

The HEERF II is authorized by the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA), Public Law 116-260, which was signed into law on December 27, 2020. The CRRSAA provides \$81.88 billion in support for education. \$22.7 billion was distributed to institutions of higher education in order to “prevent, prepare for, and respond to coronavirus” through the HEERF grants.

Requirements of the HEERF II FUNDS as posted on March 15, 2021, from the Higher Education Comparison Chart is as follows:

FOR PROFIT INSTITUTIONS

Required Student Spending:

- Requires institutions to spend the same dollar amount on student grants as they were required to spend under the CARES Act.
- For-profits must use 100% of their allotment on student grants

Allocation Formula:

- 37.5% on FTE enrollment of Pell Grant recipients who were not enrolled exclusively in distance education courses prior to the qualifying emergency
- 37.5% on headcount enrollment of Pell recipients who were not enrolled exclusively in distance education courses prior to the qualifying emergency
- 11.5% on FTE enrollment of non-Pell recipients who were not enrolled exclusively in distance education courses prior to the qualifying emergency
- 11.5% on headcount enrollment of non-Pell recipients who were not enrolled exclusively in distance education courses prior to the qualifying emergency
- 1% based on FTE enrollment of Pell recipients who were exclusively enrolled in distance education course prior to the qualifying emergency
- 1% based on headcount of Pell recipients who were exclusively enrolled in distance education courses prior to the qualifying emergency

Funding Breakdown:

- \$1.7 billion to minority-serving institutions

- \$113.5 million for institutions with the greatest unmet need related to the pandemic through FIPSE
- \$681 million for for-profit institutions (funds must only be used on student grants - for-profit institutions were not eligible for (a)(1) pot of funds)

Student Portion Allowable Uses:

- Any component of student's cost of attendance
- Emergency costs that arise due to coronavirus, such as: tuition; food; housing; health care (including mental); childcare

Institutional Portion Allowable Uses:

For-Profit Institutions: No allowable Institutional Portion

Student Eligibility:

- No student eligibility requirements in the law
- Non-degree seeking, non-credit, dual enrollment, and continuing education students eligible per ED guidance
- Students exclusively enrolled in distance education may receive these funds
- ED has not issued written guidance to clarify whether or not undocumented, DACA, or international students may receive these funds

Reporting Requirements:

- Specific requirements for reporting of these funds have not been released yet
- The CRRSA language around reporting reads: "Recipient must promptly and timely Report to the Department on the use of funds no later than 6 months after the date of this award in a manner to be specified by the Secretary pursuant to section 314(e) of the CRRSAA. Recipient must also promptly and timely provide a detailed accounting of the use of funds provided by this award in such manner and with such subsequent frequency as the Secretary may require. Recipient acknowledges the Department may require additional or more frequent reporting to be specified by the Secretary."

The information about DSDT's CRRSAA HEERF II grant is as follows:

DSDT's HEERF II grant is: \$27,321.00

CRRSA HERF Student Aid: \$27,231.00

- **Award Number:** P425Q210785
- Federal Funding period: April 24, 2020 to April 23, 2021
- Purpose: Financial aid grants for students may be used for any component of the student's cost of attendance or for emergency costs that arise due to coronavirus, such as tuition, food, housing, health care (including mental health care), or childcare.
- Students will need to submit an application for the CRRSAA HEERF II emergency grant.
- It is anticipated that this initiative will be 100 percent funded by the Department of Education's HEERF II grant.
- HEERF II reporting information will be updated once the U.S. Department of Education has provided guidance.

Unlike HEERF I funds, HEERF II awards do not have to relate to the disruption of campus operations due to Coronavirus, but the school is required to prioritize students with exceptional need (see below). Any application process or policies and procedures that you have need to meet this singular goal.

Also, unlike HEERF I, HEERF II funds can be applied to the student's account to pay an outstanding balance consisting of allowable costs as long as the student opts in and provides a written authorization for the school to do so, and that opting in is not a condition of receipt of or eligibility for the grant. See AskRegs Q&A, [Can We Use Leftover HEERF I Funds Or HEERF II Funds To Pay Student Or Institutional Costs Incurred Before December 27, 2020?](#)

Student Eligibility: Unlike HEERF I, enrolled students do not have to be Title IV-eligible students to receive HEERF II funds. That is, the [June 17, 2020 Interim Final Rule](#) and Title IV general student eligibility criteria under [Section 484 in Title IV of the Higher Education Act of 1965, as amended \(HEA\)](#) [20 USC 1091(a)] do not apply when awarding HEERF II funds. According to ED confirmation, schools also can award HEERF II funds to students who are not enrolled in Title IV-eligible programs. This includes nondegree, noncredit, and continuing education students, as well as students who are simultaneously enrolled in high school and college.

The U.S. Department of Education (ED) has confirmed that the Interim Final Rule does not apply to HEERF II funds; however, a Trump administration official with ED has stated verbally that ED believes undocumented, Deferred Action for Childhood Arrivals (DACA), and international students are not eligible for HEERF II funds under [8 USC 1611\(a\)](#) of the [Personal Responsibility and Work Opportunity Reconciliation Act of 1996](#), which prohibits certain noncitizens from receiving federal public benefits. The Certification and Agreement for HEERF II student grants state the school "must comply with the provisions of all applicable acts, regulations, and assurances...." It is important to note that ED has not issued written guidance to clarify whether or not this means undocumented, DACA, or international students may receive HEERF II funds, nor have any Biden administration officials announced a change in policy

position. If NASFAA receives more definitive guidance, especially in light of the Biden administration transition, we will post it in Today's News, in our [COVID-19 Web Center](#), and in the [AskRegs Knowledgebase](#).

In the meantime, if and how a school determines the citizenship of a student when awarding HEERF II student grant funds is at the discretion of the school. Potential institutional considerations may range from: 1) the school feels that it needs to confirm the citizenship of each recipient; to 2) the school assumes that students are citizens unless the school knows differently; to 3) the school asks students to self-certify their citizenship status. There isn't clear guidance from ED on this point, so your school's policy should be based on the school's own risk assessment after consulting with its legal counsel.

Prioritizing Exceptional Need: Unlike HEERF I, schools are now required to prioritize grants to students demonstrating exceptional financial need, such as those who receive Federal Pell Grants, when awarding HEERF II grants. Students do not have to be eligible for or to receive Federal Pell Grants in order to receive HEERF II funds. That is merely a suggestion for one place you can choose to start when awarding HEERF grants. Also, there is no requirement to award a certain percentage of HEERF II (or HEERF I) grants to Pell-eligible students. How you prioritize grant recipients is entirely up to the school, and you should carefully document how you prioritize students with exceptional need when distributing HEERF II grants to students, as this prioritization is likely to be a future reporting requirement. The HEERF II FAQs for public and nonprofit Institutions, as well as for proprietary institutions, go on to say, "Institutions may not (1) condition the receipt of financial aid grants to students on continued or future enrollment in the institution, (2) use the financial aid grants to satisfy a student's outstanding account balance, unless it has obtained the student's written (or electronic), affirmative consent, or (3) require such consent as a condition of receipt of or eligibility for the financial aid grant."

For additional Information about CRRSAA HEERF II grants, please visit the U.S. Dept of Education's website. <https://www2.ed.gov/about/offices/list/ope/crrsaa.html>.