

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

1268

05-0009. C748

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 4-28-86
DATE FOR REVIEW 5-7
DATE DUE 5-12

Adopted w/a hearing _____
Adopted w/o hearing _____
Temporary rule _____

Approved 5-7-86 mjc Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 5.8.86 Revisor approved _____ disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 4 18 86 Date combined with FF

N/A Notice of Intent to Solicit Outside Opinion

_____ Order for rulemaking
_____ date of Hearing not submitted

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking and Revised Notice - Rules were mailed
_____ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
2.6.86 At least 30 days prior to hearing/~~adoption~~ } combined

✓ Mailing list Certificate

✓ Publication in State Register
2.10.86 At least 30/~~20~~ days prior to ~~hearing~~/adoption
2.24.86

N/A Hearing Examiner's Report

_____ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

✓ Agency's Findings of Fact combined with Order Adopting

N/A LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

SF-00006-03

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO: DAVID A. LONGANECKER, Executive Director
Minnesota Higher Education Coordinating Board

ATTN: LAURA E. MATTSON
Special Assistant Attorney General

DATE: 5/7/86

FROM: MARTHA J. CASSERLY MJC
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Adoption of the Rule of the Minnesota Higher Education Coordinating Board Governing General Financial Assistance Programs

The above-referenced rule has been approved as to its legality by the Attorney General on May 7, 1986.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies of the approved rule with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth copy is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

MJC:pmf

Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Administrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

RR1268

AG copy

Higher Education Coordinating Board

Adopted Rules Relating to Financial Assistance

Rules as Adopted

4810.2100 DEFINITIONS.

Subpart 1. to 3. [Unchanged.]

Subp. 4. **Area in need of medical doctors or osteopaths.** "Area in need of medical doctors or osteopaths" shall be a rural community in Minnesota where the health care needs of its residents are not fully met by available physicians and/or osteopaths. At least annually, by resolution, the board shall adopt a list of such areas based upon recommendations of the Minnesota Board of Medical Examiners and other agencies concerned with planning health care of Minnesota residents. The list of areas in need is applicable to the student at the time the student commences practice.

Subp. 5. to 7. [Unchanged.]

4810.2500 TERMS OF LOANS.

Subpart 1. to 7. [Unchanged.]

Subp. 8. **Appeal procedure.** During the year that a recipient is due to commence service in Minnesota, the recipient may appeal the exclusion of a community from the list of eligible areas in need. The appeal must contain at least the following:

A. a written request for an appeal to the executive director; and

B. documentation to establish that a community be added to the board's list of eligible areas in need, including:

(1) documentation from the representative of the local health systems agency defining the health care needs of the residents, and services provided by available physicians and osteopaths;

(2) notarized statements from available physicians and osteopaths documenting their intention to retire,

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leave the area, or otherwise reduce their services to the community;

(3) demographic and geographic data demonstrating the level of medical service provided within the community; and

(4) other relevant data concerning the health care of the community. ? vague

The executive director shall initially decide the appeal. An adverse decision must automatically be forwarded to the financial aid committee of the board, or its representatives, for a decision. The recipient may appeal an adverse determination of the financial aid committee to the Office of Administrative Hearings.

4830.0100 DEFINITIONS FOR HIGHER EDUCATION PROGRAMS.

Subpart 1. to 4. [Unchanged.]

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

A. to C. [Unchanged.]

D. is enrolled or is intending to enroll as at least a half-time student in an eligible school;

E. and F. [Unchanged.]

Subp. 6. to 10. [Unchanged.]

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.

4830.0400 APPLICATION DATES AND STUDENT ELIGIBILITY.

Subpart 1. [Unchanged.]

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:

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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:

? aren't we all? - too vague? def'n of 4830.0100 subp 7

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;

? vague

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

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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.

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

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(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) and (4) [Unchanged.]

C. [Unchanged.]

Subp. 1a. [Unchanged.]

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 advisors, 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

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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. [Unchanged.]

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 ~~one~~ must be replaced by an alternate appointed by the board.

FF

Subp. 2. [Unchanged.]

Subp. 3. [See Repealer.]

4830.0700 METHOD OF PAYMENT.

Subpart 1. and 2. [Unchanged.]

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 ~~of~~ 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.

FF

? I think they mean "SOONER"

4830.2200 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

Subpart 1. to 3. [Unchanged.]

Subp. 4. **Accountability.** Each participating school shall be accountable for any funds disbursed to students for

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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 ~~of~~ 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.

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.

4830.2500 CONTRACTS WITH EMPLOYERS.

Subpart 1. to 4. [Unchanged.]

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.

4830.2600 REPORT BY SCHOOL.

When requested by the board, each school shall report demographic information and program activity about work-study

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grants by August 10, or the first working day after August 10.

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:

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. [See Repealer.]

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.

4830.5300 SCHOOL AGREEMENTS AND STUDENT APPLICATIONS.

Subpart 1. and 2. [Unchanged.]

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

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to the school as prescribed in the Higher Education Act of 1965, as amended.

4830.5400 AMOUNT, TERMS, AND PAYMENT.

Subpart 1. to 5. [Unchanged.]

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

4840.0500 APPROVAL OF NAMES AND DEGREES.

Subpart 1. **In general.** A school must be registered if it uses the term "academy," "institute," "college," or "university" in its name or if it grants a degree to a student in Minnesota, where the student has not left Minnesota for the major portion of the program or course leading to the degree. It also must substantially meet the criteria in subpart 2. In addition, it must meet the requirements in subparts 4 and 5, as applicable. The board shall maintain and publish a list of the schools approved to use regulated terms in their names and a list of schools approved to grant degrees with a list of the approved specified degrees.

Subp. 2. to 8. [Unchanged.]

REPEALER. Minnesota Rules, parts 4830.0600, subpart 3; and 4830.5200, subpart 2 are repealed.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 8 1986
Joan Anderson Growe 8:57AM
Secretary of State

APPROVED AS TO FORM AND LEGALITY
May 7 19 86
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY M J Cassedy
SPECIAL ASSISTANT ATTORNEY GENERAL

Higher Education Coordinating Board

Proposed Rules Relating to Financial Assistance

Rules as Proposed

4810.2100 DEFINITIONS.

Subpart 1 to 3. [Unchanged.]

Subp. 4. **Area in need of medical doctors or osteopaths.** "Area in need of medical doctors or osteopaths" shall be a rural community in Minnesota where the health care needs of its residents are not fully met by available physicians and/or osteopaths. At least annually, by resolution, the board shall adopt a list of such areas based upon recommendations of the Minnesota Board of Medical Examiners and other agencies concerned with planning health care of Minnesota residents. The list of areas in need is applicable to the student at the time the student commences practice.

Subp. 5 to 7. [Unchanged.]

4810.2500 TERMS OF LOANS.

Subpart 1 to 7. [Unchanged.]

Subp. 8. **Appeal procedure.** During the year that a recipient is due to commence service in Minnesota, the recipient may appeal the exclusion of a community from the list of eligible areas in need. The appeal must contain at least the following:

A. a written request for an appeal to the executive director; and

B. documentation to establish that a community be added to the board's list of eligible areas in need, including:

(1) documentation from the representative of the local health systems agency defining the health care needs of the residents, and services provided by available physicians and osteopaths;

(2) notarized statements from available physicians and osteopaths documenting their intention to retire,

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leave the area, or otherwise reduce their services to the community;

(3) demographic and geographic data demonstrating the level of medical service provided within the community; and

(4) other relevant data concerning the health care of the community.

The executive director shall initially decide the appeal. An adverse decision must automatically be forwarded to the financial aid committee of the board, or its representatives, for a decision. The recipient may appeal an adverse determination of the financial aid committee to the Office of Administrative Hearings.

4830.0100 DEFINITIONS FOR HIGHER EDUCATION PROGRAMS.

Subpart 1 to 4. [Unchanged.]

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

A. to C. [Unchanged.]

D. is enrolled or is intending to enroll as ~~a full-time~~ at least a half-time student in an eligible school;

E. and F. [Unchanged.]

Subp. 6 to 10. [Unchanged.]

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.

4830.0400 APPLICATION DATES AND STUDENT ELIGIBILITY.

Subpart 1. [Unchanged.]

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:

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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 ~~a full time~~ 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 ~~must be all of the following~~:

A. ~~a Minnesota resident~~ in financial need;

B. ~~applying as a first year, first time postsecondary student, and~~

~~C.~~ 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 ~~must be all of the following~~:

~~A. a Minnesota resident;~~

~~B. without a baccalaureate degree;~~

~~C. a student who has not completed the number of semesters or quarters normally required to complete a baccalaureate degree;~~

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~~D.~~ in financial need;

~~E.--if-applying-for-a-nursing-grant,-enrolled-or-to-be enrolled-in-a-program-leading-to-licensure-as-a-registered-nurse or-a-licensed-practical-nurse;-and~~

~~F~~ 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 ~~subpart~~ subparts 3 and 4, item B C. A student must have made satisfactory progress as determined by the school ~~and have-been-enrolled-in-a-postsecondary-school-as-a-full-time student-for-no-more-than-four-years-or-the-equivalent~~.

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

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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) and (4) [Unchanged.]

C. [Unchanged.]

Subp. 1a. [Unchanged.]

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. ~~an affidavit~~ 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, ~~an affidavit~~ a notarized statement

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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 ~~affidavits~~ notarized statements from members of the clergy, social workers, ~~or~~ lawyers ~~establishing~~, educational advisors, 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; ~~and~~

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. [Unchanged.]

Subp. 1d. **Fact finding committee.** The fact finding committee of the board shall consist of ~~the deputy executive director of the board~~ 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 ~~deputy executive director~~ 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 involved one must be replaced by an alternate appointed by the board.

Subp. 2. [Unchanged.]

Subp. 3. [See Repealer.]

4830.0700 METHOD OF PAYMENT.

Subpart 1 and 2. [Unchanged.]

Subp. 3. **School accounting requirements.** Schools shall maintain separate accounts for scholarship and grant-in-aid

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funds. Refunds to the board must be ~~made-by-separate-checks-for scholarships-and-grants-in-aid~~ 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 of 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. ~~Books-and-records relating-to-state-scholarships-and-grants-in-aid-must-be-made available-for-audit-by-representatives-of-the-board-or-the-state auditor.~~

4830.2200 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

Subpart 1. to 3. [Unchanged.]

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. ~~At-schools-where-the-proportion-of-grants to-students-employed-by-off-campus-employers-is-significantly less-than-the-proportion-at-other-schools,-the-executive director-may-require~~ The school ~~to~~ 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.** ~~When-requested-by-the-board,~~ The school must ~~immediately~~ return funds which the school determines will not be used within 30 days of 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.

4830.2300 ELIGIBLE STUDENTS.

A school shall determine if a student is eligible for a

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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.

4830.2500 CONTRACTS WITH EMPLOYERS.

Subpart 1 to 4. [Unchanged.]

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.

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.

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:

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. ~~demonstrates financial need;~~

~~C~~. is enrolled at least half-time;

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

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

~~F~~ E. has a loan refusal letter from a commercial lender when applying for a loan for the first time as an

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

undergraduate student; and

~~G~~ 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. [See Repealer.]

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.

4830.5300 SCHOOL AGREEMENTS AND STUDENT APPLICATIONS.

Subpart 1 and 2. [Unchanged.]

Subp. 3. **Application, guarantee, and note.** The student and school must complete appropriate parts of the application and promissory note and send ~~it~~ 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. ~~The board must send a promissory note to a student for a loan amount not to exceed the amount guaranteed. After the student signs and returns the promissory note~~ Once the loan amount has been guaranteed, the board must send the loan amount to the school ~~made payable to the student~~ as prescribed in the Higher Education Act of 1965, as amended.

4830.5400 AMOUNT, TERMS, AND PAYMENT.

Subpart 1 to 5. [Unchanged.]

Subp. 6. **Refunds.** Refunds from schools to the board ~~are allocable in a percentage greater than or equal to the percentage of the total cost of education funded by state student loans~~ must be made as prescribed in the Higher Education Act of 1965, as amended.

4840.0500 APPROVED NAMES AND DEGREES.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

Subpart 1. **In general.** A school must be registered if it uses the term "academy," "institute," "college," or "university" in its name or if it grants a degree to a student in Minnesota, where the student has not left Minnesota for the major portion of the program or course leading to the degree. It also must substantially meet the criteria in subpart 2. In addition, it must meet the requirements in subparts 4 and 5, as applicable. ~~Annually~~ The board shall ~~adopt, by resolution,~~ maintain and publish a list of the schools approved to use regulated terms in their names and a list of schools approved to grant degrees with a list of the approved specified degrees.

Subp. 2 to 8. [Unchanged.]

REPEALER. Minnesota Rules, parts 4830.0600, subpart 3; and 4830.5200, subpart 2 are repealed.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD874

Agency: Higher Education Coordinating Board

Division:

Agency Contact: Rose Hamerlinck

Minnesota Rules: Parts 4810.2100; 4810.2500;
4830.0100; 4830.0400;
4830.0600; 4830.0700;
4830.2200; 4830.2300;
4830.2500; 4830.2600;
4830.5200; 4830.5300;
4830.5400; 4840.0500

Title: Proposed Rules Relating to
Financial Assistance

Type of Rules: Permanent

Incorporations by Reference: None
Rule Number: Material Incorporated:

Steven C. Cross
Revisor of Statutes

Richard J. Sands
Senior Assistant Revisor
Phone: 296-2798
Date: January 17, 1986

STATE OF MINNESOTA
MINNESOTA HIGHER EDUCATION COORDINATING BOARD

In the Matter of the Proposed Adoption of the Rule of the Minnesota Higher Education Coordinating Board Governing General Financial Assistance Programs

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULES WITHOUT PUBLIC HEARING

Notice of the Board's proposed adoption of the above-entitled rule was published in the State Register on February 10, 1986 and February 24, 1986 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on February 6, 1986, and February 20, 1986. The statement of need and reasonableness was prepared before the date of the notice of proposed adoption of a rule without a public hearing and was available to the public.

All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rule were received by the agency.

Two submissions or comments on the rule were received by the agency. No requests for notice of submission to the attorney general were received by the agency.

Based on the comments and evidence in the record before the agency, I find the following:

1. There were three grammatical changes made:

   a. 4830.0600, Subp. 1d. ... In the event the financial aid officer or the student is involved in any way in a case before the committee the ~~involved one~~ one involved must be replaced by an alternate appointed by the board.

   b. 4830.0700, Subp. 3. ... The refund must be made to the board within 30 days ~~of~~ 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.

   c. 4830.2200, Subp. 5. The school must return funds which the school determines will not be used within 30 days ~~of~~ from the date of a request by the board ...

   The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as General Financial Assistance Programs is adopted this 18th day of April, 1986, pursuant to authority vested in me by Minnesota Statutes, section 136A.111 subd. 2, 136A.16 subd. 2, 136A.234, 136A.70 and 147.30.

DAVID A. LONGANECKER
Executive Director
Minnesota Higher Education
Coordinating Board

CERTIFICATE OF AUTHORIZING RESOLUTION
FOR RULES WITHOUT A PUBLIC HEARING

I, Robert Ferguson, do hereby certify that I am a member and the President of the Minnesota Higher Education Coordinating Board, a board duly authorized under the laws of the state of Minnesota, and that the following is true, complete and correct copy of a resolution adopted at a meeting of the Minnesota Higher Education Coordinating Board duly and properly called and held on the 17th day of October, 1985, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

"RESOLVED, that David A. Longanecker, Executive Director of the Minnesota Higher Education Coordinating Board, is hereby granted the authority and directed to give Notice of the Board's Proposed Adoption of rules without a public hearing governing Scholarships and Grants-in-Aid, Work Study Program, Guaranteed Student Loans, and Medical and Osteopathy Loan Program to all persons who have registered their names with the Board for that purpose and publish the Notice and rules in the State Register, and to perform any and all acts incidental thereto."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 17th day of October, 1985

Robert E. Ferguson
President of the Board

Duane C. Suthers
Attest by one other Board member

MINNESOTA HIGHER EDUCATION
COORDINATING BOARD

In the Matter of the Proposed Adoption of the Rule of the Minnesota Higher Education Coordinating Board Governing General Financial Assistance Programs

REVISED NOTICE OF PROPOSED ADOPTION OF A RULE WITHOUT A PUBLIC HEARING

Second notice is hereby given that the Minnesota Higher Education Coordinating Board proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is contained in Minnesota Statutes, Section 136A.111 subd. 2, 136A.16 subd. 2, 136A.234, 136A.70 and 147.30.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Rose Herrera Hamerlinck
Minnesota Higher Education Coordinating Board
400 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
612/296-7963

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

The proposed rule changes relate to the Loans to Medical and Osteopathy Students program (4810.2100-4810.2500); Definitions for Higher Education programs (4830.0100); Scholarships and Grants-in-Aid program (4830.0400-4830.0700); Work Study Grants program (4830.2200-4830.2600); State Student Loans program (4830.5200-4830.5400); and Approval of Names and Degrees program (4840.0500).

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Rose Herrera Hamerlinck upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Rose Herrera Hamerlinck, Minnesota Higher Education Coordinating Board, 400 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101.

Feb 7, 1986
Date

DAVID A. LONGANECKER
Executive Director
Minnesota Higher Education
Coordinating Board

This Revised Notice will appear in the State Register on February 24, 1986. The 30-day comment period begins on this date.

The Rules as Proposed appeared in the State Register on February 10, 1986. The first Notice was incomplete in citing the statutory authority to adopt these rules.

In the Matter of the Proposed Adoption of the Rule of the Minnesota Higher Education Coordinating Board Governing General Financial Assistance Programs

AFFIDAVIT OF MAILING THE NOTICE OF PROPOSED ADOPTION OF A RULE WITHOUT A PUBLIC HEARING AND CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Rosemary Herrera Hamerlinck, being first duly sworn deposes and says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the Minnesota Higher Education Coordinating Board rulemaking mailing list is accurate, complete, and current as of this 6th day of February, 1986.

That on the 6th day of February, 1986, and the 20th day of February, 1986, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Proposed Adoption of A Rule Without a Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Rosemary Herrera Hamerlinck

Subscribed and sworn to before me this
24th day of April, 1986.
Cherryl J. Hagelberger

CHERRYL J. HAGELBERGER
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSON EXPIRES MARCH 26, 1991

Higher Education Coordinating Board

Proposed Rules Relating to Financial Assistance

Notice of Proposed Adoption of a Rule without a Public Hearing

Notice is hereby given that the Minnesota Higher Education Coordinating Board proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is contained in Minnesota Statutes, Section 136A.111.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Rose Herrera Hamerlinck
Minnesota Higher Education Coordinating Board
400 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
612/296-7963

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

The proposed rule changes relate to the Loans to Medical and Osteopathy Students program (4810.2100-4810.2500); Definitions for Higher Education programs (4830.0100); Scholarships and Grants-in-Aid program (4830.0400-4830.0700); Work Study Grants program (4830.2200-4830.2600); State Student Loans program (4830.5200-4830.5400); and Approval of Names and Degrees program (4840.0500).

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Rose Herrera Hamerlinck upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Rose Herrera Hamerlinck, Minnesota Higher Education Coordinating Board, 400 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101.

1-24-86

David A. Longanecker
Executive Director, Minnesota Higher Education Coordinating Board

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Rules as Proposed

4810.2100 DEFINITIONS.

Subpart 1 to 3. [Unchanged.]

Subp. 4. **Area in need of medical doctors or osteopaths.** "Area in need of medical doctors or osteopaths" shall be a rural community in Minnesota where the health care needs of its residents are not fully met by available physicians and/or osteopaths. At least annually, by resolution, the board shall adopt a list of such areas based upon recommendations of the Minnesota Board of Medical Examiners and other agencies concerned with planning health care of Minnesota residents. The list of areas in need is applicable to the student at the time the student commences practice.

Subp. 5 to 7. [Unchanged.]

4810.2500 TERMS OF LOANS.

Subpart 1 to 7. [Unchanged.]

Subp. 8. **Appeal procedure.** During the year that a recipient is due to commence service in Minnesota, the recipient may appeal the exclusion of a community from the list of eligible areas in need. The appeal must contain at least the following:

A. a written request for an appeal to the executive director; and

B. documentation to establish that a community be added to the board's list of eligible areas in need, including:

(1) documentation from the representative of the local health systems agency defining the health care needs of the residents, and services provided by available physicians and osteopaths;

(2) notarized statements from available physicians and osteopaths documenting their intention to retire, leave the area, or otherwise reduce their services to the community;

(3) demographic and geographic data demonstrating the level of medical service provided within the community; and

(4) other relevant data concerning the health care of the community.

The executive director shall initially decide the appeal. An adverse decision must automatically be forwarded to the financial aid committee of the board, or its representatives, for a decision. The recipient may appeal an adverse determination of the financial aid committee to the Office of Administrative Hearings.

4830.0100 DEFINITIONS FOR HIGHER EDUCATION PROGRAMS.

Subpart 1 to 4. [Unchanged.]

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

A. to C. [Unchanged.]

D. is enrolled or is intending to enroll as ~~a full-time~~ at least a half-time student in an eligible school;

E. and F. [Unchanged.]

Subp. 6 to 10. [Unchanged.]

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.

4830.0400 APPLICATION DATES AND STUDENT ELIGIBILITY.

Subpart 1. [Unchanged.]

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 ~~a full-time~~ 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 ~~must be all of the following~~:

A. ~~a Minnesota resident~~ in financial need;

B. ~~applying as a first-year, first-time postsecondary student; and~~

~~C.~~ 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 ~~must be all of the following~~:

A. ~~a Minnesota resident;~~

~~B. without a baccalaureate degree;~~

~~C. a student who has not completed the number of semesters or quarters normally required to complete a baccalaureate degree;~~

~~D.~~ in financial need;

~~E. if applying for a nursing grant, enrolled or to be enrolled in a program leading to licensure as a registered nurse or a licensed practical nurse; and~~

~~F~~ 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 ~~subpart~~ subparts 3 and 4, item ~~B~~ C. A student must have made satisfactory progress as determined by the school ~~and have been enrolled in a postsecondary school as a full-time student for no more than four years or the equivalent~~.

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) and (4) [Unchanged.]

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C. [Unchanged.]

Subp. 1a. [Unchanged.]

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. ~~an affidavit~~ 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, ~~an affidavit~~ 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 ~~affidavits~~ notarized statements from members of the clergy, social workers, ~~or~~ lawyers ~~establishing~~, educational advisors, 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; ~~and~~

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. [Unchanged.]

Subp. 1d. **Fact finding committee.** The fact finding committee of the board shall consist of ~~the deputy executive director of the board~~ 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 ~~deputy executive director~~ 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 involved one must be replaced by an alternate appointed by the board.

Subp. 2. [Unchanged.]

Subp. 3. [See Repealer.]

4830.0700 METHOD OF PAYMENT.

Subpart 1 and 2. [Unchanged.]

Subp. 3. **School accounting requirements.** Schools shall maintain separate accounts for scholarship and grant-in-aid funds. Refunds to the board must be ~~made by separate checks for scholarships and grants-in-aid~~ 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 of 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. ~~Books and records relating to state scholarships and grants-in-aid must be made available for audit by representatives of the board or the state auditor.~~

4830.2200 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

Subpart 1. to 3. [Unchanged.]

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. ~~At schools where the proportion of grants to students employed by off-campus employers is significantly less than the proportion at other schools, the executive director may require~~ The school ~~to~~ 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.** ~~When requested by the board,~~ The school must ~~immediately~~ return funds which the school determines will not be used within 30 days of 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.

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.

4830.2500 CONTRACTS WITH EMPLOYERS.

Subpart 1 to 4. [Unchanged.]

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.

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.

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:

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. ~~demonstrates financial need;~~

~~C~~. is enrolled at least half-time;

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

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

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

~~G~~ 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. [See Repealer.]

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.

4830.5300 SCHOOL AGREEMENTS AND STUDENT APPLICATIONS.

Subpart 1 and 2. [Unchanged.]

Subp. 3. **Application, guarantee, and note.** The student and school must complete appropriate parts of the application and promissory note and send ~~it~~ 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. ~~The board must send a promissory note to a student for a loan amount not to exceed the amount guaranteed. After the student signs and returns the promissory note~~ Once the loan amount has been guaranteed, the board must send the loan amount to the school ~~made payable to the student~~ as prescribed in the Higher Education Act of 1965, as amended.

4830.5400 AMOUNT, TERMS, AND PAYMENT.

Subpart 1 to 5. [Unchanged.]

Subp. 6. **Refunds.** Refunds from schools to the board ~~are allocable in a percentage greater than or equal to the percentage of the total cost of education funded by state student loans~~ must be made as prescribed in the Higher Education Act of 1965, as amended.

4840.0500 APPROVAL OF NAMES AND DEGREES.

Subpart 1. **In general.** A school must be registered if it uses the term "academy," "institute," "college," or "university" in its name or if it grants a degree to a student in Minnesota, where the student has not left Minnesota for the major portion of the program

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

or course leading to the degree. It also must substantially meet the criteria in subpart 2. In addition, it must meet the requirements in subparts 4 and 5, as applicable. ~~Annually~~ The board shall ~~adopt, by resolution,~~ maintain and publish a list of the schools approved to use regulated terms in their names and a list of schools approved to grant degrees with a list of the approved specified degrees.

Subp. 2 to 8. [Unchanged.]

REPEALER. Minnesota Rules, parts 4830.0600, subpart 3; and 4830.5200, subpart 2 are repealed.

Higher Education Coordinating Board

Proposed Rules Relating to Part-time Student Grants

Notice of Proposed Adoption of a Rule without a Public Hearing

Notice is hereby given that the Minnesota Higher Education Coordinating Board proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is contained in Minnesota Statutes, Section 136A.111, and First Special Session 1985, Chapter 11, Section 80, Subd. 1.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Rose Herrera Hamerlinck
Minnesota Higher Education Coordinating Board
400 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
612/296-7963

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Rose Herrera Hamerlinck upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Rose Herrera Hamerlinck, Minnesota Higher Education Coordinating Board, 400 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101.

1-24-86

David A. Longanecker
Executive Director, Minnesota Higher Education Coordinating Board

Rules as Proposed (all new material)

PART-TIME STUDENT GRANTS

4830.1550 SCOPE.

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

Higher Education Coordinating Board

Proposed Rules Relating to Financial Assistance

Revised Notice of Proposed Adoption of a Rule without a Public Hearing

Second notice is hereby given that the Minnesota Higher Education Coordinating Board proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is contained in Minnesota Statutes, Section 136A.111 subd. 2, 136A.16 subd. 2, 136A.234, 136A.70 and 147.30.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule of any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment pierod. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Rose Herrera Hamerlinck
Minnesota Higher Education Coordinating Board
400 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
612/296-7963

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

The proposed rule changes relate to the Loans to Medical and Osteopathy Students program (4810.2100-4810.2500); Definitions for Higher Education programs (4830.0100); Scholarships and Grants-in-Aid program (4830.0400-4830.0700); Work Study Grants program (4830.2200-4830.2600); State Student Loans program (4830.5200-4830.5400); and Approval of Names and Degrees program (4840.0500).

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Rose Herrera Hamerlinck upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Rose Herrera Hamerlinck, Minnesota Higher Education Coordinating Board, 400 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101.

February 7, 1986

David A. Longanecker
Executive Director
Minnesota Higher Education
Coordinating Board

This revised notice will appear in the *State Register* on February 24, 1986. The 30-day comment period begins on this date.

The Rules as Proposed appeared in the *State Register*, Volume 10, Issue 33, pages 1649-1654 (10 S.R. 1649) on February 10, 1986. The first notice was incomplete in citing the statutory authority to adopt these rules.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

CERTIFICATE OF BOARD'S
RESOLUTION ADOPTING THE RULE

I, Robert Ferguson, do hereby certify that I am a member and the President of the Minnesota Higher Education Coordinating Board, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Minnesota Higher Education Coordinating Board, duly and properly called and held on the 17th day of April, 1986, that a quorum was present at said meeting, that a majority of those present voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that the rules relating to the General Financial Assistance Programs are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 136A.111, 136A.16 subd. 2, 136A.234, 136A.70, and 147.30, and that David A. Longanecker, the executive director of the Minnesota Higher Education Coordinating Board, is authorized to sign the findings of fact, conclusions, and order adopting the rules and further is authorized to perform the necessary acts to provide that the rules shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 17th day of April, 1986.

Robert Ferguson
Officer of the Board

Carol J. Kamper
Attest by one other Board member

MINNESOTA
HIGHER EDUCATION
COORDINATING BOARD

SUITE 400
CAPITOL SQUARE
550 CEDAR STREET
SAINT PAUL 55101

(612) 296-3974

TO: Interested Persons

FROM: Rose Herrera Hamerlinck Rose Herrera Hamerlinck

RE: Statement of Need and Reasonableness for Rules Governing General Financial Assistance Programs

Date: February 10, 1986

The Higher Education Coordinating Board is proposing rule changes to several programs. Attached you will find the Statement of Need and Reasonableness.

For your information, the following programs are included:

1) 4810.2100 to 4810.2500 - Loans to Medical and Osteopathy Students

2) 4830.0100 - Definitions for Higher Education Programs

3) 4830.0400 to 4830.0700 - Scholarships and Grants-in-Aid

4) 4830.2200 to 4830.2600 - Work-Study Program

5) 4830.5200 to 4830.5400 - State Student Loans

6) 4840.0500 - Approval of Names and Degrees

If you have any questions or comments, please contact:

Rose Herrera Hamerlinck
Minnesota Higher Education Coordinating Board
550 Cedar Street
400 Capitol Square Building
St. Paul, Minnesota 55101
612-296-7963

Authority to Prescribe Rules

The Minnesota Higher Education Coordinating Board is authorized by statute to adopt policies and prescribe rules and regulations for programs it operates. This authorization is contained in Minn. Stat. 1984, 136A.111, Subd. 2, 136A.16, Subd. 2, 136A.234, 136A.70, and 147.30.

The Board is proposing to make minor changes to the following rules:

1) 4810.2100 to 4810.2500 - Loans to Medical and Osteopathy Students

2) 4830.0100 - Definitions for Higher Education Programs

3) 4830.0400 to 4830.0700 - Scholarships and Grants-in-Aid

4) 4830.2200 to 4830.2600 - Work-Study Programs

5) 4830.5200 to 4830.5400 - State Student Loans

6) 4840.0500 - Approval of Names and Degrees

These changes have been determined to be non-controversial. This document provides a general background of each program and a part-by-part explanation for the proposed changes.

Part-by-Part Explanations

1) Loans to Medical and Osteopathy Students

Program Objective

The objective of the program is to provide financial assistance to medical and osteopathy students who agree to practice in rural communities in Minnesota which are designated by the Higher Education Coordinating Board as areas in need of medical doctors or osteopaths. Although no new students have been added to this program since 1980-1981, there are recipients who are due to begin their practice in Minnesota who would be affected by this rule.

4810.2100 DEFINITIONS

Subp. 4. The Board is proposing to change the rule in order to be able to adopt a list of eligible communities at least once a year. Under current rule, the Board may adopt such a list only once a year. This change would allow the Board to add new communities in need to the eligible list throughout the year as conditions change.

In addition, the Board proposes to specify in rule that the list of eligible communities applies to the recipient the year in which the recipient is due to begin his or her practice. This change would require the student to abide by the list of eligible communities that is determined the year in which he or she commences practice, and not lists adopted in previous years. This requirement is specified in contract/correspondence with the recipient throughout the term of the assistance, but some borrowers claim they have been misled by the Board.

4810.2500 TERMS OF LOANS

Subp. 8. An appeal procedure is proposed so that a student may seek inclusion of a community on the eligible list, when the Board has not included that community in a given year. The rule specifies the steps the recipient and Board must follow and the documentation needed to establish the community's addition to the list.

Although appeal procedures are specified in the Administrative Procedures Act, the Board believes it is important to list the steps

for appeal in rule. In addition, the student, and not staff would have to prove the merit of adding a new community.

2) Definitions for Higher Education Programs

Objective

The objective of the Definitions is to identify and define terms that are common to programs of the Higher Education Coordinating Board, Chapters 4800, 4810, 4830. The terms apply to all Board programs unless specifically provided otherwise.

4830.0100 DEFINITIONS FOR HIGHER EDUCATION PROGRAMS

Subp. 5. This change is proposed because the legislature changed eligibility for financial assistance programs from full-time status, to at least half-time status. (Minn. Laws 1985, First Special Session, Ch. 11, Sec. 29, Subd. 7.) The rule would comply with statute.

Subp. 11. This subpart on audit requirements is proposed because participating schools have asked what the Board's specific audit requirements are, and how long they should maintain records and documents. The requirements listed coincide with federal audit requirements.

3) Scholarship and Grants-in-Aid

Program Objectives

The objective of this program is to assist financially needy undergraduate students meet the cost of attendance at eligible Minnesota post-secondary institutions.

4830.0400 APPLICATION DATES. STUDENT ELIGIBILITY

Subp. 2. The Board is proposing to add to the definition of Minnesota residency, due to a statutory change (Minn. Laws 1985, First Special Session, Ch. 11, Sec. 29, Subd. 8). Although the change is included in statute, the Board believes it is important to include all the criteria in one place, and not have the reader refer to both statutes and rules. In addition, the definition of eligibility was changed by statute from full-time status to at least half time status. Therefore, line 12 reflects this change. (This is discussed in more detail in 4830.0100, subpart 5.)

Subp. 3. This section was rewritten so that parts of the eligibility criteria for initial scholarships need not be repeated when they are stated in other sections of the rules. It also eliminates the requirement that a student be an entering freshman in order to receive an initial scholarship (Minn. Laws 1985, First Special Session, Ch. 11, Section 37). This change allows a qualified student to receive an initial scholarship in the sophomore, junior or senior year of school. These changes are believed to be reasonable because more students would be eligible for scholarship funds.

Subp. 4. This section was rewritten so that parts of the eligibility criteria which are stated elsewhere in the rules need not be repeated here. "C" was eliminated because of a change in the statutes. (Minn. Laws 1985, First Special Session, Ch. 11, Section 38, Subd. 10) "E" was eliminated because nursing grants were eliminated from the statutes two years ago. (Minn. Laws 1984, Ch. 654, Art. 4, Sec. 30)

Subp. 5. Line 14 was changed to match the reordering of the eligibility requirements. Lines 16 and 17 were eliminated because of a

change in the statutes. (Minn. Laws 1985, First Special Session, Ch. 11, Sec. 38, Subd. 10)

4830.0600 AWARDS

Subp. 1, 2c. Current rules require that applicants who are under 22 years of age be considered dependent on their families unless specific conditions exist. Applicants who are 22 years of age or older are considered independent if the parents do not claim the student as a tax exemption, the student did not and will not live with the parents for six weeks or more, and if the parents do not provide direct or indirect support worth $750 or more.

The current rule states that the above conditions must be established by affidavit from the parents and by additional documentation. The intent of the Board was not to have all applicants who meet the conditions for exemption submit further documentation. However, the Board would like to reserve the right to request further documentation if it has reason to believe that the student's application is not correct.

The Board believes that by adding the proposed language, it would not be subject to requiring that all applicants (i.e. those exempted by conditions such as involuntary separation, mental or physical abuse, etc., or those applicants over 22 years of age who are independent) submit further documentation unless the application provided by the student is believe to be incorrect or inaccurate.

Subp. 1b, A. The Board is proposing to change the word "affidavit" to "statement" because it is not necessary to have the student notarize his request that the Fact Finding Committee review his family situation. There is a very low probability that someone other than the student would make the request.

Subp. 1b, C. The word "affidavit" was changed to "notarized statement" on the assumption that the meaning of the term affidavit may not be as clear to the public as the proposed term. In addition, two types of professionals (educational advisors and professional counselors) would be added to the list of professional eligible to document the fact that the applicant has severed relations with his or

her family. The Board believes that school counselors and advisors could know the applicant well enough to make such a determination.

Subp. 1b. E. This part was added because it is a logical request to determine if the applicant has severed relations with his or her family. The parent's address would be compared to the student's address.

Subp. 1d. The Board is proposing to alter the composition of the Fact-Finding Committee by allowing the executive director to designate a person to be a member, and chairperson, of this committee. This change would allow for more flexibility in staffing the Fact-Finding Committee.

4830.0700 METHOD OF PAYMENT

Subp. 3. The change would no longer require that school provide separate checks for the scholarship program and the grant program.

The added text clarifies the school's responsibilities regarding the refunding of awards to MHECB.

The statement about audit requirements was eliminated because it is a duplication of rule 4830.0100 subp. 11.

4) Work-Study Program

Program Objective

This program assists students in meeting their financial needs, and provides them with valuable work experiences; and it provides non-profit service agencies, handicapped persons, and persons over 65 with low-cost student assistance.

4830.2200 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS

Subp. 4. The Board is proposing to eliminate the language that school's off-campus/on-campus employment be proportionate to other schools, because it is difficult for individual schools to know what other schools are doing, and what the proportion of on-campus to off-campus employment is by school. The Board collects these data, but only once a year. Although the Board is proposing to eliminate this language, the Board is still requiring schools to make a reasonable effort to place students off-campus, as indicated below in 4830.2500, subp. 5.

Subp. 5. The Board is proposing to impose a deadline for the return of unused work-study funds. This addition would give the Board enough time to redistribute unused funds to schools that can use additional money.

Subp. 6. This subpart specifies that unused funds will be distributed in the same manner as new funds. The allocation and reallocation formulas would be the same.

4830.2300 ELIGIBLE STUDENTS

The Board is proposing to require that students who receive work-study funds during a school term in which they are not enrolled, declare their intention to enroll the subsequent term. This requirement would assure that funds go to students only.

4830.2500 CONTRACTS WITH EMPLOYERS

Subp. 5. This subpart was added due to statutory changes (Minn. Stat. 1984 136A.233, Subp. 3, F). It is expected that a school make a

reasonable effort in placing students off-campus, as well as on-campus. In addition, the subpart lists what documentation the school must produce in order to show its effort to place students off-campus.

4830.2600 REPORT BY SCHOOL

The Board proposes to add a deadline for the annual report on work-study use by schools. This deadline is considered necessary so that the Board may complete end of year fiscal reports and status reports by a reasonable date.

5) State Student Loan

Program Objective

The objective of this program is to provide loans to Minnesota post-secondary students who are unable to borrow from private lenders.

4830.5200 ELIGIBLE STUDENTS

Subp. 1. Section B. "Demonstrates financial need" would be removed from the rule in order to comply with both the rules of the Guaranteed Student Loan program and to agree with the current financial aid practice. The demonstration of financial need implies a thorough investigation of the applicant's income and assets; this has not been required since October 1981 unless the applicant's family adjusted income exceeds $30,000 a year.

to comply with the federal GSL

4830.5300 SCHOOL AGREEMENTS AND STUDENT APPLICATIONS

Subp. 3. This subpart is being updated to reflect a new application process introduced by the guarantor within the last year and a half. The loan promissory note now is provided with the application and completed by the borrower before submission of the forms to the Board. A replacement promissory note is mailed after receipt of the guarantee only if the promissory note completed by the student contains errors, omissions, or does not accurately reflect the loan amount subsequently guaranteed. In line #25 and #26, the proposed language allows the Board to write its warrants differently should expected changes in the federal legislation require something other than a check written payable to the student. (The current federal regulations stipulate a check written payable to the student and delivered to the school for disbursement.) Proposed changes in the federal Guaranteed Student Loan Program provide for a check made payable to both the student and the school. Should this proposed change become federal regulation, the added language in the agency rules would allow the Board to comply with the federal model.

Change in procedure & paper-work

4830.5400 AMOUNT, TERMS, AND PAYMENT

Subp. 6. This section is being changed to the proposed language

Refund formula to comply with fed GSL

because it was discovered that the refund policy currently stipulated in the rules is impossible for the schools to implement. In order for the schools to follow the Board's refund policy for Guaranteed Student Loans, a school has to follow the same procedure for all its student loan lenders, thus requiring the school to do something which is beyond the Board's jurisdiction. In Minnesota alone, there are roughly 900 commercial lenders participating in the Guaranteed Student Loan Program. While each lender, technically, has the right to stipulate its own refund policy, it is unrealistic to expect the schools to comply with more than one refund policy. Therefore, the Board is proposing to follow the refund policy mandated in the federal regulations. Standardizing the refund process for the schools makes the administration of the State Student Loan Program easier for the school, and therefore increases the chances of receiving a refund for a borrower from the school.

6) Approval of Names and Degrees

Program Objective

The objective of this program is to protect persons choosing private institutions and programs by establishing policies and procedures to assure the authority and legitimacy of private post-secondary institutions and programs.

4840.0500 APPROVAL OF NAMES AND DEGREES

Approval of names - minor change in procedure not affecting protection of students

Subp. 1. The Board is proposing to change the requirement of annually adopting a list of approved schools. Instead, staff would maintain an ongoing list of approved schools, and a school would be added or deleted from the list after receiving notice of intended action, and after the Board takes formal action. The Board believes this is a reasonable change because it eliminates a procedure which does not affect the protection of students.

MINNESOTA HIGHER EDUCATION
COORDINATING BOARD

In the Matter of the Proposed Adoption of the Rule of the Minnesota Higher Education Coordinating Board Governing General Financial Assistance Programs

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, LAURA E. MATTSON, Special Assistant Attorney General, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Laura E. Mattson

LAURA E. MATTSON
Special Assistant
Attorney General

Dated: April 25, 1986.