COVID-19: Overview of Federal Guidance and Proposed Congressional Action

NAICU Government Relations Team

March 20, 2020
Agenda

- Review of Agency Guidance.
  - Links available on NAICU’s COVID-19 website.

- Advocacy Plan.

- Questions.
Education Department Guidance – March 5, 2020

• Initial ED guidance to help colleges navigate COVID-19 crisis.
  • NEW (March 20): Frequently Asked Questions Related to COVID-19

• Broadly covers several major topics, including:
  • Distance Education flexibility
  • Accreditation flexibility
  • Federal Work-Study distributions
  • Enrollment status changes
  • Return of Title IV Funds (R2T4)
  • Withdrawals
Accreditation Guidance

- Accreditors may:
  - Waive Distance Education review requirements for students whose study was interrupted by COVID-19;
  - Extend the term of Accreditation for institutions seeking renewal;
  - Provide good-cause extensions to institutions on a show-cause order or probation; and
  - Perform virtual site visits.

- Accreditors have authority to waived clinical requirements, but state licensing requirements may be a hindrance.
Institutions may disclose student information without consent under the “health and safety emergency” exception if the disclosure is:

- Necessary to protect the health or safety of students or others;
- Limited to appropriate parties, e.g., health officials; and
- Limited to the period of a specific emergency.

Department will not second guess reasonable determinations.
International Students/SEVP Guidance

• USCIS issued guidance covering 3 scenarios:

1. A school closes and no online or alternate learning options are offered.
2. A school temporarily stops in-person classes but implements online or other alternate learning options and the nonimmigrant student stays in the U.S.
3. Same scenario as #2 above, but the nonimmigrant student departs the U.S.
GI Bill Benefits – Veterans Affairs (VA) Guidance

- VA sent guidance to State Approving Agencies.

- Schools should temporarily suspend enrollment certification if schools have closed or changed educational modality due to COVID-19.

- Schools should contact State Approving Agencies for additional information.

- Congress passed a legislative fix for GI bill benefits (S. 3503) that is awaiting the President’s signature.
- Working on additional measures
• HHS OCR *waived* penalties for HIPPA violations to allow health care providers to serve patients via “telehealth.”

• Mental health service providers are not always considered “health care providers.” Varies by state.

• States enacting similar waivers to allow campus-based mental health service providers to treat existing student patients via “tele-health.”

• Schools should ask states to waive restrictions.
Small Business Administration (SBA) Assistance

• SBA Economic Injury Disaster Loan Assistance:
  
  • **Includes** low-interest federal disaster loans for small businesses suffering substantial economic injury as a result of the coronavirus (COVID-19).
  
  • NAICU members qualify for the loans (if under $30 million in maximum revenue).
  
  • See the [online tool](#) to determine whether your institution qualifies as a small business. Use NAICS code 611310 and register now to get in the queue.
Census Guidance

• Census Bureau will **count** college students where they primarily live and sleep as of April 1, 2020.
  • Students will count as living on campus even if they are home now.
  • Ensures that your community will receive the service support reflected by the population.

• Parents should only include children in college who live with them full-time during the school year.

• Census will collect age, sex and date of birth.
  • Schools can complete form listing all students using data from administrative records.
Congressional Action

- Families First Coronavirus Response Act (H.R. 6201)
  - SNAP and school meals
  - Paid sick leave and unemployment
  - Medicaid

- Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (H.R. 6074)
  - Funding for federal agency response efforts

- “Supplemental #3” in the works
Advocacy Plan

• Contact your Member of Congress to seek:
  • Emergency Grant Funds for Students
  • Technology Assistance
  • Grants or Zero Interest Federal Loans for Institutions
  • Relaxation of Reporting and Audit Requirements
What NAICU Members Can Do to Help

• Provide cost estimates of how much your institution is spending and stories of how your institution and students are coping.

  coronacampuseffects@naicu.edu

• Contact NC-SARA to request suspension of financial responsibility standards.
Questions?

• Policy clarifications?

• Resources you need?

• NAICU staff available to help.
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