



August 23, 2021

Ms. Stephanie Valentine
PRA Coordinator
Strategic Collections and Clearance
Governance and Strategy Division
U.S. Department of Education
400 Maryland Avenue S.W.
LBJ, Room 6W208D
Washington, D.C. 20202-8240

Dear Ms. Valentine:

On behalf of the undersigned associations, I write today to comment on the Department of Education's (ED) proposed information collection (IC) published in the Federal Register on June 24, 2021 (Docket No.: ED-2021-SCC-0093).

This proposed IC revises a current Office of Management and Budget (OMB)-approved collection that would significantly expand college and university reporting on amounts received through the Higher Education Emergency Relief Funds (HEERF), authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), and the American Rescue Plan (ARP) Act. In addition to our comments below, we strongly support the comments submitted by the National Association of Student and Financial Aid Administrators (NAFSAA), the National Association of College and University Business Officers (NACUBO), and the Council on Governmental Relations (COGR) that raise specific concerns for financial aid officers, business officers, and research officers on our campuses.

Given the size and scope of the HEERF funds provided to students and institutions, there is a clear public interest in how institutions manage those funds and how institutions comply with relevant statutes and guidance. The enormity of the crisis; the unique nature of the federal mechanism for allocating and disbursing aid; and, most critically, the importance of moving rapidly necessitated that institutions developed and implemented new systems on an expedited basis. These efforts were informed by what statutory language and departmental guidance was available to them and were consistent with the needs Congress and ED saw for accountability to taxpayers for the use of funds. As a result, institutional systems for tracking and reporting the use of HEERF funds did not account for all possible ranges of data that may have been useful,

but were instead focused on what they knew was specifically required. For that reason, we are concerned with the expanded breadth and depth of the revised reporting requirements relative to the existing requirements, and believe these requirements may be beyond the reasonable ability of institutions to comply with.

Due to the unique nature of the HEERF programs and the speed with which they were implemented, considerable challenges exist for institutions in detailing certain, specific elements of their usage, particularly around the reporting of student grants by IPEDS race/ethnicity categories, including providing information on students who did not receive HEERF emergency grants funds, and assigning revenues lost to one of several IPEDS expenditure categories.

The statutes specify a priority for student emergency grants to students with exceptional need and encouraged institutions to distribute that aid to students as quickly as possible. In many cases, institutions also needed to disburse these funds using newly constructed systems to, among many goals, avoid applying any funds to outstanding student account balances. As a result, institutions may not have collected the student demographic information ED has requested nor anticipated the necessity of doing so given the lack of reference to such a reporting requirement in statute. Some of this data may have been captured by institutions, but different elements of the data are contained in separate systems that would be very burdensome in most situations, and impossible in others, to match. Additionally, the requirements to track information on unaided students understandably poses particular problems for compliance as there is no “use” of HEERF amounts for those students for institutions to track and report.

We also believe that there is no need to revise the method for reporting institutional uses of funding to replace lost revenues, and that such uses are appropriately accounted for in the existing OMB-approved IC. The changes proposed in the new IC would require institutions to allocate lost revenues due to reduced enrollments among several expenditure categories. Such a change is likely to instead cause confusion and obscure a clear accounting of institutional usage of funds for this purpose. The new reporting method proposed in the IC assumes that there is a link between lost revenues covered by HEERF, and subsequent campus expenditures. However, this is not the case - in large part the lost revenues recovered through HEERF simply are returned to an institution’s general fund without further accounting, which is in compliance with current HEERF guidance. Once this transfer has occurred, there is no institutional ability to track the specific use of the HEERF funds and doing so would require a significant restructuring of campus accounting systems. Given that tracking HEERF funds in this manner was not previously indicated in statute or guidance, institutions reasonably did not undertake such a complicated and expensive restructuring in anticipation of a requirement they were not aware of, and would not be able to reconstruct the proposed accounting for reporting purposes retroactively.

As referenced in the Federal Register notice, ED estimates that the proposed changes

will result in a 100 percent increase in the response burden on institutions under the revised IC. Historically, ED has relied on surveys, both cross-sectional and longitudinal, conducted by the National Center for Education Statistics (NCES) to acquire information and knowledge of program features, impacts, and effects beyond that which is necessary for sound fiscal and effective program management. As you know, NCES postsecondary surveys are based on samples of institutions, and thus are far less burdensome for the sector as a whole. OMB approval for the current IC expires on December 31, 2023. ED has sufficient time to consider and implement an alternative way, including an NCES-conducted survey, to obtain the information on subjects such as the demographic data of HEERF recipients.

We want to be emphatically clear that institutions understand the importance of demonstrating in a transparent manner that they used HEERF funds as Congress and the Department intended and require. We take that obligation seriously, and offer our comments to inform ED and improve the process the Department is undertaking. Given the numerous problems that exist in the proposed IC, we ask ED to withdraw it and leave the existing IC in place while convening stakeholders with knowledge of institutional operations and usage of HEERF funds to develop a more comprehensive and achievable reporting method that meets our shared goals for understanding how institutional funds were used and how students with the greatest need were aided.

We thank you for your consideration of these comments.

Sincerely,



Ted Mitchell
President

On behalf of:

American Association of Community Colleges
American Association of State Colleges and Universities
American Council on Education
Association of American Universities
Association of Public and Land-grant Universities
National Association of College and University Business Officers
National Association of Independent Colleges and Universities
National Association of Student Financial Aid Administrators