

TITLE 33
EDUCATION

CHAPTER 44
IDAHO WORK STUDY PROGRAM

33-4401. IDAHO WORK STUDY PROGRAM ESTABLISHED. There is hereby established for the state of Idaho the Idaho work study program.

[33-4401, added 1989, ch. 124, sec. 1, p. 273.]

33-4402. PUBLIC POLICY -- ADMINISTRATIVE AGENCY. The legislature hereby recognizes and declares that it is in the public interest to assure educational opportunity to Idaho postsecondary students. The Idaho work study program is an employment program designed to allow resident students with financial need to earn funds to assist in attending accredited institutions of higher education in Idaho or resident students with educational need to obtain work experience related to the student's course of academic study, pursuant to this chapter.

The state board of education is hereby designated as the administrative agency for the work study program. The board shall allocate funds appropriated to the program to eligible institutions based upon fall full-time equivalent enrollment in a manner established by board rule.

[33-4402, added 1989, ch. 124, sec. 1, p. 273; am. 1990, ch. 95, sec. 1, p. 199.]

33-4403. DEFINITIONS. As used in this chapter:

(1) "Accredited institution of higher education" means any public or private university, college, or community college in Idaho accredited by the northwest association of schools and colleges, or any public professional-technical school operated by the state of Idaho or any political subdivision thereof; provided, that no institution of higher education shall be eligible to participate in the program unless it agrees to and complies with program rules adopted by the board pursuant to [chapter 52, title 67](#), Idaho Code; provided, further, that private accredited institutions of higher education which are controlled by sectarian organizations, and students attending such institutions, may participate only in the educational need, off-campus work experience portion of this program and such off-campus employment may not be located at, or be performed on behalf of, a sectarian or religious establishment.

(2) "Board" means the state board of education.

(3) "Program" means the Idaho work study program established pursuant to this chapter.

(4) "Resident student" means an individual as defined in section [33-3717B](#), Idaho Code.

(5) "Student" means an individual currently at an Idaho school enrolled in a postsecondary degree program, or a state supported professional-technical program.

(6) "Student with educational need" means a post-high school student in good standing at an accredited institution of higher learning who is desirous of obtaining work experience related to the student's course of academic study, in either on-campus or approved off-campus employment, and who meets the institutional requirements for determining educational need; pro-

vided, however, a student whose academic course of study is sectarian in nature or who is pursuing an educational program leading to a baccalaureate degree in theology or divinity may not participate in this program.

(7) "Student with financial need" means a post-high school student in good standing at an accredited institution of higher learning who demonstrates to the institution the financial inability, either through the student's parents, family and/or personally, to meet the institutionally defined cost of education, and further demonstrates the ability and willingness to work in a student work study program, according to the stated needs of the institution.

[33-4403, added 1989, ch. 124, sec. 1, p. 273; am. 1990, ch. 95, sec. 2, p. 199; am. 1999, ch. 329, sec. 38, p. 879; am. 2005, ch. 210, sec. 8, p. 633.]

33-4404. PROGRAM PURPOSE. The purpose of the program is to expand employment opportunities for resident students. Employment may be in jobs at accredited institutions of higher education or in approved off-campus jobs. Students with financial need or educational need are to benefit through the program, and to do so while gaining work experience. Accordingly, efforts should be made whenever possible to provide job opportunities to students which relate to their academic and career goals.

Funds under this program may be used to pay up to eighty percent (80%) of earnings in on-campus jobs. Program funds may also be used to pay up to fifty percent (50%) of earnings for approved off-campus jobs where the jobs are directly related to the student's course of academic study and the employer pays fifty percent (50%) of the earnings. Program funds may also be used to fund up to ten percent (10%) of the total match required for the federal college work study program. Idaho program funds used as match will be governed by federal college work study policy. However, institutional funds used for federal matching purposes shall not be less than the amount allocated for the prior year.

[33-4404, added 1989, ch. 124, sec. 1, p. 274; am. 1990, ch. 95, sec. 3, p. 200.]

33-4405. PROGRAM REQUIREMENTS. To be eligible for the program, a person must be an Idaho resident student enrolled at an accredited institution of higher education at least half-time, as defined by the eligible institution, and be in good standing and demonstrate academic progress according to the institution's published standards of satisfactory academic progress for financial aid purposes.

The entire allocation for the program must be used to provide employment to students with documented financial need or educational need. Requirements for determination of financial need shall be the same as those for the federal college work study program. However, the financial aid office may adjust the federal financial need definition for unusual circumstances documented by the financial aid office. All application procedures for need-based programs, as defined by the institution, shall be followed.

Requirements for determination of educational need shall be formulated by each participating institution, subject to review by the state board of education; provided, that such requirements shall include a requirement that the work experience be related to the student's course of academic study.

[33-4405, added 1989, ch. 124, sec. 1, p. 274; am. 1990, ch. 95, sec. 4, p. 200.]

33-4406. LIMITATIONS. Students shall work no more than twenty (20) hours per week of employment under the program when classes are in session. Students are not to earn more than their award. However, in recognition of administrative realities, overearnings of not more than two hundred dollars (\$200) shall not constitute an overaward. Earnings in excess of two hundred dollars (\$200) over the need or award may not be paid from program funds and must be counted a resource in subsequent periods of enrollment.

[33-4406, added 1989, ch. 124, sec. 1, p. 275.]

33-4407. ELIGIBLE TYPES OF EMPLOYMENT. Students may be employed either on-campus or off-campus at eligible accredited institutions of higher education, subject to the limitations expressed in this chapter. Employing organizations and agencies must be responsible and must have professional supervision. Discrimination by employers on the bases of sex, race, color, age, religion, national origin, marital status or disability is prohibited.

Generally, employment which is allowable under the federal college work study program is also allowable under the Idaho program. This applies to both on-campus and off-campus employment, except that off-campus jobs for the program must be within Idaho. Likewise, employment which is not allowable under federal regulations is not eligible under the Idaho program.

Opinions from federal officials as to the legitimacy of a particular job under the federal college work study program may be assumed to be applicable to the Idaho program. However, approval to use Idaho program funds for particular jobs should not be construed as permission to institutions to use federal work-study funds to employ students in such jobs.

The financial aid office at the institution is responsible for ensuring that disbursements are made only for work performed in accordance with the written job description, with adequate supervision, and with proper documentation for the hours worked.

[33-4407, added 1989, ch. 124, sec. 1, p. 275; am. 1990, ch. 95, sec. 5, p. 201; am. 2010, ch. 235, sec. 17, p. 556.]

33-4408. PAYMENT PROVISIONS. Students shall be compensated on an hourly basis for actual time on the job at a rate commensurate with the duties and responsibilities of the job. Student employees must be paid at least monthly. Individual checks payable to the student, or similar instruments which may be cashed by students on their own endorsement without further restrictions, are required. With written permission from the student, the institution may credit earnings to the student's account to defray institutional educational costs.

[33-4408, added 1989, ch. 124, sec. 1, p. 275.]

33-4409. RECORD KEEPING REQUIREMENTS. The institution office responsible for student referral and placement must maintain written job descriptions which include rates of pay, or ranges of pay, for each position for which program funds are used. The job descriptions shall be reviewed and updated on an annual basis.

Written records shall be maintained for all employment referrals, indicating acknowledgment of the hiring party that the student has been given the position, or reasons why the student was not hired.

Written records showing the time worked must be maintained for all program employees, and must be signed by the student and supervisor, and submitted on at least a monthly basis.

[33-4409, added 1989, ch. 124, sec. 1, p. 275.]

CHAPTER 45
SCHOOL ACCOUNTABILITY REPORT CARDS -- [REPEALED]