

CHAPTER 4830
HIGHER EDUCATION SERVICES OFFICE
FINANCIAL ASSISTANCE

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4830.0100 DEFINITIONS FOR HIGHER EDUCATION PROGRAMS.

[For text of subpart 1, see M.R.]

Subp. 1a. **Academic year.** "Academic year" means a period of time in which a full-time student is expected to complete:

A. the equivalent of at least two semesters, two trimesters, or three quarters at an institution that measures academic progress in credit hours and uses a semester, trimester, or quarter system;

B. at least 30 semester hours or 45 quarter hours at an institution that measures academic progress in credit hours but does not use a semester, trimester, or quarter system; or

C. at least 900 clock hours at an institution that measures academic progress in clock hours.

Subp. 2. **Office.** "Office" means the Higher Education Services Office.

Subp. 2a. **Certificate program.** "Certificate program" means a program that is:

A. offered by an eligible school as defined in part 4830.0300, subpart 1;

B. at least 12 quarter credits or the equivalent, or 300 clock hours for clock hour schools; and

C. at least eight weeks long.

[For text of subs 3 to 5, see M.R.]

Subp. 6. **Director.** "Director" means the director of the office, or office staff who perform duties as assigned by the director.

[For text of subp 7, see M.R.]

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 office for the appropriate processing year.

[For text of subs 8a and 9, see M.R.]

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

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

B. an independent student who has resided in Minnesota for other than educational purposes for at least 12 consecutive months without being enrolled at a postsecondary institution for more than five credits in any term prior to the date of application;

C. a student who graduated from a Minnesota high school, if the student was a resident of Minnesota during the student's period of attendance at the Minnesota high school;

D. a student who, after residing in the state for a minimum of one year, earned a high school equivalency certificate in Minnesota; or

E. an independent student who was initially a Minnesota resident as defined in item A and who has continued to reside in Minnesota.

[For text of subp 10a, see M.R.]

Subp. 11. **Audit requirements.** Audit requirements means that the school must make available to the office 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.

Subp. 12. [Repealed, 20 SR 2284]

Statutory Authority: *MS s 136A.01*

History: 20 SR 2284

4830.0110 DEFINITIONS FOR SATISFACTORY ACADEMIC PROGRESS.

Subpart 1. **Scope.** For the purposes of parts 4830.0200 to 4830.0700 and 4830.7000 to 4830.7900, the definitions in this part apply to satisfactory academic progress as defined in Minnesota Statutes, section 136A.101, subdivision 10.

Subp. 2. **Academic standing consistent with the institution's graduation requirements.** "Academic standing consistent with the institution's graduation requirements" means the student's cumulative grade point average must meet the cumulative grade point average required by the institution for graduation. The institution's graduation requirement may be a fixed cumulative grade point average which is the same for all grade levels or a graduated cumulative grade point average which progresses towards the grade point average required for graduation.

Subp. 3. **Academic year.** "Academic year" means the grade level as defined by the school.

Subp. 4. **Advisor.** "Advisor" means an individual employed by the institution who is qualified to advise students regarding the selection of a major and the requirements necessary for completion of that major.

Subp. 5. **A point between a student's first and second academic year of attendance at an institution.** "A point between a student's first and second academic year of attendance at an institution" means by the end of the first term of the student's second academic year.

Subp. 6. **Certify.** "Certify" means that the student's advisor has verified the student's satisfactory academic progress as specified in Minnesota Statutes, section 136A.101, subdivision 10, clause (2), subclauses (ii) and (iii), by providing the name of the advisor and the date the certification took place.

Subp. 7. **General education requirements.** "General education requirements" means those courses that are required by the institution for graduation in addition to the courses required for the student's major field of study.

Subp. 8. **Reviewed.** "Reviewed" means that the student has communicated to the advisor that the student understands the requirements in Minnesota Statutes, section 136A.101, subdivision 10, clause (2), subclauses (ii) and (iii).

Subp. 9. **Satisfactory progress.** "Satisfactory progress" means the student is meeting the requirements specified in the institution's written policy relating to completion of general education requirements.

Statutory Authority: *MS s 136A.01*

History: 20 SR 2284

4830.0300 ELIGIBLE SCHOOLS.

Subpart 1. **Annual list.** Annually the director shall approve a list of schools at which a state grant may be used. Schools may be added to the list by the director anytime during the school year.

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

[For text of items A to C, see M.R.]

D. sign an institutional agreement with the director.

Statutory Authority: *MS s 136A.01*

History: 20 SR 2284

4830.0400 APPLICATION DATES AND STUDENT ELIGIBILITY.

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

Subp. 2a. **Out-of-state housing.** A student's Minnesota residence is not lost if the student or parent must live outside of Minnesota for purposes of postsecondary education, military service, or missionary work, provided the student or parent continues to claim Minnesota as the state of legal residence for income tax purposes.

[For text of subp 4, see M.R.]

Subp. 5 **Renewal awards.** A grant is renewable for a maximum of six semesters, nine quarters, or the equivalent, but must not continue after the first of the following occurrences:

A. the recipient has obtained a baccalaureate degree; or

B. the recipient has been enrolled on a full-time basis for eight semesters, 12 quarters, or the equivalent, taking into account the exclusions specified in Minnesota Statutes, section 136A.121, subdivision 9.

To be eligible to renew a grant a student must apply each year and continue to meet the requirements for an initial grant, except for subpart 4, item D. A student must have made satisfactory academic progress as defined in Minnesota Statutes, section 136A.101, subdivision 10.

[For text of subp 5a, see M.R.]

Subp. 7. **Minnesota correctional institution.** "Minnesota correctional institution" means a federal or state penal institution located in Minnesota in which students are eligible for grants under this rule pursuant to Minnesota Statutes, section 136A.121, subdivision 6.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2284*

4830.0600 AWARDS.

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

A. The assigned student responsibility of at least 50 percent of the cost of attending the institution of the applicant's choosing.

B. For an applicant who is a dependent student, a contribution by the applicant's parents, as determined by the federal need analysis.

C. For an applicant who is an independent student, the student contribution as determined by the federal need analysis.

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

Subp. 1a. **Minimum.** The minimum award amount shall be \$300

[For text of subp 2, see M.R.]

Statutory Authority: *MS s 136A.01*

History: *20 SR 2284*

4830.0700 METHOD OF PAYMENT.

Subpart 1. **Payments to schools.** After a grant award is determined, the award amount shall be sent by the director to the school chosen by the recipient or the school shall withdraw the award amount from its state grant account. 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 is ready for disbursement.

Subp. 2. **Refunds.** A grant is awarded for full-time attendance at a specified school for up to four quarters or three semesters within the state fiscal year. If a recipient fails to enroll or reduces enrollment, the school must refund the unused portion of the award. If the director determines that a school has fraudulently handled grant money, the refund of the unused portion of the award is immediately due, and the office may institute a civil action for recovery if necessary. Refunds to the office are determined as follows:

[For text of item A, see M.R.]

B. calculate the total tuition refund amount using the refund calculation required of schools participating in federal Title IV programs;

[For text of items C and D, see M.R.]

Subp. 3. School accounting requirements. Schools shall maintain separate accounts for grant funds. Refunds to the state grant program 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 program 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 program.

Subp. 4. Recovery of overpayments. An overpayment occurs when a grant recipient receives more money than the recipient is eligible to receive under the award calculation. A grant recipient shall reimburse the state grant program for overpayment regardless of the cause. The overpayment amount is the difference between the amount received and the calculated award eligibility. The reimbursement amount includes any costs or expenses incurred by the office in collecting the debt, including reasonable attorney fees. The reimbursement is recoverable from the recipient or the recipient's estate. The office may institute a civil action for recovery if necessary.

The recipient must not receive additional awards until the overpayment is recovered or the recipient is making payments under an approved plan. Additional awards for which the recipient is eligible may be used to recover an unreimbursed overpayment.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2284*

4830.2200 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

[For text of subps 1 and 2, see M.R.]

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

[For text of subp 4, see M.R.]

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 director. The director shall reallocate the funds to other participating schools requesting additional funds.

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

Statutory Authority: *MS s 136A.01*

History: *20 SR 2572*

4830.2300 WORK-STUDY GRANTS.

A school shall determine if a student is eligible for a work-study grant. To be eligible a student must meet the requirements of part 4830.0100, subpart 5, items B, C, D (as defined in Minnesota Statutes, section 136A.101, subdivision 7b), E, and F. Priority must be given to students enrolled for at least 12 credits. A student employed during periods of nonenrollment must sign a statement of intent to enroll at least half-time for the next term or provide proof of registration for the next term.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2572*

4830.2500 CONTRACTS WITH EMPLOYERS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. Review and comment. All contracts signed by the school and employers are subject to review and comment by the 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, the school must submit the program of supervision to the director for review and comment.

[For text of subp 5, see M.R.]

Statutory Authority: *MS s 136A.01*

History: 20 SR 2572

4830.2600 REPORTS BY SCHOOL.

The school must collect demographic and program activity data as specified by the director. The school shall provide the director with individual student data upon request.

End of year program activity and student data reports are required by the director. The school must correctly complete and submit these reports and any applicable refunds to the director by the first working day after August 9. The director shall withhold the school's subsequent year's allocation if the above deadline date is not met.

Statutory Authority: *MS s 136A.01*

History: 20 SR 2572

4830.6500 [Repealed, L 1996 c 395 s 17]

4830.6510 [Repealed, L 1996 c 395 s 17]

4830.6520 [Repealed, L 1996 c 395 s 17]

4830.6600 [Repealed, L 1996 c 395 s 17]

4830.6610 [Repealed, L 1996 c 395 s 17]

4830.6620 [Repealed, L 1996 c 395 s 17]

4830.7200 ELIGIBLE INSTITUTIONS.

Institutions eligible for child care grants are Minnesota public postsecondary institutions and Minnesota private baccalaureate degree granting colleges or universities or Minnesota nonprofit two-year vocational technical schools granting associate degrees that have signed a child care program agreement with the office.

Statutory Authority: *MS s 136A.01*

History: 20 SR 2284

4830.7400 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. Reallocation. The office 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 office shall set the percentage of awarded child care grant funds that may be used for administration of the child care program by the office and the institution. The percent of funds taken for the administration of the non-AFDC child care program shall be based on the net amount spent on child care grant awards for that fiscal year.

Subp. 5. Notification. The office 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 office.

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 office. The office shall reallocate unused funds to other participating institutions requesting additional funds.

Statutory Authority: *MS s 136A.01*

History: 20 SR 2284

4830.7500 AMOUNT AND TERM OF GRANTS.

Subp. 2. **Amount.** The amount of a grant must be based on.

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 provider's charge up to a maximum rate established each year by the office;

C. the student's enrollment status;

D. the age of the children; and

E. the award chart prepared by the office.

The institution shall estimate the amount of child care needed for the academic year and summer terms, and may add an amount up to that estimated cost to the institution's normal student budget used to calculate the student's financial need. The non-AFDC child care grant and other forms of financial aid may be used to pay for the child care if the expense is not covered by other funds.

Subp. 2a. **Academic year award.** The amount of the grant per eligible child for the academic year must be the amount shown on the following chart:

CHILD CARE GRANTS PER ELIGIBLE CHILD

Total Income less than	Family Size 2	Family Size 3	Family Size 4	Family Size 5
\$10,000	\$1,700	\$1,700	\$1,700	\$1,700
\$13,000	\$1,700	\$1,700	\$1,700	\$1,700
\$16,000	\$1,500	\$1,700	\$1,700	\$1,700
\$19,000	\$900	\$1,500	\$1,700	\$1,700
\$22,000	\$600	\$1,200	\$1,500	\$1,700
\$25,000	\$300	\$900	\$1,200	\$1,700
\$28,000	\$0	\$600	\$900	\$1,700
\$31,000	\$0	\$300	\$600	\$1,500
\$34,000	\$0	\$0	\$300	\$1,200
\$37,000	\$0	\$0	\$300	\$900
\$40,000	\$0	\$0	\$0	\$600
\$43,000	\$0	\$0	\$0	\$300
\$46,000	\$0	\$0	\$0	\$0
\$49,000	\$0	\$0	\$0	\$0
\$52,000	\$0	\$0	\$0	\$0
\$55,000+	\$0	\$0	\$0	\$0

Total Income less than	Family Size 6	Family Size 7	Family Size 8	Family Size 9	Family Size 9+
\$10,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$13,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$16,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$19,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$22,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$25,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$28,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$31,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$34,000	\$1,500	\$1,500	\$1,700	\$1,700	\$1,700
\$37,000	\$1,200	\$1,200	\$1,500	\$1,700	\$1,700
\$40,000	\$900	\$900	\$1,200	\$1,200	\$1,500
\$43,000	\$600	\$600	\$900	\$900	\$1,200
\$46,000	\$300	\$300	\$600	\$600	\$900
\$49,000	\$300	\$300	\$300	\$300	\$600
\$52,000	\$0	\$0	\$0	\$300	\$300
\$55,000+	\$0	\$0	\$0	\$0	\$0

[For text of subps 2b to 3a, see M.R.]

Statutory Authority: *MS s 136A.01*

History: 20 SR 2284

4830.7720 APPEAL PROCESS.

[For text of subpart 1, see M.R.]

Subp 3. **Appeal process.** Students must follow the normal appeal process established by the school to handle complaints about financial aid program decisions. If the student is not satisfied with the result of the appeal, the student may ask the school to forward the results to the director of the Minnesota Higher Education Services Office for review. The 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 director's decision. The director's decision is final.

Statutory Authority: *MS s 136A.01*

History: 20 SR 2284

4830.7800 REFUNDS.

If a recipient fails to enroll or reduces enrollment, the school must refund the unused portion of the award to the non-AFDC child care grant program. If the director determines that a school has fraudulently handled grant money, the refund of the unused portion of the award is immediately due to the office, and the office may institute a civil action for recovery if necessary. Refunds to the non-AFDC child care grant program are determined as follows:

A. calculate the percentage that the child care grant award represents of the student's total financial aid package for the applicable term; excluding funds received from federal Title IV programs, United States Code, title 20, chapter 28, sections 1070 to 1099c-1,

B. calculate the total tuition refund amount using the institution's refund policy or the federal pro rata refund calculation;

C. subtract the federal aid programs' refund amount from item B to determine the remaining tuition refund amount; and

D. multiply the percentage in item A by the amount calculated in item C to determine the amount to be refunded to the non-AFDC child care program.

Refunded money to the non-AFDC child care program is available for awards to eligible students.

Statutory Authority: *MS s 136A.01*

History: 20 SR 2284

4830.7900 REPORTS OF DATA.

Institutions must:

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

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

C. upon the request of the office, 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 office.

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

Statutory Authority: *MS s 136A.01*

History: 20 SR 2284

4830.8510 [Repealed, L 1996 c 395 s 17]

4830.8520 [Repealed, L 1996 c 395 s 17]

4830.8530 [Repealed, L 1996 c 395 s 17]

4830.8535 [Repealed, L 1996 c 395 s 17]

4830.8540 [Repealed, L 1996 c 395 s 17]

4830.8550 [Repealed, L 1996 c 395 s 17]

4830.8570 [Repealed, L 1996 c 395 s 17]

4830.8575 [Repealed, L 1996 c 395 s 17]

4830.9015 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

Subpart 1. **Application by schools and programs.** A school, or educational program of registered nursing or advanced nursing must submit each year to the director a completed participation application form provided by the director.

Subp. 2. **Responsibility.** Each participating school, or educational program of registered nursing or advanced nursing must.

A. when requested by the director, provide enrollment data of students enrolled in registered nursing or advanced nursing education programs;

B. establish procedures for students to apply for and receive grants;

C. establish criteria to use in awarding grants to nursing students, which must include the likelihood of the student's success in completing the nursing educational program;

D. give priority to students with the greatest financial need; and

E. agree that the money awarded through the grant program must not be used to replace any other grant or scholarship money for which the student would be otherwise eligible.

Subp. 3. **Allocation formula.** Funds shall be allocated to each school or nursing program according to the following formula: enrollment of registered nursing and advanced nursing students of each school or nursing program, divided by the total enrollment of all participating schools or nursing programs; multiplied by the current fiscal year's appropriation for grants under this program.

The minimum allocation to a school or nursing program is \$2,000.

Subp. 4. **Modification of allocations.** The director shall allocate funds equal to the school's or program's estimated need for funds if the estimated need is less than the amount determined by the allocation formula

Subp. 5. **Reallocation.** If funds are available, the director shall reallocate funds to schools or nursing programs requesting additional program funds according to the formula in subpart 3.

Subp. 6. **Delay.** Failure of a participating school or nursing program to submit the annual application for participation to the director or provide requested enrollment data by the deadline dates will result in the delay of notification and disbursement by the director to the school or nursing program.

Subp. 7. **Accountability.** Each participating school and nursing program is accountable for any money disbursed to students for nursing grants. The money 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 must return the funds to the director.

Subp. 8. **Unused funds.** When requested by the director, a school or nursing program shall report on its use of funds and shall return unused funds. The director shall reallocate unused funds to schools or nursing programs that desire additional funds.

Subp. 9. [Repealed, 20 SR 2214]

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4830.9020 AWARDS.

Subpart 1. **Award amount.** The minimum award amount is \$2,000 per academic year. The maximum award amount is \$4,000 per academic year.

[For text of subps 2 and 3, see M.R.]

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*

4830.9025 [Repealed, 20 SR 2214]

4830.9030 REPORTS BY SCHOOLS OR NURSING PROGRAMS.

Subpart 1. **Data collection; reports.** The school or nursing program must collect demographic, educational, and financial data specified by the director from eligible students requesting grants, and provide this data to the director upon request.

The director shall require program activity and student data reports at the end of each year. The school or nursing program must complete and submit the reports and any applicable refunds to the director by the first working day after August 9. If the reports are not completed correctly and submitted by the deadline, the director shall withhold the subsequent year's allocation until reporting requirements are fully met.

Subp. 2. **Additional information.** The director may require additional information not inconsistent with law that in the director's judgment is helpful to efficiently administer the program. The additional information may be required from grant applicants or recipients or eligible institutions or programs.

Statutory Authority: *MS s 136A.01*

History: *20 SR 2214*