

**I. Elementary and Secondary Education Issues**  
**During A Severe Influenza Pandemic**

This section focuses on the implications of the type of prolonged school closure that is recommended for severe pandemics in the *Interim Pre-Pandemic Planning Guidance: Community Strategy for Pandemic Influenza Mitigation in the United States—Early, Targeted, Layered Use of Nonpharmaceutical Interventions* (Community Mitigation Guidance). The U.S. Department of Education (Department) expects that entities, and State and local governments currently have the flexibility to address the implications of shorter-term closures that might be associated with less severe pandemics. In addition, by providing guidance here for the worst situations (most severe influenza pandemics), the Department expects that it has covered all eventualities.

**A. Assessment and Accountability**

**A-1. In the event of a severe pandemic, will the Department allow flexibility for federal K-12 requirements or deadlines?**

Yes, the Department intends to allow flexibility to the degree allowed under current law. The waiver provision in section 9401 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), permits the Secretary to grant waivers of most requirements of ESEA to States, LEAs, schools (through their LEAs), and Indian tribes.

If CDC declares a pandemic influenza to be severe, the Department will consider requests for waivers of statutory and regulatory requirements. In evaluating these requests, the Department will take into account, among other things, the number of days students are expected to or will miss or have missed and the number of students affected by a severe pandemic.

As noted above, the Department recognizes there are areas in which flexibility would be important for planning and response efforts of States, SEAs, LEAs, and IHEs, but for which there is no current legal authority for the Department to grant flexibility, even in the event of a severe pandemic. In such cases, the Department intends to seek authority from Congress to grant waivers.

**A-2. Who is responsible for requesting State, LEA, or school flexibility related to federal K-12 requirements or deadlines?**

While States, SEAs, LEAs, and schools (through their LEAs) can request a waiver, the Department strongly encourages States to coordinate waiver requests within the State. States should provide guidance and a process for LEAs and schools to work with the State to request waivers. If in the event of a severe pandemic, a State believes a waiver may be needed, the State should immediately contact the Department.

**A-3. Does the ESEA, as amended by NCLB, allow for any flexibility without waiver approval?**

Yes. Section 1116(b)(7)(D) of ESEA, contains a “delay provision” that allows flexibility for determining adequate yearly progress (AYP) and Schools In Need of Improvement status. A similar “delay provision” in Section 1116(c)(10)(F) applies to LEAs.

**A-4. What is the delay provision?**

The delay provision affects the school improvement timeline for schools that do not make AYP by not requiring a school or LEA to move forward in the school improvement timeline if the reason for not making AYP is “due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the local educational agency or school.”

If a school fails to make AYP during the school year in which a severe pandemic occurs, and the failure is caused by the pandemic, the school may delay, for a period not to exceed one year, advancing in the school improvement timeline and the interventions associated with the next step. For example, a school in year 1 of improvement that fails to make AYP during a school year affected by a severe pandemic would not move to year 2 of improvement and would not be required to offer its students supplemental educational services (SES). However, because the school was previously identified as being in year 1 of improvement, the school would remain in this status and must continue to provide the interventions associated with this status (e.g., public school choice). If the school does not make AYP in the year following the severe pandemic, it would move to year 2 of improvement.

Depending upon the timing of the severe pandemic, the delay provision may be used in cases where it is not possible to administer the State assessment. The Department expects States, LEAs, and schools to administer the State assessment to the extent practicable for diagnostic purposes, even if the delay provision is invoked.

**A-5. What should SEAs and/or LEAs consider when invoking the delay provision?**

The Department strongly encourages SEAs and/or LEAs to contact the Department as soon as they have determined that the “delay provision” will be invoked. The Department believes that the delay provision will not be required in all cases. Depending upon the timing and extent of a severe pandemic and the SEA’s accountability plan, including the State’s definition of a full academic year, it may not be necessary to invoke the delay provision.

**A-6. How would the timing of a severe pandemic affect SEA and LEA responsibilities and deadlines?**

SEAs and LEAs are encouraged to maintain their original schedule and calendar for educational and community continuity, to the extent practicable, during a severe pandemic, including administering the State assessments. In the event of an amended schedule or calendar, the Department encourages SEAs or LEAs to prepare an alternate schedule or calendar that reflects all the federal requirements and deadlines within the same school year, perhaps with extended deadlines.

**A-7. Will SEAs and LEAs be responsible for reporting the graduation rate requirement?**

Yes. If, as a result of a severe pandemic, an alternate school schedule/calendar is established, a new data collection deadline and corresponding graduation rate calculation should be included in the calendar. SEAs and LEAs should take into account the State-defined requirements for attaining a diploma. The Department encourages SEAs and LEAs to work with IHEs when revising their calendars and graduation rate calculations, as discussed in Question I-3 of this document.

## **B. Highly Qualified Teachers**

### **B-1. In the event of a severe pandemic, must schools and districts meet the “highly qualified teacher” requirements?**

The Department strongly encourages States to retain, recruit, and hire additional highly qualified teachers in accordance with Section 1119 of ESEA, to the extent possible, in the event of a severe pandemic. States and LEAs must hire teachers who are highly qualified before considering hiring those who do not meet the highly qualified requirements.

If, during a severe pandemic, LEAs hire teachers who are not highly qualified because no highly qualified teachers are available, the Department expects States, LEAs, and schools to make the best possible educational decisions for students. Schools should hire the most qualified teachers available; accurately report to the Department when classes are taught by teachers who are not highly qualified; and inform parents, as required, if their children are taught by teachers who are not highly qualified.

### **B-2. How can States, LEAs, and schools prepare for the impact of a severe pandemic on their teaching workforce?**

As part of comprehensive efforts to plan for responding to a severe pandemic, States, SEAs, LEAs, and schools should identify possible ancillary workers (i.e., substitute teachers, retired teachers) and take steps necessary to ensure they are available and prepared to respond if needed.

## **C. Parental Notification, Choice, & Supplemental Educational Services (SES)**

### **C-1. If an alternate schedule is established, when will LEAs be expected to report AYP determinations and notify parents of schools in need of improvement?**

The Department requires timely AYP notification to LEAs and schools so that parents can be informed about the performance of their child’s school prior to the start of the succeeding school year. If, as a result of a severe pandemic, this is not possible, the SEA should alert the Department of the alternate schedule and/or calendar, including the timing of providing AYP results to parents. The Department encourages SEAs to provide parents with ample time and information for decision-making.

**C-2. Does the Department expect students to continue receiving SES during a severe pandemic?**

Yes, to the extent practicable. It is likely that in the case of a severe pandemic, students will not be able to continue to receive the same level of SES services. SEAs and districts should consider whether these students should be permitted to make up the hours they missed after the pandemic subsides, and SES providers should consider extending the time they would normally provide services. For instance, SES providers may be able to continue services during the summer in order to provide the level of services students would normally have received during the school year.

**D. Continuation of Educational Services**

**D-1. What local or State agency has the authority to direct an entity to close/reopen schools or dismiss/reconvene students in order to slow the spread of pandemic influenza?**

An entity should consult with its legal counsel, with the SEA, and with local and State public health agencies to determine which agency has authority to issue an order to close/reopen schools or to dismiss/reconvene students in order to slow the spread of pandemic influenza and what operational plans have been made to communicate such orders.

CDC asked the *Center for Law and the Public's Health* to research key legal provisions among States as to whether State or local department(s) of health, education, and/or emergency management may mandate school closure during non-emergencies and emergencies in response to potential communicable disease outbreaks. This state-specific information can be found be at: { HYPERLINK "http://www.publichealthlaw.net/Research/Affprojects.htm#SC" }. Please note that any recent revisions to law, or recent court rulings, would not be reflected in the information on the website and that the information does not constitute legal advice. Only a State, locality, or an entity's legal authority or legal counsel is qualified to advise on the State and local laws pertinent to decisions regarding school closure and student dismissal.

**D-2. Does the Department recommend that schools continue providing instruction during a severe pandemic?**

The Department recommends that States and LEAs continue to provide educational services to students during a severe pandemic, to the extent practicable. Because schools will be closed during a severe pandemic, the Department encourages States and LEAs to plan for providing educational services through non-traditional modes such as television, radio, and the Internet. Continued instruction is important to maintain learning, and also to engage students in constructive activities while they are not in school. Engaging students to any degree will provide them with a sense of normalcy during a crisis situation, as well as providing a constructive outlet for interaction. Maintaining routine or normal activities has been found to be a positive coping measure that assists with recovery following a crisis.

**D-3. What are ways that education can be continued if teachers and students (both those sick and those not infected) stay home for weeks/months?**

The continuity of education during a severe pandemic will depend on a variety of factors, such as the level of preparation of both schools and families and the availability of teachers. The Department expects that there will be a continuum of educational opportunities, depending upon the combination of those factors. The possibilities range from exposure to learning content to the complete delivery of remote classroom education. Full exposure to content and continuation of learning may only be possible at the middle and high school level in LEAs that are adequately prepared, while supplemental materials could provide exposure to content for all students. Consideration should be given to the needs of all students, including English language learners and students with disabilities in developing plans to continue providing education in light of a pandemic outbreak.

In addition to using paper copies of instructional materials, such as books, workbooks and other documents sent by mail, LEAs and schools can employ a range of technology-based solutions to increase the probability that a significant number of students can continue their academic work. Levels of continuation and possible educational interventions include the following:

- **Exposure to content:** Students will be able to view content that broadly relates to content areas, such as literacy and numeracy, but no focused skill development is expected. Materials used might include, depending on the grade level, books, textbooks, workbooks, worksheets, email, television (e.g., VHS, DVD, cable and satellite) and Internet content (e.g., websites, games).
- **Supplemental content:** Students will be able to view and participate in activities that are directly related to grade-level skills, but there is no capacity for assessment or evaluation of work. Limited progress is expected. In addition to the materials listed above, more specific subject-matter could be provided through content download (e.g., using mp3 players, iPods, and cell phones) and communication by phone (e.g., conference calls, one-on-one calls).
- **Partial Continuation:** Students will be able to access grade-level and subject matter content. Continued learning is possible, if instructional support, including assessment and evaluation of work, is provided through another medium. Measurable student progress is possible. Materials and instructional methods used might include all those listed in the previous paragraphs as well as synchronous online learning (e.g., chat, streaming video, instant messaging, web conferences).
- **Full Continuation:** Students will be able to access grade-level and subject matter content. Instructional support is provided, including assessment and evaluation of work. Measurable student progress is expected. Materials and instructional methods used might include all those listed above as well as asynchronous online learning with the capability for remote communication and assessment (e.g., email, learning management systems).

**E. Special Education and Related Aids and Services: Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), and Title II of the Americans with Disabilities Act (Title II of the ADA)**

**E-1. What are the general requirements of IDEA, Section 504, and Title II of the ADA and to what entities do the requirements apply?**

Schools, colleges, universities, and other educational institutions have a responsibility to ensure equal educational opportunities for all students, including students with disabilities. This responsibility derives primarily from Section 504 and Title II of the ADA, which are enforced by the Department's Office for Civil Rights. Section 504 applies to entities receiving federal funds, including all schools, school districts, and colleges and universities. Title II of the ADA covers all State and local public entities, including school districts and public institutions of higher education,

whether or not they receive federal funds. Private colleges and universities that do not receive federal funds may be covered under Title III of the ADA. IDEA and Section 504 require States and school districts to make a free appropriate public education (FAPE) available to all eligible elementary and secondary students with disabilities in the State. The following questions primarily address the obligations of and best practices for States and school districts in planning for a severe pandemic.

**E-2. Must an LEA continue to provide FAPE for students with disabilities during a severe pandemic?**

The IDEA, Section 504, and the ADA do not specifically address a situation in which elementary and secondary schools would be closed for an extended period of time. However, the prohibition against discrimination on the basis of disability, which underlies these laws, must be considered as States, SEAs, LEAs, and schools prepare for a possible severe pandemic.

If an LEA closes its schools because of a severe pandemic and does not provide any educational services to the general student population, an LEA would not be required to provide special education and related services to students with disabilities during that period of time. However, school closures generally require a subsequent individualized determination of whether students with disabilities require compensatory education in order to receive educational benefit once school resumes.

**E-3. If continuing educational opportunities are provided to students without disabilities, what must be provided for students with disabilities?**

In general, school districts have a responsibility to ensure that students with disabilities have both equal access to the educational opportunities provided all students, as appropriate, and access to FAPE. In planning for continued educational activities in the event of school closures due to a severe pandemic, States, SEAs, and LEAs must consider ways of ensuring that the planned activities are accessible to students with disabilities. Consideration should be given to including strategies to ensure that students with disabilities have equal access to the continuing education program and receive educational benefits that are comparable to those received by others in the program and modified, or separate, aids and services necessary to provide access to students with disabilities. For example, a school district could meet its obligation to make televised



educational programs accessible to children who are deaf or who have a hearing impairment by using closed captioning. Some students with disabilities also may need additional programming or tutoring by alternative means to receive an educational benefit. If continuing education is provided through distance learning, LEAs must ensure that the distance-learning program is accessible to students with disabilities who can benefit from that program.

In providing continuing educational opportunities, States and LEAs must ensure that, to the greatest extent possible, each student with a disability receives the special education and related services identified in the student's individualized education program (IEP) developed under IDEA, or a plan developed under Section 504. If students with disabilities will not be able to receive some or all of the special education and related services that are specified in the IEP or Section 504 plan, the student's IEP Team, or appropriate personnel under Section 504, can meet by teleconference or other means to determine if some, or all, of the identified special education and related services can be provided through alternate or additional methods such as through tutoring by phone, the Internet, or closed-circuit programming.

**E-4. What resources are available to help States and LEAs make continuing educational services accessible to students with disabilities?**

Technology provides unprecedented opportunities for all students to have access to high-quality educational instruction during a severe pandemic. For States, SEAs, and LEAs that choose to use a continuity of education plan, it is important to consider how technologies can be harnessed to provide instructional services to all students, including students with disabilities. For those students with IEPs or Section 504 plans that include the use of assistive technology in school and home, it would be appropriate to continue to utilize assistive technology as part of the continuity plan. Where necessary to provide an individual with a disability an equal opportunity to participate in, and enjoy the benefits of the program, appropriate communications, educational materials, and instruction, must be made available in accessible formats or through the use of auxiliary aids and services. Planning for the use of captioning, narration, screen readers, magnifiers, high volume headsets, TTY, TDD, large print and Braille are some of the ways to ensure that educational materials are accessible to as wide a range of students with disabilities as

possible. Using multiple approaches or mediums for delivering continuing educational services, such as paper, computer, and video, may be valuable for all students and may help ensure that students with disabilities receive the communications, materials and instruction they need to be successful.

Given that communications, educational materials and instruction will likely be delivered remotely, care should be taken to ensure that school websites are free of barriers that make accessing content and materials difficult for some students with disabilities. For example, the use of visual depictions should be limited, or accessible captions and labels used, to improve access for students with visual impairments. The following websites have additional information on website modifications and information technology standards that support individuals with disabilities: { HYPERLINK "http://www.w3.org/WAI/" } \o "http://www.w3.org/WAI/" }; { HYPERLINK "http://www.access-board.gov/sec508/preamble.htm" }; { HYPERLINK "http://www.dbtac.vcu.edu/" }; and { HYPERLINK "http://www.ada.gov" }.

**E-5. What should a school do if it cannot provide services in accordance with the student's IEP during a severe pandemic?**

If a school continues to provide instruction during a severe pandemic, but is not able to provide special education and related services to a student with a disability in accordance with the student's IEP, the student's IEP Team should determine which services can be provided to best meet the child's needs. Appropriate personnel under Section 504 should take similar action regarding a student who has a plan developed under Section 504. Once school resumes, it is appropriate for a student's IEP Team, or appropriate personnel under Section 504, to make an individualized determination as to whether and to what extent compensatory services are needed to ensure that the student receives educational benefit.

**E-6. In the event of a school closure due to a severe pandemic, would IEP Teams or appropriate personnel under Section 504 be required to meet, and would school districts be required to provide evaluations?**

IEP Teams would not be required to meet while schools are closed and when there are no alternative compulsory programs in place. IEP Teams, however, should try to continue to work with parents and students with disabilities during such school

closures, including conducting informal or formal assessments of the student based on student and/or parent surveys and reports, and offer advice, as needed, to ensure that students do not regress. If an evaluation of a student with a disability requires a face-to-face meeting or observation, the evaluation would need to be delayed until school reopens. However, evaluations and reevaluations that do not require face-to-face assessments or observations could take place while schools are closed. These same principles apply to meetings of, and evaluations and other activities conducted by, appropriate personnel for a student with a disability who has a plan developed under Section 504.

**E-7. When a student with a disability returns to school after a prolonged absence as a result of a severe pandemic, what steps should be taken to appropriately serve the student?**

There have been a few instances in which circumstances beyond the control of a school district resulted in school closures for a period of time and school districts were not able to provide FAPE to students with disabilities. In these instances, individualized determinations were made as to whether, and to what extent, compensatory education should be provided to help students regain skills that might have been lost during the period in which services were not provided.

A student's IEP Team or appropriate personnel under Section 504 can address the denial of FAPE for a student with a disability in a number of ways, such as providing extended school year services, extending the school day, providing tutoring before and after school, or providing additional services during regular school hours. All such compensatory services must be directly linked to the denial of educational benefit, including any decline in the student's skills that occurred as a result of a student not receiving services during a severe pandemic.

When a student with a disability returns to school after a prolonged absence as a result of a severe pandemic, it also is appropriate for the student's IEP Team to review the student's IEP and determine whether any other changes are needed. An IEP Team might consider using informal assessments to determine whether there have been changes in a student's performance. If changes have occurred, the IEP Team should determine whether changes are needed in the services and supports currently provided to the student.

**E-8. If an entity is required to provide equitable services to parentally placed private school students with disabilities, how will private schools be notified of the availability and delivery of such services during a severe pandemic?**

LEAs should, during the required consultation process with private school officials under section 612(a)(10)(A)(iii) of IDEA, establish procedures and strategies, including a communication process that will be implemented in the event of a severe pandemic. Planning for this effort may require establishing a backup strategy that will be operational in the event of a severe pandemic. LEAs should coordinate such planning with appropriate private school officials to make sure that they have access to information related to IDEA equitable services for their eligible parentally placed private school students with disabilities.

**F. Project School Emergency Response To Violence (SERV) Program**

**F-1. How will Project SERV funds be distributed during and after a severe pandemic?**

The Department's Project SERV program funds short-term and long-term education-related services for LEAs to help them recover from a violent or traumatic event in which the learning environment has been disrupted. The Department has a significant amount of flexibility in the process of awarding funds, and in determining to whom funds will be awarded, e.g., an SEA or LEA. A determination as to how funds will be awarded will be made after an assessment is conducted of the crisis caused by a severe pandemic. Once the extent and nature of the crisis is identified, recommendations regarding the process for distributing funds will be developed. Keeping the process flexible will enable the Department to respond in a more effective and efficient manner.

**G. Mc-Kinney-Vento Homeless Assistance Act**

**G-1. During a severe pandemic, can grantees have flexibility in meeting the requirements of the McKinney-Vento Homeless Assistance Act?**

The McKinney-Vento Homeless Assistance Act does not currently provide for flexibility through waiver authority. As noted above, if there is a severe pandemic, the

Department intends to seek authority for further flexibility from Congress through the legislative process. Useful program guidance on existing flexibility on some issues, such as the placement of homeless students (which may arise during a severe pandemic), can be found on the Department website at the following address: { HYPERLINK "http://www.ed.gov/programs/homeless/guidance.doc" }.

## **H. Per Pupil Expenditures in Program Funding Formulas and Maintenance of Effort Requirements**

### **H-1. Is there flexibility in the use of per pupil expenditures in program funding formulas and in meeting maintenance of effort requirements?**

The requirements for maintenance of effort (requirements to maintain State and local fiscal effort in order to be eligible for funds under some federal programs) generally contain waiver authority, which should be helpful in addressing the maintenance of effort issues that arise from a severe pandemic. However, the Department does not currently have the authority to alter its funding formulas including those in which the program statutes base funding on an LEA's per pupil expenditures. As noted above, if there is a severe pandemic, the Department intends to seek authority for further flexibility from Congress through the legislative process. Generally, however, during a severe pandemic the Department would make every effort to distribute formula grants in accordance with the statutory formulas.

## **II. Postsecondary Education Issues During A Severe Influenza Pandemic**

This section focuses on the implications of the type of prolonged school closure that is recommended for severe pandemics in the *Interim Pre-Pandemic Planning Guidance: Community Strategy for Pandemic Influenza Mitigation in the United States—Early, Targeted, Layered Use of Nonpharmaceutical Interventions* (Community Mitigation Guidance). The U.S. Department of Education (Department) expects that entities, and State and local governments currently have the flexibility to address the implications of shorter-term closures that might be associated with less severe pandemics. In addition, by providing guidance here for the worst situations (most severe influenza pandemics), the Department expects that it has covered all eventualities.

### **I. General Questions**

#### **I-1. What should an institution do if, because of a severe pandemic, it is unable to properly administer its federal student assistance programs under Title IV of the Higher Education Act of 1965 (HEA)?**

If an institution determines that it is, or will be, unable to properly administer its Title IV programs (including continuation of its educational programs) as a result of a severe pandemic, it should immediately contact its Federal Student Aid (FSA) School Participation Team in the Department (formerly known as an FSA Case Management Team) whose phone number can be found at the following website: { [HYPERLINK "http://fsa4schools.ed.gov/help/schoolparticipation.htm"](http://fsa4schools.ed.gov/help/schoolparticipation.htm) }

A lender, lender servicer, guaranty agency, or guaranty agency servicer that is, or will be, unable to properly administer the Title IV student loan programs as a result of a severe pandemic should immediately contact FSA Financial Partners Services at 1-800-999-8219.

#### **I-2. What steps should institutions take to prepare for a severe pandemic?**

The Secretary encourages institutions to develop alternatives for the delivery of educational programs in the event of a severe pandemic. These alternatives could include creating or expanding distance-learning opportunities, either through existing institutional capacity or through the use of agreements with other institutions. Any written agreements with other institutions should be put in place as soon as possible so that they are available to address the needs of students, including students with disabilities, should

a severe pandemic occur. The requirements for these types of agreements can be found in 34 CFR 668.5 of the Student Assistance General Provisions regulations.

Plans for distance-learning opportunities should include strategies to ensure that students with disabilities have equal access to the distance-learning program and receive educational benefits that are comparable to those received by others in the program.

Institutions should also have plans ready should a severe pandemic impact institutional personnel and their ability to manage and serve the students residing on campus, or if the campus itself is used as a staging facility by the larger community. Strategies should be prepared in advance for such logistical issues in order to maintain operations to the maximum extent possible.

**I-3. What steps should institutions take if accepted freshmen (i.e., graduating high school seniors) were unable to complete their high school senior year due to a severe pandemic?**

Because institutional eligibility requirements (in 34 CFR 600.4(a)(2), 600.5(a)(3), and 600.6(a)(2)) require institutions to admit as regular students only persons who have a high school diploma, have the recognized equivalent of a high school diploma, or are beyond the age of compulsory school attendance in the State in which the institution is physically located, institutions are strongly encouraged to consult with the high school the student was attending to best address a plan for the student to receive the high school diploma or its equivalent. The Department recognizes this may be a difficult task, particularly for students attending high school in a different State from the State in which the institution is located; however, officials at the high school will be the most aware of any modifications or waivers provided by the SEA or LEA.

**J. Federal Postsecondary Education Grants**

**J-1. What does the Department expect with regard to the treatment of institutional employees that are supported by federal higher education grants?**

Institutional employees that are supported with federal grants awarded by the Department, including grants authorized by Titles II, III, IV, V, VI, and VII of the HEA, should be treated the same as other employees of the institution. This means that if the institution's policy provides for employees to be paid during a severe pandemic, those

supported with federal grants would also be paid. These employees should return to the duties for which the grant funds were provided as soon as possible, and to the extent practicable, should work on project activities during the time the school is closed.

Employees supported with federal grant funds that are intended to provide direct services to students may maintain contact with students during the period of the severe pandemic using alternative, appropriate methods such as telephone, videophone, and email.

## **K. Adult and Career and Technical Education Programs**

### **K-1. May States receive a one-year waiver to their maintenance of effort (MOE) requirement for adult and career and technical education programs if a severe pandemic impacts the funds expended on adult and career and technical education?**

Yes. The Adult Education and Family Literacy Act (AEFLA), in section 241(b)(4), authorizes the Secretary to waive a State's MOE requirement due to exceptional or uncontrollable circumstances, such as a severe pandemic that results in an unforeseen and precipitous decline in a State's financial resources. Similarly, the Carl D. Perkins Career and Technical Education Act (Perkins IV), in section 311(b)(2), allows the Secretary to waive a State's MOE requirement due to exceptional or uncontrollable circumstances affecting the ability of the State to meet such requirements, such as a natural disaster. States that believe they need waivers may request them.

### **K-2. May States and local recipients renegotiate their agreed-upon performance levels for the adult and career and technical education programs if a severe pandemic makes it unlikely that performance goals will be met?**

Yes. Section 113(b)(3)(A)(vii) of Perkins IV and Section 212(b)(3)(A)(vi) of AEFLA give the Secretary clear authority to renegotiate performance levels if certain unanticipated circumstances arise. See the Office of Vocational and Adult Education's Program Memorandum FY 2002-01, "Guidance for Revisions in State Performance Levels For Vocational and Adult Education" at: { HYPERLINK "<http://www.ed.gov/policy/sectech/guid/cte/progmemo200201.html>" }



## **L. Accreditation and Institutional Eligibility**

### **L-1. What will the Department do if an institution's accreditation is up for renewal at the time that a severe pandemic occurs and, because of the pandemic, the accrediting agency cannot complete its work on time?**

The Secretary urges accrediting agencies to establish reasonable written policies to extend accreditation or pre-accreditation in the event of a severe pandemic. The Department will consider policies granting six month extensions of accreditation or pre-accreditation due to expire within three months of a severe pandemic outbreak as reasonable and consistent with good practice. For institutional eligibility purposes, the Department will accept reasonable extensions of accreditation or pre-accreditation even if granted by an agency that lacks a policy addressing a severe pandemic.

### **L-2. What will the Department do if an institution's certification to participate in the federal student aid program expires and cannot be submitted because of a severe pandemic?**

The Department will extend the institution's Program Participation Agreement (PPA) for up to six months if it expires within three months of a severe pandemic.

## **M. Federal Student Aid**

### **M-1. The HEA specifies that the length of an academic year must be at least 30 weeks of instructional time, or 26 weeks of instructional time if the instruction is measured in clock hours. What are the Department's expectations if an institution closes for several weeks during an academic year and it is not possible for the weeks of instruction to be rescheduled?**

If, as a direct result of a severe pandemic, institutions are temporarily closed for a period of time that impacts the length of their academic year, the Department will assist such institutions to determine the continued eligibility of their programs and their students for HEA Title IV assistance. The Secretary may permit institutions with 30 weeks or longer academic years to shorten their academic years to not less than 26 weeks, on a case-by-case basis under Section 481(a) of the HEA, and 34 CFR 668.3. In the event of a severe pandemic, the Secretary would make maximum use of this authority.

**M-2. What consideration will the Department give institutions to mitigate the impact of a severe pandemic on the financial aid their students were expecting? What statutory and regulatory sections are affected by such Departmental consideration?**

- **Professional Judgment:** Section 479A of the HEA specifically gives the financial aid administrator (FAA) the authority to use professional judgment to make adjustments on a case-by-case basis to the cost of attendance or to the values of the items used in calculating the Expected Family Contribution (EFC) to reflect a student's special circumstances. The Secretary encourages FAAs to use professional judgment in order to reflect more accurately the financial need of students and families affected by a severe pandemic. An FAA must make adjustments on a case-by-case basis and must clearly document in the student's file the reasons for any adjustment(s). The use of professional judgment is discussed in the Federal Student Aid Handbook.
- **Refunds and Re-Enrollment:** The Department strongly encourages institutions to provide a full refund of tuition, fees, and other institutional charges, or to provide credit in a comparable amount against future charges, for students who withdraw from school as a direct result of a severe pandemic. The Department also urges institutions to consider providing easy and flexible re-enrollment options to such students.
- **Satisfactory Academic Progress:** When a student fails to meet the institution's satisfactory academic progress standards due to a severe pandemic, the institution may apply the exception provision of "other special circumstances" in 34 CFR 668.34(c)(3) of the Student Assistance General Provisions regulations. The institution must document in the student's file that the student's failure to maintain satisfactory academic progress was due to a severe pandemic. (Satisfactory Academic Progress (34 CFR 668.34 and 668.16(e)))
- **Return of Title IV Funds:** If a student withdraws from school because of a severe pandemic, the institution must perform the Return of Title IV Funds calculations in accordance with 34 CFR 668.22, as it must for any student who withdraws. (Treatment and Return of Federal Student Aid (34 CFR 668.22))
- **Late Disbursements:** The disbursement regulations allow, under certain conditions and within certain timeframes, for a late disbursement of Title IV funds when the late disbursement was not the fault of the student. These regulations would permit a disbursement of Title IV funds to accommodate students affected by a severe pandemic. (Late Disbursements (34 CFR 668.164(g)))

**M-3: What administrative relief from the requirements in the Student Assistance General Provisions regulations will the Department provide to institutions in the event of a severe pandemic?**

The Department will provide the following relief to institutions:

- **Cash Management:** The Secretary will work with institutions affected by a severe pandemic to address specific problems arising from regulatory requirements regarding Credit Balances, Notices and Authorizations, Excess Cash, and the handling of Federal Family Education Loan (FFEL) Program Fund Proceeds. (Cash Management (34 CFR Part 668, Subpart K))
- **Campus Security Report and Equity in Athletics Disclosure Report:** If an institution is unable to provide the Department with its Annual Campus Security Report or its Equity in Athletics Disclosure (EADA) Report by the established deadlines because its administrative capability was directly impacted by a severe pandemic, the Department will adjust the reporting deadlines. (Campus Security Reporting and Equity in Athletics Disclosures (34 CFR 668.41))
- **Return of Title IV Funds:** The Secretary will issue specific guidance to address concerns about the deadlines and timelines that are part of the Return of Title IV Funds requirements in the event of a severe pandemic. Institutions may retain Title IV funds until that guidance is received. (Treatment and Return of Federal Student Aid (34 CFR 668.22))
- **Student Status Confirmation Reports and Other Enrollment Reporting:** If an institution is unable to complete and return a Student Status Confirmation Report (SSCR) to the National Student Loan Data System (NSLDS) according to the established schedule as a direct result of a severe pandemic, it must contact NSLDS Customer Service at 1-800-999-8219 to modify its reporting schedule. An institution using the National Student Clearinghouse should contact the Clearinghouse to see if its enrollment data submission schedule needs to be adjusted. (Submission of Student Status Confirmation Reports (34 CFR 682.610(c)))

**M-4: What administrative relief will the Department provide regarding the Federal Pell Grant, Academic Competitiveness Grant, and National SMART (Science and Mathematics Access to Retain Talent) Grant programs to institutions in the event of a severe pandemic?**

Normally, an institution must submit to the Department a Federal Pell Grant, Academic Competitiveness Grant, and National SMART Grant disbursement record for a student not later than 30 calendar days after the institution makes a payment to the

student. In addition, if the institution becomes aware that a previously reported payment or expected payment for a student is no longer accurate, the institution must submit an accurate disbursement record for that student to the Department not later than 30 calendar days after becoming aware of the need to make the change. The Secretary will revise these deadlines in the event of a severe pandemic. (Deadline for Reporting Disbursement Records (34 CFR 690.83 and 691.83))

**M-5: What administrative relief will the Department provide regarding Campus-Based programs to institutions in the event of a severe pandemic?**

Section 413D(d) of the HEA provides a penalty for underutilization of an institution's campus-based funding. Section 413D(d)(2) of the HEA authorizes the Secretary to waive this penalty for an institution if enforcing the reduction would be contrary to the interest of the program. The Secretary would consider the failure of an institution to expend funds solely due to a severe pandemic as an appropriate basis for granting a waiver. (Allocation Reduction Due to Underutilization (34 CFR 673.4(d)(3)))

The HEA requires an institution to use at least seven percent of the total amount of its Federal Work Study (FWS) allocation to compensate students employed in community service (42 U.S.C. 2753(b)(2)(B)). The Secretary may waive this requirement if the Secretary determines that enforcing it would cause a hardship for students at the institution. The Secretary would consider the failure of an institution to expend at least seven percent of its FWS allocation for community service due to a severe pandemic as an appropriate basis for a waiver. (Community Service Expenditure Requirement (34 CFR 675.18(g)))

The Secretary will extend the Fiscal Operations Report and Application to Participate (FISAP) reporting deadlines if a severe pandemic affects any institution's ability to meet required reporting deadlines.

**M-6: What administrative relief will the Department provide to institutions and/or loan holders regarding enrollment reporting requirements in the event of a severe pandemic?**

The Secretary believes that any borrower who was in an "in-school" status at the time of a severe pandemic and was unable to complete course requirements or enroll in classes should continue to be in an "in-school" status during the period of a pandemic flu-

related nonattendance until such time as the borrower withdraws or re-enrolls in the next regular enrollment period, whichever is earlier. The period of pandemic flu-related nonattendance should not require a borrower to enter or use any of his or her grace period. The institution and/or loan holder should document this reason for continued "in-school" status in the student's file.

This guidance does not affect the way an institution should report a borrower's enrollment status on its Student Status Confirmation Report (SSCR).

**M-7: What administrative relief will the Department provide regarding the Direct Loan program to institutions in the event of a severe pandemic?**

Institutions are required to submit the Direct Loan promissory note, loan origination record, and initial disbursement record for a loan to the Secretary no later than 30 days following the date of the initial disbursement of the loan. In the event of a severe pandemic, the Secretary, through the appropriate FSA School Participation Team, will take steps to address an institution's concerns about meeting these deadlines on a case-by-case basis. (Submission of Promissory Note, and Loan Origination and Disbursement Records (34 CFR 685.301(d)))

**M-8: What administrative relief will the Department provide regarding the Federal Perkins Loan program to institutions in the event of a severe pandemic?**

The Secretary, through the appropriate FSA School Participation Team, will address concerns about the billing and collection activities required on a case-by-case basis. (Borrowers in Default-Due Diligence (34 CFR Part 674, Subpart C))

The Secretary, through the appropriate FSA School Participation Team, will address concerns about borrowers in initial and post-deferment grace periods on a case-by-case basis. (Borrowers in Initial or Post-Deferment Grace Periods (34 CFR 674.42))

The Secretary will authorize the institution to grant forbearance, for a period not to exceed three months, to a borrower who is in repayment at the time of a severe pandemic but is unable to continue to repay the loan due to the pandemic. Sections 461 through 469 (Part E) of the HEA, which govern the Federal Perkins Loan Program, require that interest will accrue during any period of forbearance. A borrower may request this forbearance orally, or in writing, and is not required to submit documentation to be considered eligible for this forbearance. This period of forbearance is counted

toward the three-year maximum limit on the number of years of forbearance that may be granted to a borrower. An institution must document this forbearance in the borrower's file. In order to receive forbearance beyond the three-month period, the borrower must make a written request to the institution and provide supporting documentation.

(Borrowers in Repayment (34 CFR 674.33))

**M-9: What administrative relief will the Department provide to institutions and/or loan holders regarding enrollment status requirements for Federal Family Education Loan (FFEL) and Direct Loan borrowers in the event of a severe pandemic?**

In accordance with the Department's regulations, loan holders may grant an administrative forbearance to borrowers who have been adversely affected by a severe pandemic. The holder may grant forbearance for up to three months and must document the reasons why it granted the forbearance, but does not need to obtain supporting documentation or a signed written agreement from the borrower. (Administrative Forbearance (34 CFR 682.211(f)(11) and 685.205(b)))

The Secretary believes that it is in the best interest of the student loan programs to consider each Federal Stafford or PLUS loan that is in an "in-school" or in an "in-school" deferment status on the date the borrower's attendance at the institution was interrupted due to a severe pandemic to be (or have been) in an "in-school" status and to continue each loan in that status until such time as the borrower withdraws or re-enrolls in the next regular enrollment period, whichever is earlier. This period of pandemic flu-related nonattendance should not result in a borrower entering or using any of his or her grace period on the loan. (Converting the Borrower to Repayment (34 CFR 682.209(a) and 682.210))

The Secretary will treat Direct Loan borrowers in accordance with the administrative forbearance guidance provided in the FFEL section above.

**M-10: What should guaranty agencies and lenders do with loan proceeds that have not been disbursed?**

The Secretary authorizes lenders not to disburse loan proceeds to institutions in an area identified as affected by a severe pandemic according to the originally established disbursement schedules under 34 CFR 682.207(b)(1)(i)(B) if they have been informed

that an institution has delayed opening for a scheduled term or has ceased operations for an undetermined period of time. Lenders should await revised disbursement schedules from the affected institutions. Institutions also are urged to request revised disbursement dates.

The Secretary will instruct guaranty agencies and lenders to revise information on loan periods, graduation dates, and so forth, on the loan records related to these disbursements as the information becomes available. This instruction means that a borrower need not reapply for the loan. This also will allow a student to receive his or her loan proceeds according to a schedule that fits the institution's new academic schedule.

### **III. U.S. Department of Education Grant Administrative Requirements During A Severe Influenza Pandemic**

This section focuses on the implications of the type of prolonged school closure that is recommended for severe pandemics in the *Interim Pre-Pandemic Planning Guidance: Community Strategy for Pandemic Influenza Mitigation in the United States—Early, Targeted, Layered Use of Nonpharmaceutical Interventions* (Community Mitigation Guidance). The U.S. Department of Education (Department) expects that entities, and State and local governments currently have the flexibility to address the implications of shorter-term closures that might be associated with less severe pandemics. In addition, by providing guidance here for the worst situations (most severe influenza pandemics), the Department expects that it has covered all eventualities.

#### **N. General Questions**

##### **N-1. How will the Department communicate with the grants community during a severe pandemic?**

The Department will keep the public informed of pandemic-related developments on its website, { HYPERLINK "http://www.ed.gov" }. Grantees should look to this website to obtain information specific to the programs under which they have awards, as well as for information about procedures the Department has implemented during a severe pandemic to streamline the grants application, operation, and revision process. Grantees also may seek guidance from their Department project officers, but should recognize that these individuals may not be available during a severe pandemic. The website will provide a general information contact for grantees who are unable to reach their contact person.

##### **N-2. Will the Department continue to award grant funds during a severe pandemic?**

To the extent feasible, and as resources permit, the Department will continue to award grant funds. We will make every effort to continue operations as usual, while affording grantees the maximum allowable flexibility in applying for and operating grants.



**N-3. How will the Department provide flexibility for applicants during a severe pandemic?**

When a severe pandemic warrants it, to the extent feasible and permissible under law, the Department will postpone discretionary grant competitions and extend application and other filing deadlines.

The public should be aware that most funds are made available for a specific period of time and in most cases, the Department does not have the authority to extend the time that funds are available for obligation. In most cases, an extension of the availability of funds requires additional legislation passed by the Congress and signed by the President. Similarly, appropriations acts generally provide funds for specific programs, purposes, and activities. The Department has very limited authority to redirect funds appropriated for one program or purpose to another program or purpose. The limited authority is usually governed by appropriations act language that also requires the Department to notify the Congress 15 days before the Department reprograms any funds.

As conditions warrant, in the event of a severe pandemic, the Department will:

- Request that Congress extend the period of availability of funds.
- Seek authority from Congress to re-direct funds to activities that directly meet pandemic-related needs.
- Ensure that any funds that have been authorized for pandemic relief efforts are awarded to eligible recipients.
- Determine on a program-by-program basis whether the regular grant competition schedule should be suspended.

**N-4. A number of grantees have statutory requirements in their award provisions. During a severe pandemic, will the Department provide flexibility to these grantees by modifying these requirements?**

The Department cannot waive statutory conditions of an award, unless specifically authorized. If Congress provides for relief from statutory requirements, the Department will make this information available on its Website.

**N-5. If an applicant has been selected to receive a grant, how will a severe pandemic affect receipt of funds?**

Until a Department official has obligated funds, no binding commitment to provide support has occurred. Further, to the extent feasible, permitted by law, and warranted by a severe pandemic, the Department may use the pre-award period to negotiate a delay of the grant start-up date.

**N-6. Will a grantee be able to draw grant funds to pay for grant activities during a severe pandemic?**

The Department is committed to making every effort to have its existing electronic infrastructure available so that grantees can continue to draw funds for allowable grant expenditures that are consistent with their progress on the project.

Grantees are cautioned that they should draw down grant funds only at the rate that they are able to carry out grant activities. Grantees should refer to 34 CFR 74.22 and 80.21 of the Education Department General Administrative Regulations (EDGAR) for further information on this issue.

**N-7. How does the Department expect a grantee to proceed if it has difficulty undertaking some of the grant activities during a severe pandemic, owing to illnesses, closures, the requirements of social distancing, etc.?**

During a severe pandemic, grantees are expected to notify the relevant Department program office as soon as they are aware of any delays or interruptions of grant project work occurring as a result of the pandemic. Grantees should refer to 34 CFR 74.25 and 80.30 of EDGAR for further guidance on this issue.

The Department is committed to working with its grantees to provide them the maximum flexibility in making changes to project activities that might become necessary as a result of a severe pandemic. For example, some planned project activities might be rescheduled. Or, a new activity might have to be substituted for one originally planned, in order to attain a similar project result. Communication is key; grant project staff should maintain close communication with Department staff and obtain approvals where appropriate. Additionally, with regard to formula grant programs, LEAs should work through the SEA to renegotiate and/or redirect the scope of its work plan, as needed.

Again, grantees are cautioned that they should draw down grant funds only at the rate at which they are able to carry out grant activities.

**N-8. Is another entity allowed to perform some or many of the activities related to a grantee's project during a severe pandemic, if the grantee is unable to do so?**

**State-administered grants**

Yes, for state-administered grants, however, States and their subgrantees would continue to be legally responsible for the administration of their grants and subgrants unless Congress authorizes through legislation, specific relief. States have some discretion to make changes to their grants without prior approval under 34 CFR 80.30. If a change, however, requires prior approval, section 80.30 sets forth the procedures States would need to use to request prior approval from the Department. The Department will consider these requests on an expedited basis and generally approve those that are consistent with the State plan or application that was filed and approved by the Department and reasonable in light of the circumstances of the severe pandemic. As stated above, an LEA should work through its SEA to renegotiate and/or redirect the scope of work under its plan or application.

**Discretionary grants**

In limited circumstances (for example, when an alternate grantee is equally able to provide the grant services), a grant can be transferred from one entity to another, but the transfer requires formal approval by the Department and must follow procedures to ensure that the grant continues to serve the same or a very similar population and is of the same scope and objectives as approved by the Department. Similarly, permissible grant activities are included in the grant's scope of work. To ensure that proposed changes are within the scope and objectives of the grant as approved, amendments to grant awards require formal approval by the Department under 34 CFR 74.25.

**General**

As part of their own pandemic health crisis planning efforts, grantees are encouraged to develop a backup plan for the operation of their grants that includes sharing project responsibilities and activities with other entities in the event that the grantee is not able to perform them. Once the backup plans need to be invoked, the grantee should seek approval for proper grant revisions from the Department in accordance with 34 CFR 74.25 and 80.30. Grant backup plans might include:

- Entering into arrangements and agreements with other organizations in the region to ensure the continuity of grant operations during a severe pandemic, including sharing or loaning of staff, facilities, space, materials and supplies. (Contracting work to a third party must receive approval from the Department.);
- Shifting various activities and responsibilities to other members of an already approved partnership or consortium; or,
- Transferring an entire grant to another entity. (Transferring a grant would be a solution that must be approved by the Department and implemented according to Departmental policies.)

**N-9. Must a grantee follow the various administrative requirements related to a grant (e.g., meeting reporting deadlines and obtaining administrative approvals) if it is affected by a severe pandemic?**

The Department understands that grantees may need to make administrative changes to grant projects during a severe pandemic. Grantees should be aware that they have flexibilities under 34 CFR 74.25 and 75.261 of EDGAR to make some changes themselves. Any relief to regulations granted to all applicants during a severe pandemic will be posted on the Department's website. Grantees should discuss other proposed changes with Department staff.

**N-10. May a grantee redirect or reprogram funds received for a grant project to relief efforts related to a severe pandemic?**

If Congress authorizes redirecting previously granted funds for pandemic relief efforts, the Department will communicate that fact to grantees whose grants are affected, and will indicate the specific pandemic-related activities or uses to which the funds may be directed. During a severe pandemic, grantees are urged to consult the Department's website ([HYPERLINK "http://www.ed.gov"](http://www.ed.gov)) on a regular basis for any updated information on funding for pandemic relief efforts. Grantees may not, on their own initiative, reprogram or redirect to pandemic relief efforts grant funds received for a specific project.

**N-11. In the event that grant-related activities are not being implemented because schools have been closed or staffing resources are not available, will the Department provide flexibilities to grantees for meeting evaluation requirements?**

Yes, in such cases, the Department would modify the evaluation requirements to ensure, once grant activities resume, a proper evaluation of the project is completed.

**N-12. If a grantee is required to provide services to partners, how can these partners receive grants management and grants administrative information needed to maintain their grant-related activities?**

Grantees are encouraged to establish communication systems with partner organizations, such as contractors and consortium members, in advance of a severe pandemic. Planning for this effort may require establishing a backup strategy that will be operational in the event of a severe pandemic. Grantees should coordinate such planning with their business partners to make sure all affected entities have equitable access to grant-related information. Grantees can view examples of State and local plans at:

{ HYPERLINK

"http://www.ed.gov/admins/lead/safety/emergencyplan/pandemic/sampleplans/index.html" }.

In addition, grantees also are encouraged to visit federal grant-related websites that provide information that may assist grantee advance planning efforts, such as:

- The Department of Health and Human Services (HHS) website at: { HYPERLINK "http://www.pandemicflu.gov" }
- The Office of Management and Budget (OMB) website at: { HYPERLINK "http://www.whitehouse.gov/omb" }

**N-13. If an entity is required to provide equitable services to private school students and teachers under ESEA, how will private schools be notified of the availability and delivery of such services during a severe pandemic?**

Grantees should, during the required consultation process with private school officials under sections 1120(b), 5142(a)(1), and 9501(c) of ESEA, establish procedures and strategies, including a communication process, that the entity will implement in the event of a severe pandemic. Planning for this effort may require establishing a backup strategy that will be operational in the event of a severe pandemic. Grantees should coordinate such planning with private school officials to make sure that all appropriate private schools have access to information related to federal education equitable services to their private school students and teachers.

**N-14. Grantees have specific performance targets that are approved in their applications. Will the Department renegotiate performance targets due to delays in project implementation, school closings, or reduced staff capacity?**

In general, the Department expects grantees to strive to achieve performance targets as stated in their approved grant applications. However, the Department understands that grantees may experience delays in achieving performance targets due to circumstances beyond their control as a result of a severe pandemic. If necessary, grantees may request approval from the Department to adjust project timelines so that approved performance targets can be met, but at a later date than originally planned. In addition, grantees may exercise the administrative flexibility in 34 CFR 74.25 and 34 CFR 75.261 of EDGAR and initiate a one-time extension of up to one year without prior approval to complete unfinished project activities, and thereby meet approved performance targets in accordance with revised project timelines.

**N-15. Will the Department provide grant funds for pandemic relief efforts?**

The Department will provide to the public any pandemic related funds Congress authorizes to be administered by the Department. Check the Department website daily for announcements and updates.

#### **IV. Family Educational Rights and Privacy Act** **During A Severe Influenza Pandemic**

This section focuses on the implications of the type of prolonged school closure that is recommended for severe pandemics in the *Interim Pre-Pandemic Planning Guidance: Community Strategy for Pandemic Influenza Mitigation in the United States—Early, Targeted, Layered Use of Nonpharmaceutical Interventions* (Community Mitigation Guidance). The U.S. Department of Education (Department) expects that entities, and State and local governments currently have the flexibility to address the implications of shorter-term closures that might be associated with less severe pandemics. In addition, by providing guidance here for the worst situations (most severe influenza pandemics), the Department expects that it has covered all eventualities.

#### **O. General Question**

##### **O-1. Will school districts be permitted to disclose information on affected students to local and State authorities in the case of a severe pandemic?**

The Family Educational Rights and Privacy Act (FERPA) permits school officials to disclose, without consent, education records, or personally identifiable information from education records, to appropriate parties in connection with an emergency, if knowledge of that information is necessary to protect the health or safety of the students or other individuals. *See* 34 CFR 99.36. This exception to FERPA's general rule of consent is temporally limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a student's education records. Typically, law enforcement officials, public health officials, and trained medical personnel are the types of parties to whom information may be disclosed under this FERPA exception.

The educational agency or institution has the responsibility to make the initial, case-by-case determination of whether a disclosure is necessary to protect the health or safety of students or other individuals. However, the Department is available to work with institutions to assist them in making such decisions in order to ensure that the disclosure falls within the exception to FERPA's requirement of prior written consent. School officials may contact the Family Policy Compliance Office with any questions about this provision of FERPA by calling (202) 260-3887 or by emailing { HYPERLINK "mailto:FERPA@ED.Gov" }.

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