

1 Higher Education Coordinating Board

2

3 Adopted Permanent Rules Relating to Child Care Grants Program

4

5 Rules as Adopted

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CHILD CARE GRANTS

7 4830.7000 SCOPE.

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

11 4830.7100 DEFINITIONS.

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

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

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

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

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

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

- 35 A. has a child 12 years of age or younger, or 14

1 years of age or younger who is handicapped as defined in
2 Minnesota Statutes, section 120.03, and who is receiving or will
3 receive care on a regular basis from a provider of child care
4 services as those terms are defined in Minnesota Statutes,
5 section 256H.01, subdivisions 2 and 12, after the grant is
6 received;

7 B. is a resident of Minnesota as defined in part
8 4830.0400, subpart 2;

9 C. is not a recipient of aid to families with
10 dependent children;

11 D. has not earned a baccalaureate degree and has been
12 enrolled full time in any postsecondary institution fewer than
13 eight semesters, 12 quarters, or the equivalent;

14 E. is pursuing a nonsectarian program or course of
15 study that applies to an undergraduate degree, diploma, or
16 certificate;

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

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

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

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

1 Subp. 7. Institution's share. "Institution's share" means
2 the number of students in an eligible institution who have
3 applied for the state scholarship and grant program under parts
4 4830.0200 to 4830.0700 for the most current academic year and
5 who have reported dependent children.

6 4830.7200 ELIGIBLE INSTITUTIONS.

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

12 4830.7300 STUDENT PRIORITY.

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

23 4830.7400 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

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

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

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

31 Subp. 2. Yearly allocation to institutions. After the
32 1989-1990 academic year, funds shall be allocated to each
33 eligible institution according to the following formula:

34 A. the institution's share divided by the sum of

1 participating institutions' shares;

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

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

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

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

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

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

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

22 Subp. 6. **Accountability.** Each participating institution
23 shall be accountable for any funds disbursed to students for
24 child care grants. Funds may be used only during the fiscal
25 year of disbursement. If a student does not use a grant because
26 the student does not enroll or withdraws from the institution,
27 the institution may use the funds for other eligible students or
28 return them to the board.

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

34 4830.7500 AMOUNT AND TERM OF GRANTS.

35 Subpart 1. **Financial need.** An institution shall award a

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

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

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

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

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

18 The institution shall determine the amount of child care
19 needed for the eligible hours of education as defined in part
20 4830.7100, subpart 4, and the number of eligible hours of
21 employment as defined in part 4830.7100, subpart 3, for each
22 academic term and then subtract the amount of student copayment
23 for each month of child care according to charts provided by the
24 board.

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

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

32 Subp. 3. **Insufficient funds.** An institution shall make
33 awards that cover all eligible hours as defined in part
34 4830.7100, subparts 3 and 4. An institution may use one of the
35 following methods to award the next student on the institution's
36 waiting list if funds are insufficient to award all students

1 eligible for the child care grants:

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

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

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

14 4830.7600 PAYMENT.

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

18 4830.7700 TERMINATION OF CHILD CARE AWARD.

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

25 4830.7710 PROCEDURES FOR DENIAL OR TERMINATION OF A CHILD CARE
26 AWARD.

27 Subpart 1. Applicability. Students meeting the
28 eligibility requirements in part 4830.7100, subpart 5, but
29 denied a child care grant award due to an institution's lack of
30 program funds, shall be placed on the institution's waiting list
31 pending the availability of program funds. Subpart 2 and part
32 4830.7720 are not applicable to students who are denied child
33 care grant awards due to lack of program funds.

34 Subp. 2. Procedures. A school must follow the procedures

1 in items A to D when denying or terminating a child care grant
2 award except in cases where the denial is due to lack of program
3 funds.

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

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

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

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

31 4830.7720 APPEAL PROCESS.

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

35 Subp. 2. Informal conference. The school shall offer an

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

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

23 4830.7800 REFUNDS.

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

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

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

35 4830.7900 REPORTS OF DATA.

1 Institutions must:

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

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

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

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

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