



## Office of the Commissioner of Higher Education

### Montana Resident Undergraduate Student Financial Aid – Montana Work Study Program

#### Montana Work Study Program – Eligibility Criteria and Procedures

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Statutory authority: 20-25-701 Montana Codes Annotated (MCA)

The Montana Work Study Program will be implemented in accordance with Board of Regents Policy 940.8 – *Montana Resident Undergraduate Student Financial Aid*, and the following eligibility criteria and procedures.

- A. Allocation of funds - Funds appropriated by the legislature for the Work Study Program will be allocated on the basis of the number of full-time students classified as residents for fee purposes at each participating institution for the fall term of the prior year as reported to the Office of the Commissioner of Higher Education (OCHE).
- B. Any public institution of postsecondary education governed, supervised or coordinated by the Board of Regents of Higher Education is eligible to participate in the program.
- C. Program Criteria - Students eligible for the Montana Work Study Program may work for the educational institution itself or work for a public or private non-profit agency within the State of Montana. Such employment must meet the following criteria:
  1. Must not result in the displacement of employed workers or impair existing contracts for service.
  2. Must not involve the construction, operation or maintenance of that portion of any facility which is used or is to be used for sectarian instruction or as a place of worship.
  3. The work provided under this program:
    - a. must not involve any partisan or non-partisan political activity associated with a candidate or contending group or faction in any election for public or party office and;
    - b. must be governed by such conditions of employment, including compensation, as will be appropriate and reasonable considering such factors as type of work performed, geographical region, proficiency of the employee, and any applicable Federal, state or local legislation.
  4. Work for a public or non-profit organization other than the institution must:
    - a. be in the public interest (devoted to the general, national or community welfare rather than that of a particular interest or group); and
    - b. be evidenced by a written agreement containing the conditions of such work between the institution and the organization.

The institution is responsible for ensuring that any arrangements executed will be with a reliable organization with professional direction and staff that the work performed by each student will be properly supervised and that such work will be consistent with the purposes of the § 20-25-701 MCA.

5. In no event shall work be in the public interest where:
    - a. it is work for which the political support or affiliation of the student is a prerequisite or consideration for employment;
    - b. it is work to be performed for an elected official other than as part of the regular administration of Federal, state or local government or;
    - c. it is work which is primarily for the benefit of the members of a limited membership organization (such as a credit union, fraternal order, or a cooperative) rather than the public.
  6. In no event can any of these funds be used as match for Federal Work-Study funds by any institution.
  7. Institutions shall maintain a separate account for Montana Work Study funds.
  8. Institutions may establish a policy whereby the employing unit shall pay an administrative expense to the institution based on gross earning of students employed under this program.
- D. Eligibility and Selection of Student Participants - A student will be eligible for employment under the Montana Work Study Program during periods in which all of the following conditions are met:
1. The student must be a Montana resident for fee purposes, as established by Board of Regents Policy 940.1 – Residency Policy.
  2. The student must be accepted or enrolled as a full-time student at the institution. An enrolled student must be in good standing for financial aid purposes as determined by the educational institution.
  3. The student is expected to complete the Free Application for Federal Student Aid (FAFSA) or other acceptable application in applying to participate in the program.
- E. Administration - Each institution will be responsible for the administration of the Montana Work Study Program in its own school. There must be no discrimination against any individual participant because of race, creed, color, sex, national origin, age or non-job-related physical handicap. The financial aid administrator in the college or university who is responsible for administration of other forms of financial aid, will be designated as the institution's representative with responsibility for the general conduct of the programs.
- In addition, the financial aid administrator or the president's designee shall have the following responsibilities:
1. Determine which students are eligible to participate in this program. The financial aid director may classify as full-time, any student who is enrolled for remedial instruction when such enrollment, in addition to other courses being taken, represents the equivalent of full-time enrollment.
  2. Determine which institutional jobs are to be assigned to students.
  3. Return non-allocated funds to the Commissioner of Higher Education who may allocate them to another eligible institution if such transfer is mutually agreeable.
  4. File annual reports with the chief administrative officer of the institution and the Commissioner of Higher Education.
  5. Determine if a student should continue participation in the program if the student's work proves to be unsatisfactory.
- F. Determination of Financial Need and the Making of Awards
1. At least 70 percent of the funds allocated to the program shall be used to provide job opportunities for students with demonstrated financial need. The remainder of the funds allocated

to this program may be used to provide job opportunities based on other than financial need which can include, but is not limited to:

- a. laboratory, teaching, and tutorial assistantships requiring particular skills; and
- b. cases in which a student's family cannot demonstrate financial need but in which the student has a desire to contribute toward his education through employment.

2. Total applicant resources shall be determined according to the uniform methodology system of need analysis. Institutional financial aid offices may make reasonable adjustments to the computed total applicant resources if individual circumstances warrant such adjustments. In addition, non-liquid assets may be disregarded. Any adjustments must be documented and placed in the student's financial aid file.
- G. Number of Hours of Employment - During periods of regular enrollment, when classes in which a student is enrolled are in session, the student shall be limited to working no more than an average of 20 hours per week under the program, averaged over the semester or payroll period as determined by the institution. Work performed during any week when classes are not in session shall not exceed 40 hours and shall not be counted as contributing toward the average per week established in the preceding sentence. Also, a student may be employed for up to 40 hours per week during summer session or other similar periods when not enrolled as a full-time student.
- H. Wage Rates - Wages must be the same as those paid to other student employees with similar qualifications and experience. Compensation shall be calculated on the basis of the hourly rate paid the student for actual time on the job, but such calculations shall not include sick leave, vacation pay or holiday pay.
- I. Payment to Students - Payments to students shall be made according to established student payroll procedures. The institution is responsible for ensuring that students are paid the full amount of wages earned under the program, whether the work is for the institution or for a public or private non-profit organization.
- J. Reports - the institution shall submit such reports and information as the Commissioner of Higher Education may require in connection with the administration of the program. Reports should be submitted no later than September 15<sup>th</sup>, following the close of the fiscal year.
- K. Funds Supplemental to Other Funds - All funds allocated through this program are supplemental in nature and are not meant to replace existing federal and state student financial assistance funds or any other funds that would otherwise be appropriated for student assistance.
- L. Employer Share of Student Compensation - the employer shall pay a minimum of 30 percent of the student's wages plus any other student employee benefit entitled by law.