

29 de abril de 2020

A TODA LA COMUNIDAD UNIVERSITARIA

REQUISITOS PARA EL DESEMBOLSO DE LOS FONDOS DEL *CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT*



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El pasado 11 de abril de 2020, el presidente de la Universidad de Puerto Rico, Dr. Jorge Haddock, emitió una comunicación para informar que el sistema universitario recibirá aproximadamente \$81.1 millones de dólares como parte de los fondos asignados a instituciones de educación superior, en cumplimiento con la ley federal *Coronavirus Aid, Relief And Economic Security (Cares) Act*. El Departamento de Educación de los Estados Unidos (USDE por sus siglas en inglés) informó que, al menos, el cincuenta por ciento (50%) de dichos fondos están destinados para ofrecer ayudas a los estudiantes de manera que puedan cubrir necesidades relacionadas a materiales de cursos, tecnología, alimentos, vivienda, cuidado de salud o cuidado de hijos.



El 21 de abril de 2020, el USDE emitió nuevas directrices, para la distribución del cincuenta por ciento (50%) de los fondos. En cumplimiento con lo anterior y para incluir los nuevos requisitos, se está programando diligentemente de modo que la distribución de las ayudas se realice conforme lo establece la legislación y se defina prontamente fecha de pago. Cabe señalar que algunas unidades no han recibido los fondos a ser distribuidos. Reiteramos que es nuestra prioridad distribuir estas ayudas a nuestros estudiantes.

En las directrices impartidas por el USDE el 21 de abril, se establece que para que un estudiante pueda recibir fondos al amparo del CARES Act, tiene que ser elegible para recibir las ayudas de Título IV bajo la Sección 484 del *Higher Education Act*. El estudiante puede verificar su elegibilidad para estas ayudas al completar la Solicitud Gratuita para Ayudas Económicas Federales (FAFSA, por sus siglas en inglés). Una vez el estudiante llene la FAFSA, se verifican todos los requisitos para ser elegible.

Los criterios para participar en los programas de la Sección 484 del *Higher Education Act* incluyen, entre otros, los siguientes:

- Estar matriculado o aceptado para matricularse en un grado, certificado u otro credencial educativo (incluyendo un programa de intercambio aprobado para crédito por la institución en la que el estudiante está matriculado y que es un estudiante regular). No incluye estudiantes en mejoramiento profesional o tomando cursos remediales. Tampoco incluye estudiantes que se hayan dado de baja total al momento de desembolsar las ayudas.

- No estar matriculado en escuela elemental o secundaria y debe tener un diploma de escuela superior o su equivalente reconocido.
- Mantener un progreso académico satisfactorio (SAP).
- No tener deuda de un sobrepago (reembolso) en las subvenciones del Título IV.
- No estar en incumplimiento de pago en un préstamo del Título IV.
- Presentar con el Departamento de Educación, como parte del proceso de solicitud de ayuda financiera original, una certificación (Declaración de Propósito Educativo) que incluya:
 - Una declaración de propósito educativo
 - Número de Seguro Social del estudiante (SSN)
- Ser ciudadano o nacional de los Estados Unidos, un residente permanente o algún no ciudadano elegible (Excluye estudiantes extranjeros con visa de estudios).
- Haber devuelto fondos del Título IV obtenidos fraudulentamente, si el estudiante es declarado culpable por un jurado o han hecho alegación de culpabilidad o no impugnó los cargos.
- No haber recibido fraudulentamente préstamos del Título IV por encima de los límites anuales o agregados.
- Haber pagado cualquier cantidad del préstamo del Título IV que exceda los límites anuales o agregados, si el sobrepago se obtiene inadvertidamente.
- Registro de inscripción en el Servicio Selectivo, para varones. La inelegibilidad de la ayuda del Título IV por no registrarse está en la Ley de Servicios Selectivos.
- Tener un número de Seguro Social válido.
- No tener una condena federal o estatal por posesión o venta de drogas.

Exhortamos a todos los estudiantes que entiendan que pudieran ser elegibles para recibir la ayuda económica, a completar la FAFSA. De no completarla, tendrían que presentar toda la evidencia ante la Oficina de Asistencia Económica de su unidad. Los estudiantes que completaron la FAFSA para el año académico 2019-2020, no tienen que volver a llenarla.

De surgir cualquier cambio o enmienda en los requisitos anteriormente detallados se estará informando prontamente. Exhortamos a las unidades para que estén al pendiente de las comunicaciones oficiales del USDE y así se mantengan actualizados con los requisitos y directrices que emita la agencia.

De igual manera, deberán estar pendientes a su correo institucional para más información acerca de estas ayudas.

Les deseo mucha salud y bienestar para ustedes y sus familias.

Anejos

Higher Education Emergency Relief Fund

Frequently Asked Questions about the Emergency Financial Aid Grants to Students under Section 18004 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act

The CARES Act, which establishes and funds the Higher Education Emergency Relief Fund (HEERF), directs institutions of higher education (“institutions”) to use no less than 50 percent of funds received under Sections 18004(a)(1) and 18004(c) of the CARES Act to provide emergency financial aid grants to students for expenses related to the disruption of campus operations due to coronavirus. These FAQs address only those funds provided by the Secretary to an institution for emergency financial aid grants to students under Sections 18004(a)(1) and 18004(c) of the CARES Act.

1) Can institutions that have provided refunds to students for room and board, tuition, and other fees (such as activities fees) reimburse themselves from the funds for the emergency financial aid grants to students?

No. The CARES Act requires institutions to use no less than 50 percent of HEERF funds received under Sections 18004(a)(1) and 18004(c) of the CARES Act to provide emergency financial aid grants to students. These funds distributed by the Department represent the 50 percent minimum of each institution’s HEERF funds under Section 18004(a)(1) of the CARES Act for these emergency financial aid grants to students. Section 2 of the Funding Certification and Agreement for the Emergency Financial Aid Grants to Students states: “Recipient shall not use [these] funds to reimburse itself for any costs or expenses, including but not limited to any costs associated with significant changes to the delivery of instruction due to the coronavirus and/or any refunds or other benefits that Recipient previously issued to students.”

Institutions will have more flexibility in the use of the portion of the HEERF that is made available to cover an institution’s costs associated with significant changes to the delivery of instruction due to the coronavirus. The Department will provide a Frequently Asked Questions (FAQ) document regarding the allowable uses of funds for an institution’s costs shortly after making those funds available to institutions.

2) Can institutions that have provided information technology hardware (such as laptops, hotspot internet devices, etc.) and other related equipment to students reimburse themselves from the funds for the emergency financial aid grants to students?

No. The CARES Act requires institutions to provide the emergency financial aid grants to students. Section 2 of the Funding Certification and Agreement for the Emergency Financial Aid Grants to Students states: “Recipient shall not use [these] funds to reimburse itself for any costs or expenses, including but not limited to any costs associated with significant changes to the delivery of instruction due to the coronavirus and/or any refunds or other benefits that Recipient previously issued to students.”

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3) Can institutions that have provided institutionally-funded emergency grants to students as a result of COVID-19 reimburse themselves from the funds for the emergency financial aid grants to students?

The only institutionally-funded emergency grants to students that are eligible for reimbursement from the funds for emergency financial aid grants to students under the CARES Act are grants: 1) for authorized expenses related to the disruption of campus operations due to coronavirus as set forth in Section 18004(c) of the CARES Act; 2) made to students eligible to receive emergency financial aid grants under the CARES Act; and 3) made on or after March 27, 2020, the date the CARES Act was enacted. An institution must use no less than 50 percent of funds provided pursuant to Sections 18004(a)(1) and 18004(c) for emergency financial aid grants to students. An institution must document that reimbursements for institutionally-funded emergency grants to students are made in accordance with the CARES Act.

4) Can institutions that have continued to pay student workers from institutional funds for campus jobs reimburse themselves from the funds for the emergency financial aid grants to students?

No. The CARES Act requires institutions to provide the emergency financial aid grants to students, and institutions may not use that portion of the HEERF set aside for emergency financial aid grants to students for this purpose. The Department notes that Congress has provided additional flexibility to institutions relating to the Federal Work-Study (FWS) Program, including that institutions may continue to pay FWS wages to students for the remainder of the current academic year in instances in which those students' jobs were interrupted as a result of the national emergency due to the coronavirus, as long as those students had started employment prior to this national emergency. The CARES Act also waives the non-federal wage match requirement for institutional and non-profit employers of FWS students. Please see the Department's [Guidance for Interruptions of Study Related to Coronavirus](#), which provides additional information about the FWS Program.

The Department will provide a FAQ document regarding the allowable uses of funds for an institution's costs associated with significant changes to the delivery of instruction due to the coronavirus shortly after making those funds available to institutions.

5) Can institutions use the funds for the emergency financial aid grants to students to pay outstanding or overdue student bills to institutions?

No. The CARES Act requires institutions to provide the emergency financial aid grants to students. The institution may not use that portion of the HEERF set aside for emergency financial aid grants to students to satisfy a student's outstanding account balance. The Department notes that the student may use his or her emergency financial aid grant for expenses related to the disruption of campus operations due to coronavirus.

6) What data will the Department require institutions to report after disbursement of emergency financial aid grants to students?

As explained in the Funding Certification and Agreement for the Emergency Financial Aid Grants to Students, each institution will report to the Secretary the following: how grants were distributed to students, how the amount of each grant was calculated, and any instructions or directions that the institution gave to students about the grant. Institutions must also comply with the reporting requirements under Section 15011 of the CARES Act. The Department will publish a notice in the Federal Register to provide instructions to institutions on these reporting requirements.

7) What obligation does an institution have to continue to pay all its employees after accepting the funds for the emergency financial aid grants to students?

The CARES Act requires each institution that accepts funds from the HEERF, including funds used to pay emergency financial aid grants, to continue to pay employees and contractors to the greatest extent practicable based on the unique financial circumstances of each institution; however, institutions may not use emergency financial aid grants to students to pay employees and contractors.

8) Are incarcerated students participating in the Second Chance Pell Experimental Site Initiative (ESI) eligible for emergency financial aid grants to students?

The CARES Act expressly requires that institutions provide the emergency financial aid grants to students "for expenses related to the disruption of campus operations due to coronavirus (including eligible expenses under a student's cost of attendance, such as food, housing, course materials, technology, health care, and childcare)." If an incarcerated individual who is participating in the Second Chance Pell experiment is released from incarceration as a result of the national emergency due to the coronavirus, remains enrolled as a student in the program under the Second Chance Pell experiment, and has such expenses, he or she likely qualifies for an emergency financial aid grant. A person who remains incarcerated is unlikely to incur these expenses and would thus be ineligible. Accordingly, for students participating in the Second Chance Pell ESI, institutions will need to review on a case-by-case basis what, if any, expenses an incarcerated person, or a formerly incarcerated person released due to the coronavirus, has incurred due to the disruption of campus operations.

9) What students are eligible to receive emergency financial aid grants from the HEERF?

Only students who are or could be eligible to participate in programs under Section 484 in Title IV of the Higher Education Act of 1965, as amended (HEA), may receive emergency financial aid grants. If a student has filed a Free Application for Federal Student Aid (FAFSA), then the student has demonstrated eligibility to participate in programs under Section 484 the HEA. Students who have not filed a FAFSA but who are eligible to file a FAFSA also may receive emergency financial aid grants. The criteria to participate in programs under Section 484 of the HEA include but are not limited to the following: U.S. citizenship or eligible noncitizen; a valid Social Security number; registration with Selective Service (if the student is male); and a high school diploma, GED, or completion of high school in an approved homeschool setting.

10) Will funds provided through the CARES Act be included in an institution's 90/10 calculation?

Funds paid directly to institutions by the Department through the HEERF will not be included as revenue for 90/10 purposes.

11) How must institutions pay the emergency financial aid grants to students?

Institutions may provide emergency financial aid grants to students using checks, electronic transfer payments, debit cards, and payment apps that adhere to the Department's requirements for paying credit balances to students. The disbursement of the emergency financial aid grant to the student must remain unencumbered by the institution; debts, charges, fees, or other amounts owed to the institution may not be deducted from the emergency financial aid grant. The emergency financial aid grant may not be made to students through the use of a credit card that can be used only on campus or in a retail outlet affiliated with the institution.

12) At institutions that provide both online and ground-based education, are students who were enrolled exclusively in online programs prior to the national emergency due to the coronavirus eligible to receive emergency financial aid grants?

At institutions that provide both online and ground-based education, those students who were enrolled exclusively in an online program on March 13, 2020, the date of the President's Proclamation, "Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak," *Federal Register* Vol. 85, No. 53 at 15337-38, are not eligible for emergency financial aid grants. The formula provided by Congress for calculating the distribution of funds to institutions excludes students who were exclusively enrolled in distance education courses. Additionally, the emergency financial

aid grants to students are for expenses related to the disruption of campus operations due to coronavirus, and students who were enrolled exclusively in online programs would not have expenses related to the disruption of campus operations due to coronavirus.

13) Where can institutions locate additional resources and information related to emergency financial aid grants to students?

CARES Act grant resources and guidance are located on the Office of Postsecondary Education's webpage: <https://www2.ed.gov/about/offices/list/ope/caresact.html>.