

CHAPTER 4830
HIGHER EDUCATION COORDINATING BOARD
FINANCIAL ASSISTANCE

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CHILD CARE GRANTS

4830.7000 SCOPE.

Parts 4830.7000 to 4830.7900 govern state assistance to institutions to reduce the cost of child care for eligible students attending eligible postsecondary institutions.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7100 DEFINITIONS.

Subpart 1. Scope. The definitions in this part apply for the purposes of parts 4830.7000 to 4830.7900.

Subp. 2. Continuing enrollment. "Continuing enrollment" means that a student has not had an interruption in enrollment at the institution in which the student is currently enrolled for more than one academic term or 60 days of the immediately preceding academic year, whichever is longer. A student may miss one academic term and summer school and not lose continuing enrollment status.

Subp. 3. Eligible employment. "Eligible employment" means the number of hours of paid employment that the institution determines shall be covered with child care assistance, not to exceed 20 hours of employment per week.

Subp. 4. Eligible hours of education. "Eligible hours of education" means:

- A. hours spent in class;
- B. up to a maximum of one hour a day for transportation between class, home, and employment;
- C. up to four hours a day between classes; and
- D. additional eligible hours as determined by the institution.

Subp. 5. Eligible student. "Eligible student" means a student who:

- A. has a child 12 years of age or younger, or 14 years of age or younger who is handicapped as defined in Minnesota Statutes, section 120.03, and who is receiving or will receive care on a regular basis from a provider of child care services as those terms are defined in Minnesota Statutes, section 256H.01, subdivisions 2 and 12, after the grant is received;
- B. is a resident of Minnesota as defined in part 4830.0400, subpart 2;
- C. is not a recipient of aid to families with dependent children;
- D. has not earned a baccalaureate degree and has been enrolled full time in any postsecondary institution fewer than eight semesters, 12 quarters, or the equivalent;
- E. is pursuing a nonsectarian program or course of study that applies to an undergraduate degree, diploma, or certificate;

F. is enrolled at least half time in an eligible institution for the term for which an award is received;

G. is in good academic standing and making satisfactory progress, as defined by the institution according to federal requirements; and

H. reports any changes to data reported on the child care application within ten days of the change.

Subp. 6. Nonsectarian program. "Nonsectarian program" means a program of study that is not specifically designed to prepare students to become ministers of religion, to enter some other religious vocation, or to prepare them to teach theological subjects. A nonsectarian program may provide for the scholarly study of religion as a discipline of knowledge in a manner similar to that provided for any other field of study, but must not require its students to take courses that are based on a particular set of religious beliefs, to receive instruction intended to propagate or promote any religious beliefs, to participate in religious activities, to maintain affiliation with a particular church or religious organization, or to attest to any particular religious beliefs.

Subp. 7. Institution's share. "Institution's share" means the number of students in an eligible institution who have applied for the state scholarship and grant program under parts 4830.0200 to 4830.0700 for the most current academic year and who have reported dependent children.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7200 ELIGIBLE INSTITUTIONS.

Institutions eligible for child care grants are Minnesota public postsecondary institutions and private, residential colleges or universities granting two-year or four-year liberal arts degrees that have signed a child care program agreement with the board.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7300 STUDENT PRIORITY.

Beginning July 1, 1990, a student who has received an award from the program in the immediately preceding academic year and who has had continuing enrollment at that institution must be given a child care award for the next academic year if the student remains eligible and funds are available. A student shall apply for a continuation of funds by June 1 of the preceding academic year or lose priority ranking for the funds over students who did not apply for a continuation of funds by June 1 and eligible students applying for a child care grant for the first time.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7400 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

Subpart 1. Initial allocation formula. Funds shall be allocated to each eligible institution according to the following formula:

A. the institution's share divided by the sum of participating institutions' shares; and

B. multiplied by the current fiscal year's appropriation for child care grants.

Subp. 2. Yearly allocation to institutions. After the 1989-1990 academic year, funds shall be allocated to each eligible institution according to the following formula:

A. the institution's share divided by the sum of participating institutions' shares;

B. multiplied by the current fiscal year's appropriation for child care grants; and

C. multiplied by the percent of funds for child care grants actually used by the institution during the prior academic year.

Subp. 3. Reallocation. The board shall reallocate available funds at least twice during the academic year to institutions requesting additional child care funds according to the following formula:

A. the institution's share divided by the sum of the shares of institutions requesting additional funds; and

B. multiplied by the amount of child care funds available for reallocation.

Subp. 4. Administrative expense. By July 1 of each year, the board shall set the percentage of awarded child care grant funds that may be used for administration of the child care program by the board and the institution.

Subp. 5. Notification. The board shall notify each participating institution in writing of allocation and reallocation amounts.

Subp. 6. Accountability. Each participating institution shall be accountable for any funds disbursed to students for child care grants. 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 the institution, the institution may use the funds for other eligible students or return them to the board.

Subp. 7. Unused funds. An institution shall return funds that the institution determines will not be used within 30 days from the date of a request by the board. The board shall reallocate unused funds to other participating institutions requesting additional funds.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7500 AMOUNT AND TERM OF GRANTS.

Subpart 1. Financial need. An institution shall award a grant to each eligible student to the extent allocated funds are available. The family income and family size used shall be that used to determine eligibility for the state scholarship and grant program under parts 4830.0200 to 4830.0700 and must be within the income ranges established by Minnesota Statutes, section 256H.10, subdivision 2. Each student shall report any changes in income within ten days to the institution.

Subp. 2. Amount. The amount of a grant must cover:

A. the cost of child care for all children 12 years old or younger, or 14 years old or younger if the child is handicapped as defined in Minnesota Statutes, section 120.03;

B. the total number of eligible hours for which child care is needed; and

C. the provider's charge up to a maximum rate established each year by the board based on rate information received from the Department of Human Services in each county where services are being provided.

The institution shall determine the amount of child care needed for the eligible hours of education as defined in part 4830.7100, subpart 4, and the number of eligible hours of employment as defined in part 4830.7100, subpart 3, for each academic term and then subtract the amount of student copayment for each month of child care according to charts provided by the board.

The amount of the grant must not exceed 60 hours per child per week and must not cover hours during which a parent or legal guardian is capable and available to care for the children.

If, after an award is made, a student presents information to the institution that would increase the student's child care award, the award must be increased if program funds are available.

Subp. 3. Insufficient funds. An institution shall make awards that cover all eligible hours as defined in part 4830.7100, subparts 3 and 4. An institution may use one of the following methods to award the next student on the institution's waiting list if funds are insufficient to award all students eligible for the child care grants:

A. an institution may delay the beginning of an award but once an award is made, the award must continue throughout the year unless a student becomes ineligible;

B. an institution may award a student a full child care grant but notify the student that all awards are contingent on the availability of funds and that the student might not receive the full award; as refunds or reallocations make funds available, no new student may receive an award until outstanding awards are assured full disbursement; or

C. an institution may supplement child care money with institutional money in order to make a full disbursement to a student.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7600 PAYMENT.

Child care payments shall be made each academic term to the student or to the child care provider, as determined by the institution.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7700 TERMINATION OF CHILD CARE AWARD.

A child care award shall be terminated if the student ceases to meet the eligibility requirements in part 4830.7100, subpart 5. Before termination of the award occurs, the institution must allow the student to meet with the financial aid officer at the institution to discuss the termination, and documentation as to why the termination should not occur.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7710 PROCEDURES FOR DENIAL OR TERMINATION OF A CHILD CARE AWARD.

Subpart 1. Applicability. Students meeting the eligibility requirements in part 4830.7100, subpart 5, but denied a child care grant award due to an institution's lack of program funds, shall be placed on the institution's waiting list pending the availability of program funds. Subpart 2 and part 4830.7720 are not applicable to students who are denied child care grant awards due to lack of program funds.

Subp. 2. Procedures. A school must follow the procedures in items A to D when denying or terminating a child care grant award, except in cases where the denial is due to lack of program funds.

A. The school shall notify a student, in writing, of denial or termination of a child care grant award. The notice must state the reason or reasons the assistance is being denied or terminated. The notice shall inform the student of the right to contest the adverse action and the procedure for doing so. Except for cases of suspected fraud when a child care grant is terminated, the notice must be mailed to the student's last known address, or hand delivered to the recipient at least 14 calendar days before terminating assistance. In cases of suspected

fraud, the termination notice must be mailed or hand delivered at least five working days before the effective date of the termination.

B. Failure of a child care grant recipient to provide required information or documentation, to report changes required under part 4830.7100, subpart 5, or to pay the family copayment fee or the provider charge if the state share of the subsidy is paid directly to the family, is just cause for terminating assistance.

C. Child care assistance payments shall be terminated pending the result of the appeal process in part 4830.7720. If the appeal results in the continuation of child care payments to the student, payments covering the period from termination to the appeal decision to continue child care payments shall be made retroactively to the extent allocated funds are available.

D. If the child care grant award is made by vendor payment, the school shall inform the child care provider of the notice of termination pending the results of the appeal process.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7720 APPEAL PROCESS.

Subpart 1. **Appeal request.** An applicant or recipient of a child care subsidy adversely affected by a school's action may file a written request for an appeal.

Subp. 2. **Informal conference.** The school shall offer an informal conference to students adversely affected by the school's decision in an attempt to resolve the dispute. The school shall advise such students that a request for a conference with the school is optional and does not delay or replace the right to an appeal under subpart 1.

Subp. 3. **Appeal process.** Students must follow the normal appeal process established by the school to handle complaints about financial aid program decisions. The school's appeal process must be completed within two weeks of the student's filing a written request for an appeal with the school. If the student is not satisfied with the result of the appeal, the student may ask the school to forward the results to the executive director of the Minnesota Higher Education Coordinating Board for review. The school must forward the results of the appeal and documentation provided by the student at the appeal to the executive director within two weeks of the school's appeal decision. The executive director shall review the decision and accompanying documentation, and shall make a decision according to Minnesota Statutes, section 136A.125, and parts 4830.7000 to 4830.7900. The student and school shall be advised in writing of the executive director's decision. The executive director's decision is final.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7800 REFUNDS.

If a recipient reduces enrollment, the institution must refund the unused portion of the award. Refunds are determined as follows:

A. the percentage the child care award represents of the student's total financial aid package for the applicable term; and

B. multiplied by the amount determined to be refunded to the student under the institution's refund policy. The result yields the amount to be refunded to the program fund. Refunded awards are available for reassignment to other qualified applicants.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*

4830.7900 REPORTS OF DATA.

Institutions must:

A. collect demographic, educational, and financial data specified by the board from eligible students requesting child care grants;

B. provide the board with individual student data upon request;

C. report information about students who receive awards, students who are on the waiting list, and students who were denied awards, including the institution's methods of prioritizing applicants if insufficient funds are available; and

D. submit fiscal year program activity reports and student data reports to the board.

Fiscal year program activity reports and student data reports are required by the board. Institutions shall correctly complete and submit all required reports and any applicable refunds to the board by the first working day after August 9. The board shall withhold an institution's subsequent year's allocation if the deadline date is not met.

Statutory Authority: *MS s 136A.04; 136A.125*

History: *14 SR 2789*