NASFAA’s “Off the Cuff” Podcast - Episode 157 Transcript

Speaker 1:
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Justin Draeger:
Hey everyone. Welcome to another edition of Off the Cuff. I'm Justin Draeger.

Allie Arcese:
I'm Allie Arcese, with our communications team.

Megan Coval:
I'm Megan Coval, with our policy team.

Jill Desjean:
And I'm Jill Desjean, also with the policy team.

Justin Draeger:
Welcome back, everybody. We're glad that you could join us. Before we get to far into today's program, I want to bring in a special guest that we have. All of July, we've been having on our award winners for 2020, that we really wanted to honor at the Aria in Las Vegas at our national conference. But as I've told each of them, they are actually getting more time on the podcast than they would have had at the microphone in front of a couple of thousand people. Today, we're recognizing one of my very good friends and mentors, Craig Munier, who is receiving our Meritorious Achievement Award. And for folks who don't know, this award is awarded by the NASFAA Board of Directors for multiple significant contributions to the profession.

Justin Draeger:
Craig, not only does his career span almost 40 years, but he's spent most of that on an institution, some of that, the US Department of Education, now retired. When I think of Craig, I think of someone whose been a consistent, collective conscious. Conscious of the association, of the profession. He is a person who doesn't mince words and when he's in leadership, he makes the most out of it. He was the 2013-14 NASFAA National Chair. He's also been the Chairman of the Coalition of State University Aid Administrators and the National Direct Student Loan Coalition.

Justin Draeger:
When you were Chair, Craig, I think that was close to, if not a record in terms of the number of task forces, policy-based task forces that was convened in the year. In your year we did task forces on consumer information, program integrity, public service loan forgiveness and we built on ethics work whose foundation had been laid on some national chairs before you. Personally, Craig tells some of the best stories around and he has a very wicked and delightful sense of humor. One of the best people I
know, and someone that I consider a lifelong friend and confidant. Craig, congratulations. I'd love to hear your thoughts on receiving this recognition.

Craig Munier:
Well, thank you. Thank you, Justin, and thank you NASFAA, and to all my friends and colleagues in the organization. It's a great honor to be recognized especially having left the stage as long ago, the end of January actually, is when I retired. And then, Rhonda and I moved back to Nebraska basically at the end of March. So to be remembered in this way, so long after having left the stage was particularly gratifying.

Craig Munier:
I'm forever surprised at all the good things that have come to me professionally and personally. The friendships and the professional achievements and recognition that really stem from something so humble as just wanting to make it possible for people from low income families to have the same opportunity for a college education as I had. That's always been my motivation. It's sounds so, kind of hokey, but that's been my passion from day one and it's still my passion. I mean, I still believe that, to the extent that higher education is the great sorting mechanism in American society and I believe arguably that it is. That it seems a matter of simple fairness that everybody in our country have the same opportunity to get that education. And then, if we don't, then it's a rigged game.

Craig Munier:
Americans, we disagree on a lot of things, but we are believers in fairness. I think that's always driven, it's one of the reasons why Title IV has always enjoyed such wide bipartisan support, I think. It's because we believe that it's the fair thing to do.

Justin Draeger:
Craig, that shows through in all of the big thinking that you do. I wonder, the profession has changed over the course of your career. And in some ways, it's been easier for aid directors to sometimes get lost in the day-to-day and the minutiae, and the administrative work to ensure that the school's in compliance and doesn't have any audit or program review findings. What do you say to an aid administrator who's trying to make the connection between what you just said, this greater good, and the day-to-day stuff that they might find themselves mired in?

Craig Munier:
Yeah, that's a great question. It perplexed me in the last half of my career. It's such a temptation to allow forces beyond our control to foist on us the bureaucracy and the minutiae, as you so apt described. And to resist that is hard. It's easy to get wrapped up in that and start to think that financial aid administration is a science and that it's prescriptive and that you need to follow all of these rules and regulations, and then lose sight of the big picture.

Craig Munier:
One of my favorite quotes was by Clarissa Pinkola Estes. She one time wrote, "When a great ship is in harbor and moored, it is safe. There can be no doubt." But that's not what a great ship was built for. It would be easy. It's easy and comfortable for us as a profession to just sit back and follow the rules. Right? And not push the envelope. But that's not why we're there.
Craig Munier:

We can program computers to follow rules. That's easy. What we need is people with independent judgment to recognize the exceptional circumstances. And as I always was telling my staff when I was on campus is, "If we make a mistake, and we're going to make a mistake, let's make sure that the mistake is always errs on the side of the student." If we're going to make a mistake, fine, I'll take the responsibility for that. But let somebody judge me on the fact that I made a mistake that accidentally helped a poor kid get a few extra dollars to stay in school. Oh, shame on me. Right?

Justin Draeger:

Yeah. There's so much attention paid to program integrity. In fact, Jill, was there a program integrity report that just came out of OIG just recently?

Jill Desjean:

Yeah. Improper payments.

Justin Draeger:

Improper payments. Right. People always make hay about this on Capitol Hill. It depends on who's in power, but at the end of the day, it's what you said Craig. It's, if we made a few mistakes, and a few people who shouldn't have got funds, might've gotten funds because we were trying to get funds in an easy and accessible to other students who needed them, cost of doing business.

Craig Munier:

Right. Yeah. No. I think that's exactly right. There's people in the profession who live in fear of program reviews. And again, I'm retired. I'm not speaking obviously for the department. But my experience is that if people are doing the right thing, and you know what the right thing is, if you're doing the right thing and you're knowledgeable and informed about what the laws and regulations require, and then in those gray areas where the laws and regulations may be a little ambiguous or silent, and you exercise your judgment to try to assist someone, to try to make a better life for themselves, I'm of the opinion you need not fear that decision.

Justin Draeger:

Craig, let me ask you one other question, which is for people who are just getting into this profession, maybe folks that have been in this for a year or less, or just a few years, who are listening to this. What would you tell them, now that you're on the other side of four decades of college access work?

Craig Munier:

Well, just that you've joined one of the most remarkable professions. I will be forever grateful that I found my way to this profession. It was rewarding. As a young man, and again, this in today's context sounds pretty small T, but I wanted my life to have meaning. I wanted my life to have purpose, and I found this profession. I had a passion for it.

Craig Munier:

And I guess, if you find yourself in this profession by accident, and you don't have that passion, man, get out and go find your passion. Don't do this. Don't slog through this, if you don't love this and have a passion for this. I was fond as saying the year I served as Chair and beyond, "This profession, this isn't
what we do. This is who we are. It's more fundamental. And so, enjoy the journey. It'll go faster than you think. But when you get done, the seeds that you sow will continue to grow in ways that you will not be able to imagine today."

Craig Munier:
Thomas Jefferson had a great quote at the beginning of the founding of our country when he said, "We hope to avail the state of those talents sown as liberally among the poor as among the rich, which will perish if not sought for and cultivated." That's what this is about. Finding those talents.

Craig Munier:
I happen to believe, and I hope others listening to this podcast will agree, I happen to believe that one of the reasons that this is the greatest country on earth, is because we have found a way to harvest the talent of the breadth of our people, rather than just a narrow segment of our population. I really believe that. And I think Title IV aid and the GI Bill and other federal programs play a significant and continue to play a significant pivotal role in that.

Justin Draeger:
I think, when Craig, you fall naturally into a philosophical, poetic belief in articulation of what we do as a profession. It's one of the things that I love most about you. I'll always remember your year as Chair. The times when we were able to carve out a little bit of time, and talk about everything under the sun to very amateur philosophers talking about-

Justin Draeger:
... what's right and what's wrong with the world. I count myself very lucky to have been able to know you, Craig, and to know you far into the future. Any last pieces of advice or comments to the professionals listening?

Craig Munier:
Well, just thank you again. I heard if I may, I heard Ted Kennedy say something personally one time to me and a group of financial aid people. I've never forgotten it. I'd like to end and share this with you. He said, "The majority of the American people don't know what you do, but I know what you do. And so, on their behalf, I thank you." And I thank you. Thank you for all that you do, for all the lives you touch, and the people that you help. Our country depends on you. I'm watching. Thanks. Thank you.

Justin Draeger:
Thank you, Craig, and thanks for everything that you've given to this profession, and to me personally. All right.

Craig Munier:
Thank you guys. Thank you.

Justin Draeger:
Thank you Craig. All right.

Allie Arcese:
Thank you Craig.

Craig Munier:
All right. Bye-bye.

Justin Draeger:
All right. Allie? What do we've got for listener feedback this week?

Allie Arcese:
Sure. As a reminder, last week, we asked folks to send in based on song lyrics alone, who they would want to run for president.

Justin Draeger:
Yes.

Allie Arcese:
We got a few answers. Yeah. So Agnes Russell said that her song and artist would be Steve Green, and the lyric that she sent along was May Those Who Come Behind Us Find Us Faithful.

Justin Draeger:
Oh, all right.

Allie Arcese:
That's a nice one.

Justin Draeger:
I don't know ... Should I know Steve Green?

Jill Desjean:
I don't know.

Allie Arcese:
I'm not sure.

Justin Draeger:
Okay. I should look these up.

Allie Arcese:
We'll look him up then.

Justin Draeger:
All right. We'll check it out. All right. Next?
Allie Arcese:
Brad Williams said that Justin Bieber, and his rationale was-

Justin Draeger:
Nope. False.

Allie Arcese:
Well, wait a minute. He said his rationale was first, that it's a great first name.

Justin Draeger:
Okay, I'll give him that.

Allie Arcese:
Second, the lyrics that he sent along, "My mama don't like you, and she likes everyone."

Jill Desjean:
That is a good lyric.

Justin Draeger:
It is a good lyric. It's not applicable to me and my mother, but ... All right.

Allie Arcese:
Totally.

Justin Draeger:
What else we got?

Allie Arcese:
Next up, Chris Freeman just said, Bruce Springsteen. No explanation needed.

Justin Draeger:
The whole catalog?

Allie Arcese:
Yeah.

Justin Draeger:
All right. Fine. Is he from New Jersey?

Jill Desjean:
Yes, he is.

Allie Arcese:
Bruce Springsteen, I don't know.

Craig Munier:
I meant the listener.

Jill Desjean:
I love New Jersey. Sorry. A little Born in the USA.

Allie Arcese:
Next up was Sarah Buel. Buel. Sorry. I'm probably mispronouncing your last name, Sarah. But she said music is such an opportunity to vent for us and our students. So hers, she said is obscure, but The Menzingers, the song, America (You're Freaking Me Out) is her, "What the heck is going on," song these days.

Craig Munier:
Oh, all right. We'll check it out. Good lyrics. Anything else?

Allie Arcese:
Lastly, Stan Wern said that his candidate, based on song lyrics would be Bill Withers, Lean on Me.

Craig Munier:
Oh.

Megan Coval:
Oh, yeah.

Craig Munier:
I always have these dreams that at a NASFAA Conference we should sing Lean on Me, everybody at once. But now with the pandemic being what it is-

Allie Arcese:
Do not lean on me.

Megan Coval:
Some sway.

Justin Draeger:
Yes. Sway towards me. That'll have to be. Or sway together. All right. Thank you everybody for your feedback. We'll have another listener question, it ties into a little bit of what Craig just talked about, at the end of the program. We hope to hear from you.

Justin Draeger:
All right. Folks may not know this but we have a beta test going on right now where we are sending out a weekly recap. It's not just a rehash of everything that's happened, it's a little bit of highlighting what
we think are some of the most important developments from the week. We send these out on Sunday morning. It has a little personal touch to it. I share some of the offbeat stuff that people might not be seeing. It's in beta test right now. It's open, so if people want to opt in, they can do so through their NAFSAA profile. But we're trying to fine tune this.

Justin Draeger:
I solicit feedback every week, and Allie, I think we did get a comment or two this last week, which I think is worth revisiting in this election year.

Allie Arcese:
Yeah. We had a couple people reach out in response to the weekly email. I think it was in response to some of the news that you shared regarding the ICE Rule, that would require international students to leave the country if their schools chose to go fully online. You mentioned in there that NAFSAA was pushing back. We sent a letter to the Department of Homeland Security, and we signed onto an amicus brief and the lawsuit that came immediately after this rule was announced.

Allie Arcese:
Some people wrote in and said that they wished that NAFSAA would present different political views in an unbiased manner. They said, "One does not have to read very far into each topic to realize how the content will be relayed. Why is it assumed that everyone that works in higher education has left leaning political views? I would appreciate a more central approach."

Allie Arcese:
Another person said, "When sending these emails and stating that NAFSAA is pushing back, please keep in mind that there are those of us who support our President, and believe that he is making the right decision."

Allie Arcese:
So I think you just wanted to address those concerns a little bit.

Justin Draeger:
Yeah. First of all, thank you very much, because we live in a day and age when reasoned and respectful political discourse can be in short supply, particularly here on the Potomac. So thank you both for the comments.

Justin Draeger:
This is something that we have to address from time to time, and clarify for folks. It's worth exploring what NAFSAA does and doesn't do. So NAFSAA is a 501c3, which is a tax exempt status. But as part of that, as a charitable and educational organization, in terms of professional development we have to adhere to certain guidelines.

Justin Draeger:
One of those is we don't directly or indirectly participate in or intervene in any political campaign, or on behalf of any candidate for elective public office. Sometimes people get this a little bit confused because we are truly in word and deed, nonpartisan. But that does not mean that we don't take positions on
public policy issues. In fact, we take all sorts of positions on public policy issues. The ICE case, where Immigration, Customs and Enforcement were trying to deport foreign students whose schools were going to move to 100% online in a time of national emergency, is just one place where, whether NAFSAA members support what the President is doing or not, NAFSAA has a position.

Justin Draeger:
That position in this instance just happened to be shared by the business community, colleges, students, and just about everyone under the sun. And Megan, we'll talk about that in just a moment. But people get this confused sometimes and think because you are a nonpartisan organization that you don't take policy positions. That is not the case.

Justin Draeger:
But what is worth noting is that our policy positions are not determined by whether someone, we put them forward as a democrat or a republican. In fact, if some people might not have been in the profession very long, but if we go back four to eight years, during the Obama administration, I was exclusively called as a republican witness in the House of Representatives. Because we had major issues with the Obama administration's implementation of gainful employment, two words that send chills down the back of any folks that had to live through an environment where schools were being bullied into compliance with guidance that hadn't actually been released yet. And deja vu, that same thing happened with the Cares Act, except with a republican administration.

Justin Draeger:
So we take issues seriously, and positions on those issues, and we don't look to see if it's a democrat or a republican who's issuing bad policy, and/or good policy. If someone is issuing good policy, we've supported things that republicans have put out, like Senator Braun, who supports eliminating origination fees, a republican from Indiana. We worked with him on that. Or democrats, who have put forward fixes for public service loan forgiveness. We don't look at the party, we look at the position on a policy.

Justin Draeger:
Also, I think it's worth noting, NAFSAA goes back to 1966. At that time, we as a profession broke from The College Scholarship Service and Collegiate Entrance Examination Board. That's where our members or ... We didn't really have defined aid offices at that time, but that's where we grew out of. We had several regional associations that were formed, starting in 1962 with the Midwestern Association, the very first regional association that was formed, followed by SWAFSA, and the rest came in after. NAFSAA, or our precursor, which was our national council, wasn't formed until 1966.

Justin Draeger:
If you go back and you read our history, which I know all of us on this podcast have, the first 20 years of NAFSAA, it says, and this was written by our historian at the time. They were talking about the formation of NAFSAA, and it says, "The year of our first existence revealed the underlying organization goal representing student financial aid administrators and higher education." That was the minutes recorded in 1967. And then, "Other goals came later, but these remained secondary to legislative advocacy during the first years of NAFSAA's existence."
Public policy development and advocacy is in our DNA, and it's been in our DNA since 1966 when we were formed. Now I think it would be hubris for us to believe that every single public policy position that we take represents the feeling of every single member of our 28,000 financial aid administrators across the country. It doesn't work that way. But if you want a good idea of where NAFSAA stands on a policy issue, you can go to our website and look at our core advocacy principles. That's where all of our policy positions ultimately derive from.

Justin Draeger:
So it's things like focusing on need-based aid, college access, limited resources, success in higher education. And so from those, we then develop actual policy positions through a taskforce of members, who I presume some are republican, some are democrats. It's not a litmus test, so we don't ask. But we have conservative members and more liberal members on our task forces. And then, all of those recommendations are blessed by the NAFSAA Board of Directors, not Justin Draeger and not Megan Coval. Our Board of Directors, which again, is made up of people from all over the country, at different schools. Some more conservative, some more liberal. And ultimately, we take policy positions based on those actions.

Justin Draeger:
I just wanted to say one other caveat, which is this isn't that difficult for me personally because I'm not a party man in the sense of like a Harry Truman, who was a self-ascribed, he was a democrat through and through. I don't run for office, so this isn't difficult for me because personally, I've cast votes for republican, I've cast votes for democrats. Much the way NAFSAA operates, I'm personally a guy who's looking for public policy solutions first and foremost. That's me personally, so I don't have to work that hard in this position one way or the other. I don't pretend that we do it perfectly, but one of the things that I try really hard to do, and I welcome people calling me out if I do cross this line is, I try really hard to call them like I see them. But I don't disparage elected officials.

Justin Draeger:
We've had Dick Durbin speak at the NAFSAA Conference. We've had Lamar Alexander on the other side of the aisle speak at the NAFSAA Conference. We've had Mr. Bobby Scott, democrat, speak to our members. We've had John Klein speak to our members. I've met with democratic leaders, I've met with republican leaders, the bottom line is we're interested in moving our public policy agenda forward and we'll work with anyone. We'll join hands with anyone as long as we can align on student access and success.

Justin Draeger:
If people hear me disparaging elected officials, which I don't think I do, but if I ever do that, then I hope people will call me out. That doesn't mean I don't say vocally and publicly when we disagree with them, but I recognize and respect The Republic and our Constitution, and people who sent representatives to reflect their views to Capitol Hill, and NAFSAA respects that.

Justin Draeger:
Megan, you're overseeing our public policy. Got anything you want to add there, or challenge me on, or did I say anything wrong?

Megan Coval:
I think you got it right. I think we have really good relationships with both sides of the aisle. In fact, just thinking we’re meeting later today, with both sides of the aisle. So I think you hit the nail on the head, and we’re policy-focused and not party-focused.

Justin Draeger:
On that note, we've been yelled at by republicans and democrats. Is that fair to say? We've upset both parties from time to time.

Megan Coval:
Yes. Yes. One time last year, I think it was even within the same week. We're like, "All right. I guess we're doing it right." Right?

Justin Draeger:
I know that especially in an election year, politics starts to become personal. People that we support personally, when they get lampooned in the press, or if NAFSAA is taking someone to task, it can be very easy to feel like that's being taken personally. We don't mean it that way, but we do have public policy positions, and we push on those positions with all our might all the time.

Justin Draeger:
Keep the comments coming. We really appreciate the back and forth with folks on this. If there's something specific we can be doing better, I'd certainly welcome it.

Justin Draeger:
But if you want to change NAFSAA's positions, I would say the way to do ... We do have a process set up where we can have a deliberative process about our public calls and positions. That starts by getting onto a taskforce, and working with myself, Megan, and our Board of Directors. So please, stay in touch.

Justin Draeger:
All right. Megan, continuing with what's going on here in DC, talk to us about colleges reopening. Where are we?

Megan Coval:
No. No final solutions yet. We know that states and localities across the country certainly are grappling with these issues. Right now, as we speak, for both K-12 and higher ed, and last week I believe, on the podcast we had talked about a meeting that was held at The White House on school reopening. During that time, The White House made very clear that a priority of theirs was, in fact, for schools to reopen. Again, both K-12 and higher education.

Megan Coval:
This conversation has really taken off in the last week. We've heard since our last podcast, The White House coming out saying things like, "They would potentially consider withholding funds, federal funds, for schools who don’t open." I think it was through a Tweet that the President said he'd be looking at the tax exempt status of colleges and universities, and considering ways to potentially revoke that. So it's really become quite the political battle, and has also gotten the attention of congress as they are considering their fourth COVID relief bill.
Justin Draeger:
Yeah. This has the potential to be a major stumbling block. Right? I mean, at this point, the President feels like democrats want to keep schools and the economy closed because it'll hurt him politically. Democrats feel like the decision to open the school is best left up to schools. That's K-12 and college. It's best left up to them on the ground where they are. I think the way that Speaker Pelosi put it was, she doesn't want to use the funding as a bargaining chip. She wants to use the funding to help them reopen safely. Yeah.

Megan Coval:
Yeah. I mean it's really remarkable because our ... I mean, we fight all the time for our funding, but education funding is not something that's normally in the headlines. But just this morning in The Post, Mitch McConnell was quoted as saying that, "This relief bill, this upcoming relief bill is about education spending, healthcare and jobs." And so, it's unusual to have our stuff in the spotlight. It's a good thing in a way because it really does put the focus on spending for education. I think we have to pay attention though, as to how much money will be there, and also what restrictions are placed on those funds.

Megan Coval:
I think this morning they reported that they were looking at maybe $20-30 billion for higher education, which in the last bill we only had about $14 billion. That's an improvement. But I think we need to see, is that money only going to be allowed to be spent on reopening efforts? Because, what about student aid, and-

Justin Draeger:
Congress usually leave $30 billion lying around for someone to just pick up no strings attached.

Megan Coval:
Right. Right.

Justin Draeger:
Maybe that happens in the first or second or third COVID bill, but when we get to the fourth one, the Trump administration has said that they want to actively look for ways to incentivize schools to reopen.

Megan Coval:
Yep. It's a big question as to whether they'll take a carrot or a stick approach. I think that we certainly hope that there's money in there for reopening, and that's necessary, but also we don't just get so focused on that, that we lose an important pot of funds that's set aside for students, or set aside for maybe schools to offset some lost revenue. The attention is good. The focus is good. But we have some more advocacy to do here.

Justin Draeger:
On that note, last week, we talked about ... And I mentioned just a little while ago, Immigration, Customs and Enforcement and their decision to try and pressure schools, which ICE Director, Ken Cuccinelli, said out loud that they were pressuring schools to reopen. That foreign students who were at schools that were going 100% online were going to have to face deportation.
Justin Draeger: That actually did end up in court this last week. NAFSAA along with The Chamber of Commerce, and just about every Fortune 500 company, or maybe Fortune 200 company, also filed Amicus briefs in support of striking down this rule. Where did we end up this week, Megan?

Megan Coval: We ended up in a good place, and it came as a bit of a surprise, I think that's fair to say, to the community. This was a remarkable process to watch unfold. This really happened all over the course of eight days. So if we think about that, this first came out on July 6th, and this hearing was on Tuesday, July 13th. The hearing was scheduled for 3:00 PM. I just kept thinking, I want to hear. You have the Harvard and MIT lawyers, and then a justice lawyer. Just to hear them, and hear the go at it, and hear the arguments in the hearing, which was on Zoom, and then the judge came on and she had a fake courtroom behind her, which was awesome. It was a mock bench.

Megan Coval: She just started off by saying we have an agreement between the parties. The agreement was that the federal government agreed to rescind the guidance that they had put out on July 6th, and go back to their prior guidance, which allowed flexibilities and allowed international students to stay in the country even if they were only taking online coursework. So, it-

Justin Draeger: What? It lasted all of 10 minutes, right? It was-

Megan Coval: Five. I mean it was-

Justin Draeger: And the judge also praised the Justice Department attorneys and the college attorneys, saying, "Thank you for making this easy. We're done."

Megan Coval: Yeah, because they did a lot. I mean when you think about a weeks' time, all the briefs and the community and amicus briefs. Yeah. It almost seemed ... My first thought was like, "This seems too easy." You know?

Justin Draeger: Yeah.

Megan Coval: And also, I feel like with an agreement there's a, "We're going to do this, and you're going to do this." There wasn't any of that. It was just-
Well, so let me ask you a question though, because some have postulated that ICE, that the
Immigration, Customs and Enforcement, will go back and actually try to craft a rule that obviously
wouldn’t be in effect for this fall, but might craft a rule. Something around this in the future, but they’d
have to go through the actual rule making process. You know?

Megan Coval:
Yeah.

Justin Draeger:
Public inspection, and comment, and et cetera. I don't know. Some are saying this might not be done,
but it's done for now, at least.

Megan Coval:
Yeah. I think that's probably the best way to put it, where it's temporarily out of the woods on this, I
think.

Justin Draeger:
So we're done for fall enrollment, at least. People can continue through fall.

Megan Coval:
Yep. Yep.

Justin Draeger:
All right. Well, we'll let folks know if anything else comes of that.

Justin Draeger:
Jill, we have some additional Department of Education guidance on PJ?

Jill Desjean:
ED actually came out with two pieces of guidance last week. One introduced some verification flexibility
for foster youth, and included some promising news on programmer views with respect to use of PJ by
institutions. And the other piece of guidance extended effective dates of some existing flexibilities of the
departments already offered.

Jill Desjean:
So on the verification flexibility end, this applies to foster youth who are non-filers and can't obtain a
verification for non-filing. That is frequently a difficult thing to obtain, and has been made even harder
due to Covid-19 because the ... I can't remember now which option is not available, but you can only
request it online. So I guess the mail-in option isn't available right now. So it's harder to get a verification
of non-filing statement now, than it has been. So ED's permitting those students to submit a signed
statement that they're non-filers, and are unable to obtain the BONF, and also allowing them to attest
to the fact that they didn't earn enough to have to file taxes. That's the new piece, that last bit, the
statement that they didn't earn enough to have to file.
Non-filers have always had the option to attest that they couldn't get one. Not always, but since January 2019, that they couldn't get the BONF, but they had to document their earnings with a W-2 or equivalent documentation. And if they couldn't get a W-2, they still needed to attest to the amount that they earned. And so, the department's recognizing that for someone who is a former foster youth student, it might be more difficult for them. They're living conditions may not be as stable as other people. They probably don't have all these records lying around. You can't just go to your old employer and get a W-2 right now because your old employer might be closed permanently, temporarily, whatever it might be. It seems like a small thing, but it's just instead of having to document something, they're able to self-attest to something. Like, "I don't know how much I made two years ago, but I can tell you it wasn't enough to have to file tax returns."

Justin Draeger:
Right. Right. So we appreciate the additional flexibilities, and certainly taking PJs out of a risk assessment for a program review will go a long way for schools is as we talked about with Craig, as they are concerned about aggressive action on the part of The Department of Education.

Justin Draeger:
I will say that there is one piece that we were hoping that we would get out of the department on professional judgment that we still don't have, which is this ability for schools to say in bulk that if an independent student was receiving unemployment insurance, that they could zero out all of their income. I was on a call just a day or two ago with the aid directors at Flagship Publix, through The Coalition of State University Aid Administrators. I asked them, "That piece of that PJ guidance that used to exist, how big of a deal is that for you?" And across the board, it was, "This is a big deal. We need this back." And so, we'll be working with The Department of Education hoping to continue to work with The Department of Education, because we've raised this issue, but hoping to get this piece, this flexibility back for school so they can more, I guess, what? Systematically or rapidly meet the needs of all the students who are facing economic displacement.

Jill Desjean:
Yeah. Yeah. That would be nice to see back. In addition to the department saying that they wouldn't use increased use of PJ as a reason for a program review, they also, with this flexibility for foster youth to take a signed attestation in place of the verification of non-filing or W-2. They said they also wouldn't use that alone as a reason for a program review.

Jill Desjean:
So two areas where schools that might be a little bit risk adverse, and worry that, "If I take advantage of these flexibilities, I'm putting my institution at risk." That should be reassuring to them.

Justin Draeger:
Great. Well, we hope schools will utilize that, and look for the avenues that they can best meet the needs of their students. Anything else on this, Jill?

Jill Desjean:
Sure. The other big news from last week was an announcement about reporting on the institutional share of the Cares Act HEERF Funds. The Cares Act has two separate reporting requirements set out in two different sections of the Cares Act.
Jill Desjean:
There's section 1804, which is where the HEERF Funds are from. That's the student emergency grants and the funding for institutions. And then, there's a separate section, 15011, which applies broadly to any Cares Funds in excess of $150,000 received by any entity.

Jill Desjean:
And so, the department had released back in May, some institutional reporting guidelines for the students' share of the funds that they received. That was that requirement that institutions post on their websites information like number of student recipients that have received grants, the total amount of grants that they've distributed, and requires an update every 45 days.

Jill Desjean:
And so, what ED announced last week was pertaining to this section 15011 piece. The thing that's broadly applying to all grantees. What they said was that they consider that reporting requirement to be met by the monthly reporting requirements that have been established in a separate, already existing law called, the Federal Funding Accountability and Transparency Act of 2006. That applies to all recipients of federal grants in excess of $25,000.

Jill Desjean:
So basically, Cares requires quarterly reporting if you've got more than $150,000. This FFATA requires monthly reporting if you've got more than $25,000. It's more strict. So ED says, "If you're meeting this more strict requirement, then you are by default meeting this less strict requirement."

Justin Draeger:
And so, and probably that's not, that schools that are in that bucket, they're not doing it through their aid office. There's probably a grants department at your school that's been meeting those $25,000 and above monthly reporting requirements.

Jill Desjean:
Yeah. That's what we've heard from schools who have been previous grantees, that, that's all handled by a different office. So the fact that the financial aid office isn't aware of it, doesn't necessarily have to be like, "Oh, my God. We're not doing something."

Justin Draeger:
For schools, though, that didn't meet that threshold before, I mean is it possible for a school not to meet that threshold previously, but now they meet the $150,000 requirement? And, what's their process? Do you see what I'm saying?

Jill Desjean:
Yeah. Yeah. I mean they may not. I mean if you get Title IV aid, you are a federal grantee, so those requirements do apply to that. But the Department of Education apparently does the reporting on behalf of schools.

Justin Draeger:
Oh.
Jill Desjean:
That's something that we have a question out to ED right now on is just, "Well, if you're already doing this for Title IV aid, couldn't you just do it for this?" But apparently for institutions that receive other types of federal grants, they are doing that separate reporting already. So, I think for a school that is just Title IV aid eligible but hasn't received other federal grants, they probably had known about this reporting requirement, and hopefully didn't just literally find out about it last week. But it's possible. That was the first time we had heard of it.

Justin Draeger:
All right. Well, people, we'll say, we have questions into the department. If people have additional questions, they can certainly submit them through policy or Ask Regs knowledgebase. We'll keep letting people know what we know.

Justin Draeger:
Tying back to something, the listener question this week, tying back to something Craig talked about. This idea of connecting the day-to-day to a larger purpose, larger perspective. We're all getting pulled in different directions right now. We all have a million different things. If I came in on a daily basis and just lived out of my email, I could work 5:00 AM to 5:00 PM, just answering emails. So we all need perspective to draw back, figure out what's the important stuff that we have to do. I'm curious from our listeners, what are the things that help give you perspective? What do you do? Whether it's, I don't know, maybe meditation, maybe it's travel, maybe it's something else, what helps give you perspective? So send us your questions. We'll talk about it next time on Off the Cuff.

Justin Draeger:
Remember to subscribe, tell a friend. Thanks for listening. We will see you again next time.