

Summary of major provisions within the December 11, 2020 Federal Register provided by Card and Associates.

Accreditation Issues (These provisions apply for the duration of the national emergency declaration and 180 days following the date on which the COVID–19 national emergency declaration is rescinded)

- Provides flexibility for agencies and associations to develop, adopt, modify, and implement temporary virtual site visit policies.
- Allows accreditors to waive distance education review requirements for institutions working to accommodate students whose enrollment is otherwise interrupted as a result of COVID–19 (waiver is limited to distance learning for students already in attendance, and whose attendance was interrupted).
- Relaxes policies concerning the timing of pre-accreditation reviews and permits virtual site visits for the reevaluation of institutions.
- Allows agencies to expedite the development of temporary standards to approve distance learning programs or courses, including agencies that did not previously have distance learning in their scope and for institutions that did not previously offer distance learning.
- Waives provisions requiring accrediting agencies to conduct at least one on-site review of the institution or program during which it obtains sufficient information to determine if the institution or program complies with the agency’s standards

Distance Education Issues

- Waives requirement for IHEs to obtain state authorization to provide postsecondary educational programs through distance education for payment periods that overlap March 5, 2020, or begin after March 5, 2020, through the end of the payment period that begins after the date on which the Federally-declared COVID–19 emergency is rescinded. IHEs (Institutions of Higher Education) choosing to continue offering a program or use distance education in a manner requiring the Department’s approval after the waiver period ends must obtain approval under the Department’s normal process.
- Waives requirement that IHEs must have obtained accreditation to offer distance education programs due to campus interruptions or the unexpected return of students from travel abroad experiences. The waiver applies through the end of the payment period that begins after the date on which the Federally-declared national emergency related to COVID–19 is rescinded.

Institutional Eligibility and Certification

- Waives requirement for institutions to provide approval of the change of ownership from the institution’s accrediting agency within the time period set forth in 600.20(h)(3)(iii) through the end of the payment period that begins after the date on which the Federally-declared national emergency related to COVID–19 is rescinded.

- Waives provisions concerning when an institution's eligibility for Title IV ends in recognition of those that are unable to convert their programs to an alternative instructional modality during the COVID-19 pandemic.

Short-Term Programs

- Waives requirement for proprietary IHEs and postsecondary vocational institutions that offer short term programs and must demonstrate that students had completion and job placement rates of at least 70 percent (70/70 qualifying requirements) before those programs qualify, or continue to qualify, as eligible for Federal Direct Loans. Waiver applies for any award year in which the COVID-19 national emergency declaration was in place for at least one day during the award year.

Student Loans and Financial Aid Issues

- Waives the requirement for institutions to notify loan servicers when borrowers fail to begin attendance so servicers can issue final demand letters for payment. The waiver expires at the end of the payment period that begins after the date on which the Federally-declared national emergency related to COVID-19 is rescinded.
- Waives the parental signature requirement and provides flexibility to accept photographed signed documents by email or text message for documentation required to validate a student's title IV eligibility.
- Waves the Federal Work-Study (FWS) community service requirements in § 675.18(g) for all FWS participating schools for at least the 2019-20 and 2020-21 award years.
- Relaxes provisions for Perkins Loan borrowers to reestablish eligibility for Title IV and rehabilitate defaulted loans.
- Applications for relief on Direct Consolidation Loans that include FFEL or Perkins loans originally included in BD applications received by the Department prior to July 1, 2020, will therefore be adjudicated under the standards for Direct Loans, including Direct Consolidation loans, disbursed between July 1, 2017, and July 1, 2020.
- Waives requirements under income-driven repayment plans for one calendar year from the date on which a borrower would have been required to provide recertification documentation in 2020. Borrowers will be notified by the loan servicer of their new recertification date in advance of the deadline for documentation.

Campus Security

- Extends the October 1 deadline for IHEs to distribute their Annual Security and Fire Safety Reports to required recipients to December 31, 2020.

Approved Leaves of Absence

- Includes flexibilities for granting a leave of absence due to COVID-19-related suspensions in coursework, including clinicals or internships/externship.