need" means the amount of monetary assistance necessary for a student to meet educational costs after parental and student contributions, determined by the financial need analysis, are subtracted from the student's educational costs.

Subp. 8. **Financial need analysis.** "Financial need analysis" means a system for analyzing a family's financial strength to determine the expected parental and student contributions to educational costs. The system is a federally approved system or an equivalent need analysis system adopted each year by the board for the appropriate processing year.

Subp. 9. **Independent student.** "Independent student" means a student who is not a dependent student.

Subp. 10. **Minnesota resident.** "Minnesota resident" means:

A. for a dependent student, a student whose parent or legal guardian resides in Minnesota on the date of application; or

B. for an independent student, a student who has resided in Minnesota for other than educational purposes for at least 12 consecutive months prior to the date of application.

Subp. 11. **Audit requirements.** Audit requirements means that the school must make available to the board and its authorized representatives all pertinent books, documents, papers, and records for audit and examination for five years after the last day of a fiscal year, unless all audit exceptions for the period are resolved earlier.

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: *8 SR 196; 10 SR 2319*

STATE SCHOLARSHIPS AND GRANTS-IN-AID

4830.0200 SCOPE.

Parts 4830.0200 to 4830.0700 govern state scholarships and grants-in-aid.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196; 8 SR 2335; 9 SR 991*

4830.0300 ELIGIBLE SCHOOLS.

Subpart 1. **Annual list.** Annually the board shall adopt by resolution a list of schools at which a state scholarship or grant-in-aid may be used. Schools may be added to the list by the board anytime during the school year.

Subp. 2. **Requirements.** To be eligible a school must:

A. be located in Minnesota;

B. offer at least one program that:

(1) is vocational or academic in nature;

(2) leads to a certificate or degree;

(3) is ten weeks long; and

(4) involves at least 12 academic credits or 300 clock hours; and

C. be:

(1) accredited by a federally recognized accrediting agency or association;

(2) approved to offer degrees or use terms in its name according to part 4840.0500; or

(3) licensed by an appropriate state agency.

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Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: 8 SR 196; 8 SR 2335; 9 SR 991; 9 SR 2341

4830.0400 APPLICATION DATES AND STUDENT ELIGIBILITY.

Subpart 1. **Date.** Annually the board shall adopt by resolution a date after February 14, by which all applications must be filed to receive an award.

Subp. 2. **Minnesota resident.** "Minnesota resident" means a student who graduated from a Minnesota high school and has not since established residence in another state, or a student whose parent or legal guardian resides in Minnesota on the date of application if the student:

A. lives with the parent or legal guardian for at least six weeks; or

B. receives support from the parent or legal guardian; or

C. is claimed as a tax exemption by the parent or legal guardian in the calendar year prior to or during the calendar year in which the application is made.

"Minnesota resident" means a student who graduated from a Minnesota high school and has not established residence in another state, or a student who has resided in Minnesota for other than educational purposes for at least 12 consecutive months prior to becoming an eligible student, for a student who meets the conditions indicated in part 4830.0600, subpart 1, item B, subitem (1), (2), or (3).

Subp. 3. **Eligibility for initial scholarship.** To be eligible for an initial scholarship a student must be an eligible student, as defined in part 4830.0100, subpart 5, except E, and:

A. in financial need;

B. ranked in the upper quarter of the class at the end of the junior year of senior high school, or the equivalent, based on the student's cumulative scholastic record in senior high school; and

C. must not have received a previous scholarship or grant-in-aid.

Subp. 4. **Eligibility for initial grant-in-aid.** To be eligible for an initial grant-in-aid a student must be an eligible student, as defined in part 4830.0100, subpart 5, except E, and:

A. in financial need;

B. if under 17 years old, a holder of a high school diploma or the equivalent; and

C. must not have received a previous scholarship or grant-in-aid.

Subp. 5. **Renewal awards.** A scholarship or grant-in-aid is renewable for a maximum of six semesters, nine quarters, or the equivalent. To be eligible to renew a scholarship or grant-in-aid a student must apply each year and continue to meet the requirements for an initial scholarship or grant-in-aid, except for subparts 3 and 4, item C. A student must have made satisfactory progress as determined by the school.

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: 8 SR 196; 8 SR 2335; 9 SR 991; 10 SR 2319

4830.0500 RANKING APPLICANTS.

Subpart 1. **Classification and ranking of applicants.** Each applicant shall be placed in at least one of the following classifications: renewal scholarship, renewal grant-in-aid, initial scholarship, initial grant-in-aid. Grant-in-aid applicants are ranked according to parental contribution; applicants with the least parental contribution are awarded first. Scholarship applicants are ranked according to class rank as a junior in high school; applicants with the highest class rank are awarded first.

Subp. 2. Priority of classes of applicants. Applicants renewing scholarships shall be given first priority. Applicants renewing grants-in-aid shall be given second priority. Applicants for initial scholarships shall be given third priority. Applicants for initial grants-in-aid shall be given fourth priority. Awards shall be made on a funds available basis. Once an award is made it may not be withdrawn in order to award an applicant of higher priority.

Subp. 3. Awards based on need. Awards determined by financial need shall be assigned each applicant in descending order of rank until available funds are exhausted.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196; 8 SR 2335; 9 SR 991*

4830.0600 AWARDS.

Subpart 1. Monetary awards. The amount of a scholarship or grant-in-aid financial stipend may not exceed an applicant's cost of attendance, as defined in Minnesota Statutes, section 136A.121, subdivision 6, after deducting the following:

A. A contribution by the applicant of at least 50 percent of the cost of attending the institution of the applicant's choosing.

B. A contribution by the applicant's parents, as determined by a financial need analysis. The parental contribution will be considered in determining the state award, unless one of the four following situations applies.

(1) The applicant has been involuntarily separated from parental support because the applicant is an orphan or a ward of the state, the applicant's parents cannot be located, or the applicant has suffered mental or physical abuse necessitating the separation. The conditions must be established by court document or by an affidavit from a member of the clergy, social worker, lawyer, or physician.

(2) The applicant is 22 years of age or older on October 1 of the state fiscal year for which aid is received, and establishes that she or he is not dependent upon parental support, based on the following information for the applicant's parents' tax year ending during that fiscal year, and the preceding tax year:

(a) the parents did not and will not claim the student as an income tax exemption;

(b) the student did not and will not live with his or her parents more than six weeks in either calendar year; and

(c) the parents did not and will not provide direct or indirect support worth \$750 or more in either calendar year.

If the board has reason to believe that the information provided by the student is not correct, the facts must be established by affidavit from the parents if they can be located, and by additional documentation, such as income tax returns, proof of residence, voter registration, or similar documentation that reasonably may be requested by the board or its agents and employees.

(3) The applicant is:

(a) married, and in the applicant's parents' tax year ending during the fiscal year for which aid is received, the parents did not and will not claim the student as an income tax exemption; the student did not and will not live with his or her parents more than six weeks; and, the parents did not and will not provide direct or indirect support worth \$750 or more; or

(b) a veteran, or a single parent, or divorced, separated, or widowed, and establishes that in the applicant's parents' tax year ending during the fiscal year for which aid is received, and the preceding tax year, the parents

did not and will not claim the student as an income tax exemption; the student did not and will not live with his or her parents more than six weeks; and, the parents did not and will not provide direct or indirect support worth \$750 or more.

(4) The applicant is under 22 years of age on October 1 of the state fiscal year, for which aid is to be received, and the applicant has, contrary to his or her wishes, been involuntarily severed from a family relation with his or her parents and has been refused their financial support so that considering a deduction for a contribution by the applicant's parents in determining the state award would be unrealistic and cause the applicant undue hardship. To qualify for this exception, the applicant shall document to the satisfaction of the fact finding committee established in subpart 1d that an exception to a presumption of the applicant's dependence on the parents is warranted, and that the applicant meets the conditions in subitem (2), units (a), (b), and (c).

C. An estimate of the amount of a federal Pell grant award for which the applicant is eligible.

Subp. 1a. **Minimum.** The minimum financial stipend shall be \$100.

Subp. 1b. **Letter.** The applicant applying under subpart 1, item B, subitem (4) shall write a letter requesting determination of eligibility to the board's manager of the scholarship and grant-in-aid program for presentation to the fact finding committee of the board. The letter must be accompanied by the following documentation:

A. a statement from the applicant establishing that the applicant's parents have severed relations with the applicant and have refused to provide financial support to the applicant;

B. if possible, a notarized statement from the applicant's parents establishing that they have severed relations with the applicant and have refused to provide financial support to the applicant;

C. two notarized statements from members of the clergy, social workers, lawyers, educational advisers, or professional counselors documenting from personal knowledge that the applicant's parents have severed relations with the applicant and refuse to provide financial support to the applicant;

D. additional documentation such as income tax returns, rent payments, proof of residence, or voter registration may be requested by the board or its agents and employees to establish that the applicant's parents have severed relations with the applicant and that the applicant has established a pattern of self-supporting behavior; and

E. the parents' addresses for the last two years.

Subp. 1c. **Appeal.** The applicant may appeal an adverse determination under subpart 1, item B to the executive director of the board within ten days of receiving notification of the determination. The executive director shall review the determination and make a finding. The executive director shall, on written request of the applicant, forward the determination to the board or to an appeals committee of the board to review the case and make a finding. The applicant may appeal the latter finding in writing. Then the board must forward the contested case to the Office of Administrative Hearings.

Subp. 1d. **Fact finding committee.** The fact finding committee of the board shall consist of the executive director of the board or a designee, one financial aid officer appointed by the board, and one student appointed by the board. The appointments will be for one year or until a successor is appointed. The board's representative will act as chairperson of the fact finding committee and will convene the committee as necessary. In the event the financial aid officer or the student is involved in any way in a case before the committee the one involved must be replaced by an alternate appointed by the board.

Subp. 2. **Adjustments to awards.** If financial need decreases because a recipi-

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ent chooses a different school after the scholarship or grant-in-aid award is offered, the award shall be reduced. If a change in schools causes financial need to increase, the award shall be increased only if funds are available.

Subp. 3. [Repealed, 10 SR 2319]

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: *8 SR 196; 8 SR 2335; 9 SR 991; 10 SR 2319*

4830.0700 METHOD OF PAYMENT.

Subpart 1. **Payments to schools.** After a scholarship and grant-in-aid award is determined, the award shall be sent by the executive director to the school chosen by the recipient. The school shall apply the award to the recipient's educational costs in the following order: tuition, fees, books, supplies, and other expenses. The costs must be prorated for each term of the academic year. The school shall notify each recipient that the award has been received by the school.

Subp. 2. **Refunds.** A scholarship and grant-in-aid is awarded for full-time attendance at a specified school for the academic year of nine months within a state fiscal year. If a recipient fails to enroll or ceases to be a full-time student, the school must refund the unused portion of the award. Refunds to the board are determined as follows:

A. Determine the percentage that the state scholarship or grant award represents of the student's total financial aid package for the applicable term;

B. Multiply that percentage by the amount determined to be refunded to the student under the school's refund policy. The result yields the amount to be refunded to the board.

A refunded award must be sent by the school to the board's scholarship or grant-in-aid account. Refunded awards are available for reassignment to other qualified applicants.

Subp. 3. **School accounting requirements.** Schools shall maintain separate accounts for scholarship and grant-in-aid funds. Refunds to the board must be accompanied with a list stating the social security number, name, award type, amount of refund, term, and refund code for each student included in the refund. The refund must be made to the board within 30 days from the end of the academic term, or 30 days from the date the school is notified of a student's withdrawal, whichever is less. Schools must provide evidence, prepared according to generally accepted accounting principles, that all awards have either been distributed or refunded to the board.

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: *8 SR 196; 9 SR 991; 10 SR 2319*

4830.1000 [Repealed, 10 SR 2417]

4830.1100 [Repealed, 10 SR 2417]

4830.1200 [Repealed, 10 SR 2417]

4830.1300 [Repealed, 10 SR 2417]

4830.1400 [Repealed, 10 SR 2417]

4830.1500 [Repealed, 10 SR 2417]

PART-TIME STUDENT GRANTS

4830.1550 SCOPE.

Parts 4830.1550 to 4830.1556 govern state grants-in-aid for part-time students.

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Statutory Authority: *MS s 136A.111; 1Sp1985 c 11 s 80 subd 1*

History: *10 SR 2417*

4830.1551 ELIGIBLE SCHOOLS.

Schools eligible for part-time student grants are the same schools eligible for state scholarships and grants-in-aid under part 4830.0300.

Statutory Authority: *MS s 136A.111; 1Sp1985 c 11 s 80 subd 1*

History: *10 SR 2417*

4830.1552 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

Subpart 1. **Allocation formula.** The board shall allocate funds to each school according to the following formula:

A. Each school's share is the number of part-time students enrolled in the last fiscal year, multiplied by the average registration level of its part-time students in the last fiscal year, multiplied by the institutional budget used by the scholarship and grant-in-aid program for the current fiscal year.

B. Each school's allocation is:

(1) the school's share, divided by the sum of school shares,

(2) the result in subitem (1) multiplied by 90 percent of the total part-time grant allocation for the current year.

C. Each January, the board shall allocate the remaining ten percent of the total part-time grant allocation according to the same formula, except that current year part-time enrollment data and average registration levels may be used if the school has submitted by November 15 fall data for the current year that is acceptable to the board.

"Number of part-time students" means the sum of all enrolled resident, extension, and unclassified part-time students, who are Minnesota residents, and are reported to the board for its annual enrollment survey as lower division, upper division, and vocational students in the fall term of the school year.

"Registration level" is the number of credits (or an equivalent measure) taken by part-time students in the fall term of the school year as reported to the board for its annual enrollment survey, divided by 12 credits (or an equivalent measure).

Subp. 2. **Notification.** The board shall notify each school of the amount allocated to it.

Subp. 3. **Accountability.** Each participating school shall be accountable for any funds disbursed to students for grants-in-aid for part-time students. Funds may be used only during the fiscal year of disbursement. If a student does not use a grant because the student does not enroll or withdraws from school, the school may use the funds for other eligible students or return them to the board.

Subp. 4. **Unused funds.** When requested by the board, a school shall report its use of funds and shall return unused funds. The board shall reallocate unused funds to schools desiring additional funds.

Statutory Authority: *MS s 136A.111; 1Sp1985 c 11 s 80 subd 1*

History: *10 SR 2417*

4830.1553 DETERMINATION OF ELIGIBILITY.

A school shall determine if a student is eligible for a part-time student grant. To be eligible a student must be an eligible student as defined in part 4830.0100, subpart 5, items A, B, C, E, and F. The student must be pursuing course work applicable to a degree, diploma, or certificate. After July 1, 1986, a recipient of an award who is enrolled less than half-time, as defined by the board, may continue to apply for awards.

Statutory Authority: *MS s 136A.111; 1Sp1985 c 11 s 80 subd 1*

History: *10 SR 2417*

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4830.1554 AMOUNT AND TERM OF GRANTS.

Subpart 1. **Financial need.** A school shall award a grant to each eligible student, to the extent allocated funds are available and to the extent the student demonstrates financial need according to a method consistent with the institution's financial aid policies and procedures.

Subp. 2. **Direct educational cost.** The direct educational cost includes, but is not limited to the following:

- A. resident tuition and fees at the institution;
- B. educational materials;
- C. transportation expenses; and
- D. an allowance for child care expenses.

The direct educational cost must be consistent with the institution's financial aid policies and procedures.

Subp. 3. **Amount.** The amount of the grant when combined with (a) federal, state, institutional, and private grant assistance that the student receives, (b) employer reimbursement, and (c) the expected parent/student contribution resulting from the assessment of financial need under subpart 1, must not exceed the student's direct educational cost as defined in subpart 2.

Statutory Authority: *MS s 136A.111; 1Sp1985 c 11 s 80 subd 1*

History: *10 SR 2417*

4830.1555 REPORTS OF DATA.

The school must collect demographic, educational, and financial data specified by the board from eligible students requesting grants. The school shall provide the board with individual student data upon request.

Statutory Authority: *MS s 136A.111; 1Sp1985 c 11 s 80 subd 1*

History: *10 SR 2417*

WORK-STUDY GRANTS

4830.2000 SCOPE.

Parts 4830.2000 to 4830.2600 govern state work-study grants.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196*

4830.2100 ELIGIBLE SCHOOLS.

Schools eligible for work-study grants are the same schools eligible for state scholarships and grants-in-aid under part 4830.0300.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196*

4830.2200 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

Subpart 1. **Application by schools.** A school desiring funds for work-study grants must request funds by June 30 each year. The school must submit its estimate of the amount needed to meet eligible student needs for the following school year.

Subp. 2. **Allocation formula.** Funds shall be allocated to each school according to the following formula:

- A. full-time equivalent enrollment of each school, divided by the total full-time equivalent enrollment of all participating eligible schools;
- B. multiplied by the current fiscal year's appropriation for work-study grants; and

C. multiplied by the percent of funds for work-study grants actually used by that school during the prior school year.

"Full-time equivalent enrollment" means the enrollment in the fall term determined by the board in its annual enrollment survey in the year prior to the academic year for which work-study funds are allocated.

Subp. 3. **Modification of allocations.** The board shall allocate funds equal to a school's estimated need if the estimated need is less than the amount determined by the allocation formula.

Subp. 4. **Accountability.** Each participating school shall be accountable for any funds disbursed to students for work-study grants. Funds may be used only during the fiscal year of disbursement. The school must document its efforts to place students with off-campus employers. The percent of the school's allocation provided to graduate students shall not exceed the percent of graduate students in the total enrollment at the participating school.

Subp. 5. **Unused funds.** The school must return funds which the school determines will not be used within 30 days from the date of a request by the board. The board shall reallocate the funds to other participating schools requesting additional funds.

Subp. 6. **Reallocation.** The board shall reallocate funds using the formula specified in subpart 2, items A and B.

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: *8 SR 196; 10 SR 2319*

4830.2300 ELIGIBLE STUDENTS.

A school shall determine if a student is eligible for a work-study grant. To be eligible a student must be an eligible student, as defined in part 4830.0100, subpart 5, except that the student may be a graduate student. A student employed during periods of nonenrollment must sign a statement of intent to enroll full-time the next term or provide proof of registration for the next term.

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: *8 SR 196; 10 SR 2319*

4830.2400 EMPLOYMENT TERMS; AMOUNT OF GRANTS.

Subpart 1. **Eligible employers.** A work-study grant recipient may be employed on-campus by the school or off-campus by any of the following:

- A. a nonprofit, nonsectarian agency located in Minnesota;
- B. a person who has a physical or mental impairment which substantially limits at least one life activity and who could benefit from student assistance in or about the home; or
- C. a person over 65 years old who could benefit from student assistance in or about the home.

Subp. 2. **Amount.** The maximum a student may earn through a work-study grant is the amount of the student's financial need. If a school finds it necessary to replace any portion of a student's family contribution with a work-study grant, the school must place written documentation supporting the decision in the student's file at the school.

Subp. 3. **Hourly wages.** Not less than 20 percent of the amount earned by a student shall be paid by the employer, with the actual percentage determined by the school in consultation with the employer. A student shall be paid for hours actually worked at an hourly rate agreed to by the employer and the student, with the approval of the school. However, the student must be paid at least the state minimum wage, if the federal minimum wage is not applicable. Student earnings

must be paid according to federal regulations governing payment of student earnings under the federal work-study program.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196*

4830.2500 CONTRACTS WITH EMPLOYERS.

Subpart 1. Off-campus employer contract. Before a student begins work, the school and off-campus employer shall sign a contract affirming the eligibility of the employer and agreeing to abide by applicable law and rules.

Subp. 2. Contents of work contract. The student, school, and employer shall sign a contract setting forth the nature of the work, number of hours of employment, hourly rate of pay, percentage of earnings to be paid by the employer, maximum payment by the employer, pay and time records, payroll, and workers' compensation. Time records must be signed by the student and the employment supervisor.

Subp. 3. Review and comment. All contracts signed by the school and employers are subject to review and comment by the executive director.

Subp. 4. Supervision. The school, with the employer, must develop for each work-study assignment a program of supervision consistent with the nature of the assignment and the needs of the individual student. Upon request of the board, the school must submit the program of supervision to the executive director for review and comment.

Subp. 5. Reasonable effort. An institution must make a reasonable effort to place a student in eligible off-campus employment. The institution must document its efforts with documents such as:

A. copies of correspondence with eligible employers; and

B. notes of telephone contact with eligible employers. This shall include name of person contacted and date.

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: *8 SR 196; 10 SR 2319*

4830.2600 REPORT BY SCHOOL.

When requested by the board, each school shall report demographic information and program activity about work-study grants by August 10, or the first working day after August 10.

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: *8 SR 196; 10 SR 2319*

AVTI TUITION SUBSIDY

4830.3000 SCOPE.

Parts 4830.3000 to 4830.3400 govern the tuition subsidy program for students in area vocational-technical institutes.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196*

4830.3100 ELIGIBLE SCHOOLS.

Schools eligible for tuition subsidies are area vocational-technical institutes (AVTI's) established pursuant to Minnesota Statutes, section 136C.07.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196*

4830.3200 APPLICATION AND DISTRIBUTION OF FUNDS FOR TUITION SUBSIDIES.

Subpart 1. **Application by AVTI.** By June 30 an AVTI desiring funds for tuition subsidies must request funds on the participation request form supplied by the board. The AVTI must submit its estimate of the amount needed to meet eligible student needs for the following school year.

Subp. 2. **Allocation formula.** Funds shall be allocated to an AVTI according to the following formula:

A. average daily membership in the AVTI divided by the total average daily membership of all AVTI's;

B. multiplied by the current fiscal year's appropriation for tuition subsidies; and

C. multiplied by the percent of funds for tuition subsidies actually used by that AVTI during the prior school year.

"Average daily membership" means the average daily membership for an AVTI as approved by the Department of Education for the year prior to the fiscal year the funds are allocated.

Subp. 3. **Notification.** The board shall notify each AVTI of the amount allocated to it.

Subp. 4. **Accountability.** Each participating school shall be accountable for any funds disbursed to students for tuition subsidies. Funds may be used only during the fiscal year of disbursement. When a student does not use a subsidy because the student withdraws from the AVTI, the AVTI may use the funds for other eligible students or return the funds to the board.

Subp. 5. **Unused funds.** When requested by the board, the AVTI must immediately return funds which the school determines will not be used. The board shall reallocate the funds to other participating AVTI's requesting additional funds.

Subp. 6. **Return of funds.** Within 30 days of the end of the fiscal year each AVTI shall return unused funds to the board.

Statutory Authority: *MSs 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196*

4830.3300 ELIGIBLE STUDENTS.

Subpart 1. **Determination of eligibility.** An AVTI shall determine if a student is eligible for a tuition subsidy. To be eligible a student must be an eligible student, as defined in part 4830.0100, subpart 5, and both of the following:

A. has not been awarded a state scholarship or grant-in-aid for the time period for which the tuition subsidy is awarded; and

B. demonstrates financial need.

Subp. 2. **Financial need.** A student's financial need is that portion of educational costs which remains after subtracting the expected family contribution, the Pell grant, and other assistance the student is receiving or will receive.

Subp. 3. **Application.** A student may apply for a tuition subsidy before or while attending an AVTI. A student may defer paying tuition during the application process.

Statutory Authority: *MSs 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196*

4830.3400 TUITION SUBSIDY.

Subpart 1. **Subsidy amount.** The amount of a tuition subsidy is based on the

student's financial need. A student whose financial need does not exceed five percent of the cost of tuition may not receive a tuition subsidy. A subsidy may not exceed 75 percent of the cost of tuition for the period of the tuition subsidy.

Subp. 2. Subsidy credited. An AVTI shall reduce the tuition charged to each recipient by the amount of the tuition subsidy.

Subp. 3. Educational programs extending across fiscal years. A tuition subsidy is awarded for the fiscal year of disbursement only. For an educational program extending across fiscal years, a tuition subsidy is prorated to the end of the fiscal year. Reapplication is necessary to obtain a tuition subsidy for the remainder of the educational program. A subsequent subsidy is contingent upon availability of funds, continued demonstration of financial need, and continued eligibility.

Subp. 4. When subsidy begins. For a recipient who applied before the first day of classes, tuition reduction shall begin on the first day of the recipient's classes. For a recipient who applied after the first day of classes, tuition reduction shall begin on the day the recipient applied for a subsidy.

Subp. 5. Obligation for tuition when tuition payment deferred. If a student defers tuition payment during the application process, the student is responsible for tuition which accrued during the application process. However, if a student does not receive a subsidy and promptly withdraws from school, tuition for the period shall be forgiven. A student who does not receive a subsidy and does not promptly withdraw from school is responsible for tuition which accrued during the application process.

Subp. 6. Scholarship or grant-in-aid awards. A recipient of a state scholarship or grant-in-aid is eligible for a tuition subsidy only for the period of an educational program which does not coincide or overlap with the period of a state scholarship or grant-in-aid.

Subp. 7. Transfer to another AVTI. Tuition subsidies are not transferable to other AVTI's. A recipient may apply for another subsidy if the recipient transfers to another AVTI. A recipient must meet the eligibility requirements in part 4830.3300, subpart 1.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: 8 SR 196

ASSISTANCE FOR STUDENT DEPENDENTS OF POW'S AND MIA'S

4830.4000 SCOPE.

Parts 4830.4000 to 4830.4200 govern state financial assistance for students in postsecondary school who are dependents of prisoners of war and persons missing in action.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: 8 SR 196

4830.4100 ELIGIBLE STUDENTS AND VERIFICATION.

Subpart 1. Eligibility. To be eligible for financial assistance for dependents of prisoners of war and persons missing in action, all of the following requirements must be met:

A. The student must be registered for an undergraduate program leading to a bachelor's degree or certificate of completion.

B. The student must attend a school located in Minnesota. The school may be a state university, community college, public area vocational-technical institute, or the University of Minnesota. If the school is a private school it must be eligible to participate in the state student loan program according to part 4830.5100.

C. The student must be one of the following:

- (1) the spouse of a prisoner of war or person missing in action;
- (2) a child born before or during the time the parent served as a prisoner of war or was declared a person missing in action; or
- (3) a child legally adopted or in the legal custody of the parent before and during the time the parent served as a prisoner of war or was declared a person missing in action.

Subp. 2. **Verification of status.** In cooperation with the commissioner of veterans' affairs, a school must verify, on behalf of a student applying for assistance, that the student meets the requirements in subpart 1, item C. A prisoner of war or person missing in action means a person who was a Minnesota resident at the time of entering service of the United States Armed Forces, or whose official residence is within Minnesota, and who, while serving in the United States Armed Forces, has been declared to be a prisoner of war or a person missing in action as established by the secretary of defense after August 1, 1958. Verification must include the determination of residency. A discharge form, notarized statement from the student's parent, or other documentation may be required to show residency. In addition, a student may be required to provide a copy of a birth certificate, marriage certificate, or other document showing the student meets the requirement of subpart 1, item C. No situation, including return or reported death of the parent or spouse, can remove a person who qualifies as a dependent from the provisions or benefits provided by law.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: 8 SR 196

4830.4200 AMOUNT OF ASSISTANCE.

Subpart 1. **State-supported school.** A state-supported school shall waive full tuition and fees for an eligible student.

Subp. 2. **Private school.** A private school shall request payment from the board for each eligible student. The payment to the private school for each student shall not exceed \$250 per 12 months.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: 8 SR 196

STATE STUDENT LOANS

4830.5000 SCOPE.

Parts 4830.5000 to 4830.5400 govern state loans to postsecondary students.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: 8 SR 196

4830.5100 ELIGIBLE SCHOOLS.

Schools eligible for funds for student loans are public or private postsecondary schools in any state, approved by the United States secretary of education in accordance with requirements of the Higher Education Act of 1965, as amended, published in United States Code, title 20, chapter 28.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: 8 SR 196

4830.5200 ELIGIBLE STUDENTS.

Subpart 1. **In general.** To be eligible for a state student loan, a student must meet all of the following requirements:

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A. is eligible for the guaranteed student loan program created by the Higher Education Act of 1965, as amended, published in United States Code, title 20, chapter 28;

B. is enrolled at least half-time;

C. is in good standing, as determined by the school;

D. lives in Minnesota during the school period for which the loan is approved, for a student who is not a Minnesota resident;

E. has a loan refusal letter from a commercial lender when applying for a loan for the first time as an undergraduate student; and

F. is one of the following:

(1) enrolled in an eligible school in Minnesota; or

(2) a Minnesota resident enrolled in an eligible school in any other

state.

Subp. 2. [Repealed, 10 SR 2319]

Subp. 3. **Students in default.** A student is not eligible for a loan if the student is currently in default on a student loan or has a default claim filed with the guarantee agency at the time of application unless the student has made repayment arrangements satisfactory to the guarantee agency and the board.

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: *8 SR 196; 10 SR 2319*

4830.5300 SCHOOL AGREEMENTS AND STUDENT APPLICATIONS.

Subpart 1. **Origination agreement.** Before approving loans to students at a school, the school and executive director shall execute a loan origination agreement. A school is considered to have originated a loan if the school determines who receives a loan and the loan amount or if the school, at the request of the lender, verifies the identity of the borrower or completes forms normally completed by the lender. The origination agreement must specify the school's responsibility for proper delivery of loans to students. It must also designate a school representative who is responsible for performance of the following activities:

A. complete and certify the school section of a loan application;

B. assist the board by providing loan counseling to students;

C. assist the board by counseling students about their obligations when accepting a loan;

D. deliver loan disbursements to students; and

E. promptly notify the board when a borrower does not attend school at least half-time.

Subp. 2. **Termination.** The executive director may terminate an agreement with a school upon determining that continuation of the agreement is not in the best interests of the state student loan program.

Subp. 3. **Application, guarantee, and note.** The student and school must complete appropriate parts of the application and promissory note and send them to the board for its review. The board must complete the lender's part of the application and send it to the guarantee agency. The guarantee agency must determine the loan amount it will guarantee. Once the loan amount has been guaranteed, the board must send the loan amount to the school as prescribed in the Higher Education Act of 1965, as amended.

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: *8 SR 196; 10 SR 2319*

4830.5400 AMOUNT, TERMS, AND PAYMENT.

Subpart 1. **Maximum and minimum amounts.** The maximum loan for a loan period and the aggregate principal balance of loans shall be those prescribed in the Higher Education Act of 1965, as amended, published in United States Code, title 20, chapter 28. The minimum amount of a loan shall be \$250.

Subp. 2. **Duration.** A loan shall not be approved for a loan period in excess of 12 months.

Subp. 3. **Repayment.** The interest rate, terms, and conditions of repayment shall be those prescribed by the Higher Education Act of 1965, as amended, published in United States Code, title 20, chapter 28.

Subp. 4. **Date of payments.** No check shall be dated more than 30 days before the beginning of the loan period for which the loan is made. A school shall not deliver a check to a student until after the loan period has begun. No payment shall be made after the loan period expires.

Subp. 5. **Failure to enroll, transfer, or withdraw.** The school shall return checks for students who have not enrolled within 30 days of the date enrollment is determined. If a student transfers to another school or withdraws from school before a check is received, the loan is canceled. A student may reapply for a loan at another school. If a student who has received a check does not attend school for the intended loan period, the loan shall be immediately due and payable.

Subp. 6. **Refunds.** Refunds from schools to the board must be made as prescribed in the Higher Education Act of 1965, as amended.

Statutory Authority: *MS s 136A.111 subd 2; 136A.16 subd 2; 136A.234; 136A.70; 147.30*

History: *8 SR 196; 10 SR 2319*

PRIVATE COLLEGE CONTRACTS**4830.6000 SCOPE.**

Parts 4830.6000 to 4830.6400 govern the state program of contracts with private colleges for education of Minnesota residents.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196*

4830.6100 ELIGIBLE SCHOOLS.

Annually the board shall adopt by resolution a list of schools eligible for a contract. To be eligible a school must meet all of the following requirements:

- A. be a private institution of higher education;
- B. be located in Minnesota;
- C. not be operated for profit;
- D. not be an institution or department or branch of an institution whose program is specifically to prepare students to become ministers of religion, to enter upon some other religious vocation, or to prepare to teach theological subjects;
- E. grant an associate degree or higher degree; and
- F. be either of the following:

(1) fully accredited or making satisfactory progress toward full accreditation by the North Central Association of Secondary Schools and Colleges; or

(2) determined by the board to maintain programs and standards substantially equivalent to the institutions in Minnesota which are fully accredited.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196*

4830.6200 CONTRACTS.

Subpart 1. **Content.** The executive director shall offer contracts to all eligible schools. The contract must specify the responsibilities of the school, the services it is to provide, and the terms and conditions of receiving payment for the services.

Subp. 2. **Students eligible.** The contract must be for students who meet all the following requirements:

A. are enrolled full-time in the fall term according to the standards of the school, but for not less than 12 credits or the equivalent;

B. are enrolled in an eligible program; and

C. are either one of the following:

(1) dependent upon the financial support of parents or guardians who have resided in Minnesota for not less than 12 months prior to admission at the school; or

(2) independent of parental or guardian's financial support and have resided in Minnesota, for purposes other than obtaining an education, for not less than 12 consecutive months prior to admission at the school.

Subp. 3. **Eligible programs notarized.** As a condition of the contract, the chief executive officer and an officer of the governing board of each school must provide a notarized statement that programs included in the contract meet the following criteria:

A. must lead to an associate or bachelor's degree or to a prebaccalaureate diploma;

B. must be at least one academic year in duration; and

C. may provide for the scholarly study of religion as a discipline of knowledge in a manner similar to that provided for any field of study, but it may not require a student to:

(1) take courses based upon a particular set of religious beliefs;

(2) receive instruction intended to propagate or promote any religious beliefs;

(3) participate in religious activities;

(4) maintain affiliation with a particular church or religious organization; or

(5) attest to any particular religious beliefs.

Statutory Authority: *MSs 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: 8 SR 196

4830.6300 CERTIFICATION OF THE NUMBER OF ELIGIBLE STUDENTS.

The chief executive officer of each school must certify as of the tenth class day of the fall term the exact number of Minnesota residents who are enrolled in programs meeting the criteria in part 4830.6200, subpart 3. Each school must maintain adequate records demonstrating the method of calculating the number of students. The records and underlying documents must be available to the board for inspection.

Statutory Authority: *MSs 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: 8 SR 196

4830.6400 PAYMENT.

Subpart 1. **Amount of payment.** The executive director shall pay, for each eligible student who is not a state grant-in-aid recipient, \$120 per student in a

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school granting an associate degree but not a bachelor's degree and \$150 per student in a school granting a bachelor's degree. In addition, the executive director shall pay, for each eligible student who is a state grant-in-aid recipient, \$400 per student in a school which grants an associate degree but not a bachelor's degree and \$500 per student in a school which grants a bachelor's degree. However, if the appropriation is insufficient to pay the full amount, the executive director shall reduce the payments in a manner which maintains the ratios among the four categories of students.

Subp. 2. Time of payment. Ninety percent of the payment shall be made in the winter. It shall be calculated by using the number of eligible students, certified by the school and verified by the executive director, and the preliminary number of fall grant-in-aid recipients. The final payment shall be made in the spring. It shall be based on the final number of fall grant-in-aid recipients and shall include any required adjustments.

Statutory Authority: *MS s 136A.111; 136A.121; 136A.132; 136A.141; 136A.233; 136A.70*

History: *8 SR 196*