



Dear Foreign Institution,

We are contacting you with an update on the use of the authority granted under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). This law provides regulatory relief to foreign institutions affected by declared national emergencies.

During a national emergency in a foreign country, a foreign institution in that country may need to cease on-campus coursework. In specific cases that meet a set of required criteria, the Department of Education (Department) may use its authority under Section 3510 of the CARES Act (P.L. 116–136) to consider applications from institutions for a waiver of the prohibition on a foreign institution offering distance education to a Direct Loan recipient.

The CARES Act also allows a foreign institution to enter into a written arrangement with an eligible institution of higher education located in the United States that participates in the Federal Direct Loan Program for the purpose of allowing a Direct Loan borrower enrolled at the foreign institution to take courses from the institution of higher education located in the United States that exceeds the 25 percent limit of coursework that can be provided by the eligible U.S. institution under [34 CFR 600.52](#). A foreign institution that is a public or other nonprofit institution may enter into such a written arrangement only with an institution of higher education described in Section 101 of the HEA, 20 U.S.C. § 1001. A foreign institution that is a graduate medical school, nursing school, or a veterinary school and that is not a public or other nonprofit institution may enter into such a written arrangement with an institution of higher education described in Sections 101 or 102 of the HEA, 20 U.S.C. §§ 1001 and 1002.

If the institution is approved for the Distance Education waiver, use the following paragraph:

The Department has reviewed and approved your request to offer an otherwise eligible program via distance education. Your institution may continue to offer that program through distance education for the duration of the emergency and the first payment period that begins after the emergency ends. The program will remain eligible for the purposes of the Federal Direct Loan program under [Part D, Title IV](#) of the HEA.

If the institution is approved for the Written Arrangement waiver, include the following paragraph:

The Department has reviewed and approved your request to enter into a written arrangement with an eligible institution of higher education located in the United States that exceeds the 25 percent cap on the amount of coursework that can be offered by the U.S. institution. Your institution may enter into the arrangement for the duration of an emergency and for the first payment period that begins after the emergency ends.

The CARES Act requires that a foreign institution that uses this authority to report use of either distance education or written arrangements to the Department no later than 30 days after it begins offering coursework to Direct Loan recipients under the waiver(s) granted. Your institution must provide the following information to the Department:

- Institution Name;
- OPEID;
- Country;
- Is your institution using distance education to offer instruction under the CARES Act? **Yes/No**
 - **If yes, report the number of students who received Direct Loans at your institution and whose program was offered by the foreign institution in whole or in part through distance education during the current award year.**
- Has your institution executed, or is in the process of executing, a written arrangement with institutions located in the United States for U.S. students receiving Direct Loans under the CARES Act? **Yes/no.**
 - **If yes, report the name and OPEID of the institution or institutions located in the United States with which you have or plan to execute a written arrangement.**
 - **If yes, report the percentage of the eligible program offered by the eligible school in the U.S.**
 - **If yes, also report the number of students who received Direct Loans at your institution and who took courses at an institution in the United States under a written arrangement with the foreign institution during the most recently completed award year in which the waiver was in effect.**

Please email the requested information to FSA.Foreign.Schools.Team@ed.gov

Sincerely,

Michael Frola
Division Chief
Multi-Regional and Foreign Schools Participation Division

cc: Financial Aid Administrator

This collection has been approved by OMB with control number 1845-0161, and expires xx/xx/xxxx.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1845-0161. The time required to complete this information collection is estimated to be 30 minutes per response. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to: The Foreign Schools Mailbox address at FSA.Foreign.Schools.Team@ed.gov.

Requesting the Distance Education Waiver:

A foreign institution that seeks a waiver of the prohibition on offering distance education must contact its School Participation Division (SPD) to request the waiver following the instructions in Electronic Announcement – [GENERAL-23-93](#) to request the waiver. When contacting the SPD, the institution should provide the following information:

- The name of the institution and its OPE ID number;
- The national emergency declared by the country in which the school is located under which the school is seeking the waiver and supporting documentation of such national emergency;
- An explanation of any temporary interruption of in-person classes, the institution's plan for dealing with such interruption, and the institution's expected resumption of in-person classes;
- An attestation that the school has the capability and is ready to provide high-quality distance education coursework to currently enrolled students that meets the requirements of the institution's accrediting agency or government oversight body that authorizes the institution under 34 CFR 600.54(g); and
- Information about the *Title IV*-eligible programs for which the school is offering or plans to offer coursework through distance education, including the names of the programs, the number of U.S. students enrolled in each program, and whether students in those programs have confirmed they will attend through distance education.

Requesting the waiver to exceed the 25 percent cap for Written Arrangements with schools located in the United States:

A foreign institution that seeks a waiver to exceed the 25 percent cap on the amount of coursework offered under a written arrangement by an eligible institution of higher education located in the United States must contact its School Participation Division (SPD) to request the waiver. When contacting the SPD, the institution should provide the following information:

- The name of the institution and its OPE ID number;
- The national emergency declared by the country in which the school is located under which the school is seeking the waiver and supporting documentation of such national emergency;
- An explanation of any temporary interruption of classes that require a student to take coursework at the school located in the U.S, the institution's plan for dealing with such interruption, and the institution's expected resumption of classes;
- An attestation that the coursework offered by the U.S. school is required for the program in which the student is enrolled and meets the requirements of the institution's accrediting agency or government oversight body that authorizes the institution under 34 CFR 600.54(g); and
- Information about the *Title IV*-eligible program(s) for which the institution plans to include in the written arrangement, including the names of the program(s), the percentage of the program(s) offered by the school in the U.S, the number of U.S. students enrolled in each program, and whether students in those programs have confirmed they will attend at the school in the United States.

Note: The institution will be instructed to provide this information to the SPD. If the SPD grants the either of the waivers above, the institution will receive the approval letter (the letter on the prior pages) that will include instructions for reporting.