

ARTICLE 5. COLLEGE WORK-STUDY PROGRAM

Rule 1. Definitions

585 IAC 5-1-1 Definitions

Authority: IC 20-12-20.5-2

Affected: IC 20-12-21-4

Sec. 1. As used in this rule, unless the context otherwise clearly requires another meaning, the following definitions apply throughout this article:

(1) "Approved institution" has the meaning set forth in 585 IAC 1-9-1.

(2) "Award" has the meaning set forth in 585 IAC 1-9-1.

(3) "Commission" refers to the state student assistance commission established under IC 20-12-21-4 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007.]*.

(4) "Eligible employer" means:

(A) an approved institution;

(B) a unit of state or local government; or

(C) a private, not-for-profit organization located in Indiana and performing work in the public interest.

(5) "Full-time student" has the meaning set forth in 585 IAC 1-9-1.

(State Student Assistance Commission; 585 IAC 5-1-1; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1246; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1204; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1298; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)

Rule 2. Student Eligibility and Selection

585 IAC 5-2-1 Eligibility criteria (Repealed)

Sec. 1. *(Repealed by State Student Assistance Commission; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1206)*

585 IAC 5-2-2 Work-study

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 2. To be eligible for the work-study program a student must meet the following requirements:

(1) Be an Indiana resident.

(2) Apply for, receive, and use a state award in the academic year preceding the summer for which a work-study position is being sought and be in satisfactory academic standing with the institution of attendance.

(3) Not have completed a baccalaureate degree.

(4) If attending school, be enrolled as a full-time student.

(State Student Assistance Commission; 585 IAC 5-2-2; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1246; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1205; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1298; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)

585 IAC 5-2-3 Criteria; determination of financial need; awards (Repealed)

Sec. 3. *(Repealed by State Student Assistance Commission; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1206)*

Rule 3. Restrictions on Student Placement; Compensation

585 IAC 5-3-1 Employee displacement

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 1. Employment of state work-study students may not result in displacement of employed workers or impair existing contracts for services. State funds provided under this program shall not be used to replace funds which would otherwise be used to support financial aid or summer employment programs. (*State Student Assistance Commission; 585 IAC 5-3-1; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1247; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1205; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-3-2 Compensation rate

Authority: IC 20-12-20.5-2
Affected: IC 20-12-20.5

Sec. 2. All work-study students shall receive compensation equal to the starting salary of comparable positions, but not less than the federal minimum wage. (*State Student Assistance Commission; 585 IAC 5-3-2; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1247; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1205; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-3-3 Student compensation; state share

Authority: IC 20-12-20.5-2
Affected: IC 20-12-20.5

Sec. 3. The state's share of compensation paid to any student employed under the work-study program shall be no less than fifty percent (50%) of the federal minimum hourly wage. (*State Student Assistance Commission; 585 IAC 5-3-3; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1247; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1205; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-3-4 Student compensation; employer share

Authority: IC 20-12-20.5-2
Affected: IC 20-12-20.5

Sec. 4. The employer shall pay a minimum of fifty percent (50%) of the student's gross compensation, plus the costs of any employee benefits, including all payments due as an employer's contribution under the state workman's compensation laws, federal Social Security laws, immigration laws, and other applicable laws. The federally funded college work-study program cannot be used to provide the employer's share of student compensation. (*State Student Assistance Commission; 585 IAC 5-3-4; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1247; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1205; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-3-5 Academic credit

Authority: IC 20-12-20.5-2
Affected: IC 20-12-20.5

Sec. 5. Students may receive academic credit for experience gained through state work-study employment, in accordance with policies and procedures of the institution attended. (*State Student Assistance Commission; 585 IAC 5-3-5; filed Mar 23, 1984, 4:00 pm: 7 IR 1247; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-3-6 Maximum hours reimbursed

Authority: IC 20-12-20.5-2
Affected: IC 20-12-20.5

Sec. 6. Student wages eligible for fifty percent (50%) reimbursement from the state may not be based on:
(1) more than forty (40) hours of work per week per student during the summer period; and
(2) a maximum of nineteen (19) hours per week during the academic period of enrollment the student receives the award.

Total reimbursement may not exceed fifty percent (50%) of the amount allotted to an employer. (*State Student Assistance Commission; 585 IAC 5-3-6; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1247; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1205; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1299; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-3-7 Types of work prohibited

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 7. Work performed by a student under this program shall not involve partisan or nonpartisan political or sectarian activities. (*State Student Assistance Commission; 585 IAC 5-3-7; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1247; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1206; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

Rule 4. Institutional Application and Allotment Procedures

585 IAC 5-4-1 Allotment of funds

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 1. (a) Employers will be notified of funds available for their students by May 1 prior to the summer for which work-study funds are being provided, or whenever the legislative appropriation becomes known, whichever is later.

(b) Funds shall be paid to employers as reimbursement in arrears for work actually performed in accordance with guidelines established by the state budget agency, department of administration, state treasurer, auditor's office, and the state board of accounts. (*State Student Assistance Commission; 585 IAC 5-4-1; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1247; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1206; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1299; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-4-2 Reallotments

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 2. If it is determined that an employer is unable to utilize all of the funds allotted to it, the commission may reduce its allotment and redistribute utilized funds to other eligible employers. (*State Student Assistance Commission; 585 IAC 5-4-2; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1248; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1206; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

Rule 5. Administration

585 IAC 5-5-1 Administering agency

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 1. The commission shall administer the work-study program. The staff of the commission, under the direction of the executive director, shall manage the administrative functions relative to the program and is authorized to enter into agreement with eligible employers for the placement of students and the reimbursement of employers for the share of the student compensation. (*State Student Assistance Commission; 585 IAC 5-5-1; filed Mar 23, 1984, 4:00 pm: 7 IR 1248; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-5-2 Reports

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 2. The commission will obtain periodic reports as necessary. (*State Student Assistance Commission; 585 IAC 5-5-2; filed Mar 23, 1984, 4:00 pm: 7 IR 1248; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-5-3 Agreement to participate

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 3. As a precedent to participating in the state-work study program, each employer must sign an agreement to administer the program according to the published rules and program guidelines as outlined by the commission. (*State Student Assistance Commission; 585 IAC 5-5-3; filed Mar 23, 1984, 4:00 pm: 7 IR 1248; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-5-4 Appeals

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 4. If the commission is notified of any possible violations of these rules and regulations [585 IAC 5], satisfactory resolution shall be attempted by the commission staff. If a satisfactory resolution cannot be achieved, a hearing may be requested with the commission, which shall take final action on any appeal. (*State Student Assistance Commission; 585 IAC 5-5-4; filed Mar 23, 1984, 4:00 pm: 7 IR 1248; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-5-5 Program reviews

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 5. The commission may review employers' administrative practices to determine compliance with rules, regulations, and program guidelines. If such a review determines that an employer has failed to comply, the employer shall reimburse the students affected, or the program, in the appropriate amount, as determined by the commission. (*State Student Assistance Commission; 585 IAC 5-5-5; filed Mar 23, 1984, 4:00 p.m.: 7 IR 1248; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1206; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 5-5-6 Job location and development program (Repealed)

Sec. 6. (*Repealed by State Student Assistance Commission; filed Jan 4, 1989, 3:00 p.m.: 12 IR 1206*)

585 IAC 5-5-7 Matching funds

Authority: IC 20-12-20.5-2

Affected: IC 20-12-20.5

Sec. 7. An approved institution of higher learning may utilize up to ten percent (10%) of its state allotment as part of its match against the federal work-study program. (*State Student Assistance Commission; 585 IAC 5-5-7; filed Mar 23, 1984, 4:00 pm: 7 IR 1248; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

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