

## ARTICLE 2. COLLEGE WORK-STUDY PROGRAM

### Rule 1. Definitions

#### 500 IAC 2-1-1 Definitions

Authority: IC 21-18.5-4-9

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- (3) "Commission" refers to the state student assistance commission established under IC 20-12-21-4 [*IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007.*].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

(Commission for Higher Education of the State of Indiana; 500 IAC 2-1-1; 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) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-1-1) to the Commission for Higher Education of the State of Indiana (500 IAC 2-1-1) by P.L.107-2012, SECTION 58, effective July 1, 2012.

### Rule 2. Student Eligibility and Selection

#### 500 IAC 2-2-1 Work-study

Authority: IC 21-18.5-4-9

Affected: IC 20-12-20.5

Sec. 1. 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.

(Commission for Higher Education of the State of Indiana; 500 IAC 2-2-1; 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) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-2-2) to the Commission for Higher Education of the State of Indiana (500 IAC 2-2-1) by IC 21-18.5-1-2(c), effective July 1, 2012.

### Rule 3. Restrictions on Student Placement; Compensation

#### 500 IAC 2-3-1 Employee displacement

Authority: IC 21-18.5-4-9

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. (Commission for Higher Education of the State of Indiana; 500 IAC 2-3-1; 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) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-3-1) to the Commission for Higher Education of the State of Indiana (500 IAC 2-3-1) by IC 21-18.5-1-2(c), effective July 1, 2012.

**500 IAC 2-3-2 Compensation rate**

Authority: IC 21-18.5-4-9

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. (*Commission for Higher Education of the State of Indiana; 500 IAC 2-3-2; 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*) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-3-2) to the Commission for Higher Education of the State of Indiana (500 IAC 2-3-2) by IC 21-18.5-1-2(c), effective July 1, 2012.

**500 IAC 2-3-3 Student compensation; state share**

Authority: IC 21-18.5-4-9

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. (*Commission for Higher Education of the State of Indiana; 500 IAC 2-3-3; 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*) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-3-3) to the Commission for Higher Education of the State of Indiana (500 IAC 2-3-3) by IC 21-18.5-1-2(c), effective July 1, 2012.

**500 IAC 2-3-4 Student compensation; employer share**

Authority: IC 21-18.5-4-9

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. (*Commission for Higher Education of the State of Indiana; 500 IAC 2-3-4; 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*) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-3-4) to the Commission for Higher Education of the State of Indiana (500 IAC 2-3-4) by IC 21-18.5-1-2(c), effective July 1, 2012.

**500 IAC 2-3-5 Academic credit**

Authority: IC 21-18.5-4-9

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. (*Commission for Higher Education of the State of Indiana; 500 IAC 2-3-5; 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*) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-3-5) to the Commission for Higher Education of the State of Indiana (500 IAC 2-3-5) by IC 21-18.5-1-2(c), effective July 1, 2012.

**500 IAC 2-3-6 Maximum hours reimbursed**

Authority: IC 21-18.5-4-9

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. (*Commission for Higher Education of the State of Indiana; 500 IAC 2-3-6; 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*)

*NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-3-6) to the Commission for Higher Education of the State of Indiana (500 IAC 2-3-6) by IC 21-18.5-1-2(c), effective July 1, 2012.*

**500 IAC 2-3-7 Types of work prohibited**

Authority: IC 21-18.5-4-9

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. (*Commission for Higher Education of the State of Indiana; 500 IAC 2-3-7; 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*) *NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-3-7) to the Commission for Higher Education of the State of Indiana (500 IAC 2-3-7) by IC 21-18.5-1-2(c), effective July 1, 2012.*

**Rule 4. Institutional Application and Allotment Procedures**

**500 IAC 2-4-1 Allotment of funds**

Authority: IC 21-18.5-4-9

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. (*Commission for Higher Education of the State of Indiana; 500 IAC 2-4-1; 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*) *NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-4-1) to the Commission for Higher Education of the State of Indiana (500 IAC 2-4-1) by IC 21-18.5-1-2(c), effective July 1, 2012.*

**500 IAC 2-4-2 Reallotments**

Authority: IC 21-18.5-4-9

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. (*Commission for Higher Education of the State of Indiana; 500 IAC 2-4-2; 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*) *NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-4-2) to the Commission for Higher Education of the State of Indiana (500 IAC 2-4-2) by IC 21-18.5-1-2(c), effective July 1, 2012.*

## **Rule 5. Administration**

### **500 IAC 2-5-1 Administering agency**

Authority: IC 21-18.5-4-9

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. *(Commission for Higher Education of the State of Indiana; 500 IAC 2-5-1; 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) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-5-1) to the Commission for Higher Education of the State of Indiana (500 IAC 2-5-1) by IC 21-18.5-1-2(c), effective July 1, 2012.*

### **500 IAC 2-5-2 Reports**

Authority: IC 21-18.5-4-9

Affected: IC 20-12-20.5

Sec. 2. The commission will obtain periodic reports as necessary. *(Commission for Higher Education of the State of Indiana; 500 IAC 2-5-2; 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) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-5-2) to the Commission for Higher Education of the State of Indiana (500 IAC 2-5-2) by IC 21-18.5-1-2(c), effective July 1, 2012.*

### **500 IAC 2-5-3 Agreement to participate**

Authority: IC 21-18.5-4-9

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. *(Commission for Higher Education of the State of Indiana; 500 IAC 2-5-3; 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) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-5-3) to the Commission for Higher Education of the State of Indiana (500 IAC 2-5-3) by IC 21-18.5-1-2(c), effective July 1, 2012.*

### **500 IAC 2-5-4 Appeals**

Authority: IC 21-18.5-4-9

Affected: IC 20-12-20.5

Sec. 4. If the commission is notified of any possible violations of these rules and regulations, 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. *(Commission for Higher Education of the State of Indiana; 500 IAC 2-5-4; 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) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-5-4) to the Commission for Higher Education of the State of Indiana (500 IAC 2-5-4) by IC 21-18.5-1-2(c), effective July 1, 2012.*

### **500 IAC 2-5-5 Program reviews**

Authority: IC 21-18.5-4-9

Affected: IC 20-12-20.5

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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. (*Commission for Higher Education of the State of Indiana; 500 IAC 2-5-5; 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*) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-5-5) to the Commission for Higher Education of the State of Indiana (500 IAC 2-5-5) by IC 21-18.5-1-2(c), effective July 1, 2012.

### **500 IAC 2-5-6 Matching funds**

Authority: IC 21-18.5-4-9

Affected: IC 20-12-20.5

Sec. 6. 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. (*Commission for Higher Education of the State of Indiana; 500 IAC 2-5-6; 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*) NOTE: Transferred from the State Student Assistance Commission (585 IAC 5-5-7) to the Commission for Higher Education of the State of Indiana (500 IAC 2-5-6) by IC 21-18.5-1-2(c), effective July 1, 2012.

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