

Responses to comments received for 1845-0108, Docket number ED-2019-ICCD-0158 during the 60 day public comment period.

Comment 1 from Anonymous:

Page one of attachment "1845-0108 - Affected Public - Individuals" states:
This includes policies that automatically place a student who is not meeting SAP on "financial aid warning" a newly defined term.

Have the definition of Financial Aid Warning changed? Why is it being called "new"?

Please clarify.

Thanks!

FSA Response:

Thank you for pointing out that error. There has not been a change to the definition of financial aid warning as it is defined in 34 CFR 668.34(b) or as it is used in 34 CFR 668.34(c). We apologize for the error.

Comment 2 from David Smedley:

The statute does not mention pace and/or level: (HEA, Section 484(c))
(c) SATISFACTORY PROGRESS. (1) For the purpose of subsection (a)(2), a student is maintaining satisfactory progress if (A) the institution at which the student is in attendance, reviews the progress of the student at the end of each academic year, or its equivalent, as determined by the institution, and (B) the student has a cumulative C average, or its equivalent or academic standing consistent with the requirements for graduation, as determined by the institution, at the end of the second such academic year. (2) Whenever a student fails to meet the eligibility requirements of subsection (a)(2) as a result of the application of this subsection and subsequent to that failure the student has academic standing consistent with the requirements for graduation, as determined by the institution, for any grading period, the student may, subject to this subsection, again be eligible under subsection (a)(2) for a grant, loan, or work assistance under this title. (3) Any institution of higher education at which the student is in attendance may waive the provisions of paragraph (1) or paragraph (2) of this subsection for undue hardship based on (A) the death of a relative of the student, (B) the personal injury or illness of the student, or (C) special circumstances as determined by the institution.

Pace and level are extremely difficult to explain to students and the Department is encouraged to think about the fact that sometimes regulation can over-complicate matters.

FSA Response:

Thank you for your comment which will be forwarded to the correct office for their review and consideration of regulatory change. That type of change is outside the scope of this information collection.