



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION

February 25, 2021

Notice of Proposed Institutional Eligibility Criteria for Higher Education Emergency Relief Fund (HEERF) Supplemental Aid to Institutions of Higher Education (SAIHE) Program

Action: Notice of Proposed Institutional Eligibility Criteria

Summary: This notice provides institutions of higher education with the Department's proposed institutional eligibility criteria for implementing the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA), Pub. L. 116-260 (Dec. 27, 2020), section 314(a)(3) program, called the Supplemental Aid to Institutions of Higher Education (SAIHE) Program. This notice also solicits comments on the proposed criteria and proposed application information that would be used to determine eligibility. This notice does not solicit invitations for applications to the SAIHE Program. A separate funding notice inviting applications is forthcoming.

Dates: Comments on proposed institutional eligibility criteria for HEERF SAIHE funding must be received no later than **Monday, March 8, 2021**, so that the Department may consider your comments on the criteria prior to publication of the funding notice inviting applications (funding notice). Once the funding notice inviting applications is published, applications will be due Monday, April 26, 2021. Today's notice of proposed institutional eligibility criteria does not solicit applications. There is no need for institutions to submit applications for funding under today's notice of proposed eligibility criteria. The funding notice is forthcoming.

Comment Submission: Comments may be sent to HEERF@ed.gov with the subject "SAIHE Program Criteria".

For Further Information Contact: Karen Epps, U.S. Department of Education (Department), 400 Maryland Avenue SW, Room 250-64, Washington, DC 20202. Telephone: The Department of Education HEERF Call Center at (202) 377-3711. Email: HEERF@ed.gov. Please also visit our HEERF website at: <https://www2.ed.gov/about/offices/list/ope/crrsaa.html>.

Background: Section 314(a)(3) of CRRSAA provides 0.5 percent, or approximately \$113.5 million, of a portion of the Education Stabilization Fund for part B of title VII of the Higher Education Act of 1965 (HEA), as amended, for public and private nonprofit institutions of higher education (institutions) that the Secretary determines have, after allocating other funds available under HEERF, the greatest unmet needs related to coronavirus, including institutions with large

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populations of graduate students and institutions that did not otherwise receive an allocation under CRRSAA. Proprietary institutions are not eligible for funding under section 314(a)(3).

The Department is in the process of determining which institutions of higher education have the greatest unmet needs related to coronavirus. The Department is considering using the categories and information below to identify to determine SAIHE eligibility given the program's statutory focus on meeting the "greatest unmet needs related to coronavirus." The Department intends to publish a funding notice inviting applications shortly, as noted above, at which point the application and application submission instructions will become available. Today's notice of proposed eligibility criteria does not solicit applications.

Invitation to Comment: In order to ensure that no member of the HEERF community will be overlooked or negatively impacted by this proposal, the Department is soliciting public input into its proposed SAIHE Institutional Eligibility Criteria (below) for identifying the institutions with the greatest unmet need related to coronavirus and any information that should accompany each application. **Comments may be sent to HEERF@ed.gov with the subject "SAIHE Program Criteria" and must be received by Monday, March 8, 2021 to be considered.**

Proposed Institutional Eligibility Criteria: The Department is proposing to use the following institutional criteria to determine SAIHE eligibility of those institutions with the greatest unmet needs related to coronavirus:

1. Minority Serving Institution (MSI) or meets the Strengthening Institutions Program criteria in the FY 2021 Title III, Title V, and Title VII Eligibility Matrix, published by the Office of Postsecondary Education, and was not also included in the MSI, Strengthening Institutions Program (SIP) allocation tables under CRRSAA and therefore did not receive any award under assistance listings 84.425J, 84.425K, 84.425L, or 84.425M.
2. Institution did not receive a grant award under CRRSAA HEERF II section 314(a)(1) student aid portion or section 314(a)(1) institutional portion programs (assistance listings 84.425E and 84.425F), but the institution is otherwise eligible. Institutions funded under this category would be required to expend their SAIHE funds in the same manner as required under the CRRSAA HEERF II (a)(1) programs.
3. Institution did not receive funding under one or both of the CARES Act HEERF section 314(a)(1) student aid portion or section 314(a)(1) institutional portion programs (assistance listings 84.425E and 84.425F) due to missing the application deadline or other application issues. Institutions funded under this category would be required to expend their SAIHE funds in the same manner as required under CARES Act HEERF (a)(1) programs.
4. Institutional branch campus that is designated as a MSI or meets the Strengthening Institutions Program criteria but did not, nor did its parent institution, receive 314(a)(2) funding.

5. Institutions that received a section 314(a)(1) allocation that did not reflect the institution's need because of an institutional merger or a Title IV Program Participation Agreement (PPA) effective date that did not allow for inclusion of Pell recipients in the formula.
6. Institutions serving a high population of students with financial and other needs that have been exacerbated due to the coronavirus. The Department invites comment on this proposed category, including on specific ways to target funds to institutions with the highest-need students.
7. Institutions with a large graduate student population. The Department invites comments on appropriate criteria to use to define a large graduate student population for the purposes of eligibility for the SAIHE program.

Proposed Application Information: To determine SAIHE eligibility (as described above in the proposed criteria) and funding allocations based on the greatest unmet needs related to coronavirus, the Department also intends to collect necessary institutional information. In order to reduce burden, the Department intends to collect the minimum required information from applicants and to rely on existing administrative data where possible. The Department invites comments on how to allocate funding based on greatest unmet needs if there is insufficient funding to fully support all applicants under all categories.

Assistance to Individuals with Disabilities: On request, the Department will provide an appropriate accommodation or auxiliary aid to any individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for the proposed interpretation. To schedule an appointment for this type of accommodation or auxiliary aid, please contact one of the persons listed above under For Further Information Contact.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed above under For Further Information Contact.

Electronic Access to This Document: The official version of this document is the PDF document published on the Department's [HEERF II CRRSAA Website](#).

Tiwanda Burse,
Delegated authority to perform
Functions of Assistant Secretary
Office of Postsecondary Education.