

Posted Date: March 05, 2020

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Subject: **Guidance for interruptions of study related to Coronavirus (COVID-19)**

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“...How (post-secondary institutions) should comply with Title IV, Higher Education Act (HEA) policies for students whose activities are impacted by Coronavirus (COVID-19), either directly because the student is ill or quarantined, or indirectly because the student was recalled from travel-abroad experiences, can no longer participate in internships or clinical rotations, or attends a campus that temporarily suspended operations. This information provides flexibilities for schools that are working to help students complete the term in which they are currently enrolled. These instructions **do not contemplate accommodations for students who have not yet enrolled or whose term has not yet begun**, with certain exceptions.

Guidance is specific to:

A student was enrolled in a program and met the requirements for full-time enrollment; however, due to the COVID-19, one or more classes – such as an internship, a clinical rotation, student teaching or fieldwork – have been cancelled and now the student has fallen below the 12 credit hour minimum and is no longer considered to be a full-time student;

A student is quarantined and misses class or a student is incapacitated due to COVID-19 illness;

A campus temporarily stops offering ground-based classes in order to prevent the spread of COVID-19
Approval to Offer Distance Education

The Department is providing **broad approval to institutions to use online technologies to accommodate students on a temporary basis, without going through the regular approval process of the Department in the event that an institution is otherwise required to seek Departmental approval for the use or expansion of distance learning programs.** This flexibility only applies to a program during a payment period that overlaps the date of this electronic announcement or the following payment period. If an institution chooses to continue offering a new program or use distance education in a manner requiring the Department’s approval after that point, it must seek approval under the Department’s normal process.

We are also permitting accreditors to waive their distance education review requirements for institutions working to accommodate students whose enrollment is otherwise interrupted as a result of COVID-19. We currently are limiting that permission to distance learning opportunities developed for the purpose of serving students who were already in attendance, but whose attendance was interrupted by COVID-19. Please note that this flexibility is not available for clock-hour courses that lead to licensure if the licensure body will not accept distance learning courses or hours or give credit for them toward the number of hours a student must complete.

We want to make clear to institutions that for Title IV, HEA purposes, distance learning does not require the use of sophisticated learning management systems or online platforms, though accreditors may have additional standards included in their review of distance learning programs. We are, however, permitting accreditors to waive those standards for schools implementing distance learning programs

solely for the purpose of allowing currently enrolled students to complete a term that is interrupted by COVID-19 closures.

To meet the Department's requirements for providing distance education, an institution must communicate to students through one of several types of technology – including email – described under 34 CFR § 600.2, and instructors must initiate substantive communication with students, either individually or collectively, on a regular basis. In other words, an instructor could use email to provide instructional materials to students enrolled in his or her class, use chat features to communicate with students, set up conference calls to facilitate group conversations, engage in email exchanges or require students to submit work electronically that the instructor will evaluate.

Institutions may provide distance learning temporarily to accommodate students as a result of a COVID-19 interruption, including in cases where students began attendance in classes offered in a brick-and-mortar setting but were transitioned to a distance education format in the middle of the term. In these cases, we will accept the accreditation and state authorization of the institution for the programs in which those students were enrolled prior to the interruption due to COVID-19 to enable students to complete the current term.

Institutions may also enter into temporary consortium agreements with other institutions so that students can complete courses at other institutions but be awarded credit by their home institution. In addition, in instances where accrediting agencies require students to complete a final number or percentage of credits in residence at the institution, accrediting agencies may waive that requirement for students impacted by COVID-19 without objection by the Department.

The Department will permit students who wish to take an approved leave of absence for COVID-19-related concerns or limitations (such as interruption of a travel-abroad program), to take such leave, even if the student notifies the institution in writing after the approved leave of absence has begun. In such a case, the institution may retain those Title IV funds to apply when the student continues enrollment. If the student does not return to complete their program within 180 days, the school would then be expected to perform the Return of Title IV funds calculation based on the date on which the leave-of-absence began. Note that in term-based programs, if a student takes an approved leave of absence from a term-based program, the institution must ensure that the student is permitted to complete the coursework he or she began prior to the leave of absence.

Finally, because we understand that some students may have been recalled from travel abroad programs or canceled-out of experiential learning opportunities after the semester began, institutions may offer courses to those students on a schedule that would otherwise be considered a non-standard term, if doing so enables those students to complete the term. These flexibilities will also be provided to institutions, or their additional locations or programs, that must temporarily close as a result of COVID-19.

Length of Academic Year

The Department is authorized under 34 CFR § 668.3 to approve a reduced academic year. If at any point an institution determines it will close as the result of a campus health emergency, it may contact the School Participation team to request a temporary reduction in the length of its academic year.

Satisfactory Academic Progress (SAP)

An institution's SAP appeal policy (34 CFR § 668.34(a)(9)) must, among other things, describe the basis on which a student may file an appeal: the death of a relative, an injury or illness of the student, or

other special circumstances. Circumstances related to an outbreak of COVID-19, including, but not limited to, the illness of a student or family member, compliance with a quarantine period, or the general disruption resulting from such an outbreak may form the basis of a student's SAP appeal even if not specifically articulated in the institution's SAP policy.

Enrollment Status Changes

We do not have the authority to waive the requirement to award or disburse Title IV funds based on a student's actual enrollment status. For example, assuming an institution defines full-time enrollment as 12 credit hours, when a full-time student enrolled for 12 credit hours drops or withdraws from three credits, that student is now enrolled at three-quarter time status. However, we remind institutions that for Direct Loans, the institution must only confirm at least half-time enrollment status as of the time of disbursement. It is not necessary to recalculate a student's Direct Loan eligibility based on changes in enrollment status that occur after the institution originates a Direct Loan. For enrollment status changes that occur after an institution's established Pell Grant recalculation (census) date, we do not require recalculation. Note that the student must have begun attendance in all courses comprising the enrollment status on which the Pell Grant payment was based.

Return of Title IV Funds

Even in the case of a disruption from COVID-19, an institution must return any Title IV funds for which it is responsible in accordance with the provisions of 34 CFR § 668.22 when a student withdraws. Currently, we do not have the authority to waive the statutory requirement for the return of unearned Title IV funds in the case where a student (who receives Title IV assistance) withdraws from an institution during a payment period or period of enrollment after having begun attendance. However, the guidance provided below explains the requirements for performing Return of Title IV Funds calculations in situations where an institution has temporarily ceased operations as a result of a COVID-19 disruption.

Definition of a Withdrawal Date

If an institution ceases operation during a payment period and fails to reopen by the end of that payment period, its students are considered no longer in attendance and must be considered withdrawn for that payment period or period of enrollment, and would be subject to Return of Title IV funds requirements. Similarly, if an institution closes and subsequently reopens during a payment period, any students who began attendance during that payment period but failed to return when the institution reopens must be considered withdrawn for that payment period. If the institution is required to take attendance, the withdrawal date is the last day of documented attendance prior to the closure. If the institution is not required to take attendance, the institution can use any applicable option under 34 CFR § 668.22(c), including the midpoint of the payment period or period of enrollment under 34 CFR § 668.2(c)(1)(iii) or, because the closure was a circumstance that the student could not control under 34 CFR § 668.22(c)(1)(iv), the date that the institution ceased operation. When determining the number of days in the payment period or period of enrollment (the denominator of the calculation), the institution should include all the days that the student was scheduled to attend during that period on the date of the withdrawal. For a clock-hour program, an institution should not include as "scheduled hours" any hours on days that it was closed.

Date of Determination and Timeframes for Returns

Normally, if a student does not provide notification to an institution of his/her withdrawal, the date of determination that the student has withdrawn is the date that the institution becomes aware that the student ceased attendance. This is, in most cases when an institution closes for reasons beyond its control, the date of the closure. Therefore, the timeframes for completing Return of Title IV Funds

calculations and making the appropriate returns or post-withdrawal disbursements begin on that date (e.g. 30 days to perform the calculation, 45 days to return the funds, etc.)

Reentering the Same Payment Period

If an institution that has closed subsequently reopens during the same payment period or period of enrollment, and permits students to continue coursework that they were taking at the time of the closure, students that return to class at that time are considered to have reentered the same period and retain eligibility for Title IV aid that they were otherwise eligible to receive before the closure. If a student in this situation subsequently withdraws, the institution must exclude the number of days that it was closed (if the closure was for at least five consecutive days, in combination with weekends or other scheduled breaks) from both the number of days the student completed and the total number of days in the payment period or period of enrollment. If the institution altered the number of days in the payment period or period of enrollment following the closure (e.g. if it adds days to the term to make up for the time when it was closed), the institution should use the new number of days in the student's Return of Title IV funds calculation.

NSLDS Enrollment Reporting

In general, when a student withdraws during a payment period, the effective date for the withdrawn ('W') status for enrollment reporting purposes is the withdrawal date used by the institution in accordance with 34 CFR § 668.22(b) or (c). However, notwithstanding the requirement that the institution perform a Return of Title IV funds calculation for students when an institution unexpectedly ceases operation during a payment period and fails to reopen during that payment period, we permit an institution to defer reporting an affected student's enrollment status as "withdrawn" in these circumstances when the institution has a reasonable expectation that—

1. The institution will reopen at the start of a payment period that begins no later than 90 days following the closure; and
2. The student will resume attendance when the institution reopens.

In these cases, the institution should continue reporting the most recent enrollment status that it reported for the affected student prior to the closure. If the student does not resume attendance as expected, the institution must change the student's enrollment status to "withdrawn" using the student's actual withdrawal date as the enrollment status effective date.