

School-Determined Requirements

In this chapter we discuss student eligibility requirements that don't require information from the Department's systems. The school determines on its own whether the student meets these eligibility requirements. In some cases the financial aid office will need to get information from other school offices, such as the admissions office or the registrar, or from other organizations, such as high schools or testing agencies.

REGULAR STUDENT IN AN ELIGIBLE PROGRAM

A person must be enrolled as a *regular student* in an eligible program in order to receive FSA funds (exceptions are discussed later in this chapter). A regular student is someone who is enrolled or accepted for enrollment in an eligible institution for the purpose of obtaining a degree or certificate offered by the school. The requirement for an eligible program are discussed in *Volume 2, Chapter 2*.

A school must document a student's enrollment in an eligible program at the time of admission, and it must have a system to notify the financial aid office if the student leaves the program. It must also document that an aid recipient is a regular student.

▼ *Conditional acceptance.* Some schools admit students provisionally, for example, until they provide further documentation, such as academic transcripts or test scores, or demonstrate an ability to succeed in the program by receiving acceptable grades in program coursework. Typically the school will limit these students' enrollment in terms of number of courses or enrollment status until they meet the necessary conditions.

Students admitted as conditional are regular students only if the school officially accepts them into the eligible degree or certificate program. The Department does not define official acceptance or admission. If the student is merely allowed to take some courses before being officially admitted to the program, she is not considered a regular student and is not eligible until she is officially admitted.

Schools may offer a trial or conditional period during which a student attends a program without incurring program charges or receiving FSA funds. If he continues beyond the trial period and enrolls as a regular student, the school can pay him FSA grants for the entire payment period and loans for the period of enrollment.



▼ *Continuing education.* Regular students may receive aid for classes they take in a school's continuing education department as long as the classes apply to their degree or certificate program.

Student eligibility

34 CFR 668.32

See *Volume 2, Chapter 2* for eligible program requirements.

Regular student example

HEA Sec. 484(a)(1), (b)(3), (4);
34 CFR 668.32(a)(1)

Lem Community College (LCC) allows anyone with a high school diploma or the equivalent to enroll in any course. Many of LCC's students do not intend to receive a degree or certificate; they are not regular students. LCC requires those who want to receive a degree or certificate to complete a form stating which degree or certificate they are studying for and to meet periodically with an academic advisor. LCC considers them to be regular students.

Trial periods

DCL GEN-11-12

Conditional acceptance examples

1. Guerrero University allows students to take graduate courses before they have taken the GRE, but it limits them to no more than three courses and does not admit them into its graduate programs until they have submitted acceptable GRE scores. They aren't regular students, and since the school hasn't admitted them, they aren't eligible for FSA funds.
2. When Park University accepts students into its graduate programs, it requires that the students receive no grade lower than a "B" in the first three courses. During this time the school considers students to be admitted into the program, so they are eligible for FSA. If, however, students receive a grade lower than a B in any of the first three classes, their admittance will be withdrawn and they then will be ineligible for FSA funds.

Continuing education examples

1. Park University has a continuing education department that offers many on-line (telecommunications) courses that students in other departments of the school may take and that apply to the degree or certificate program the students are enrolled in. These are regular students who are eligible for FSA funds.
2. Guerrero University has a continuing education department that offers many courses. Some students enroll in these courses without being admitted to the university. They are not regular students and are not eligible for FSA funds.

Remedial coursework

34 CFR 668.20

Teacher certification coursework

34 CFR 668.32(a)(1)(iii)

Remedial coursework

Remedial coursework prepares a student for study at the postsecondary level (compare with preparatory coursework, which prepares a student for a given program), and a student enrolled solely in a remedial program is not considered to be in an eligible program. If acceptance into an eligible program is contingent on completing remedial work, a student cannot be considered enrolled in that program until she completes the remedial work.

However, if the student is admitted into an eligible program and takes remedial coursework within that program, he can be considered a regular student, even if he is taking all remedial courses before taking any regular courses. You may count up to one academic year's worth of these courses in his enrollment status for federal aid. For the purpose of this limit, that is 30 semester or trimester hours, 45 quarter hours, or 900 clock hours. If the remedial classes are non-credit or reduced-credit, you must determine how many credit hours they are worth to count in the student's enrollment (see "Enrollment status" on page 15).

A remedial course cannot be below the educational level needed for a student to successfully pursue her program after one year in that course. Also, remedial courses must be at least at the high school level, as determined by the state legal authority, your school's accrediting agency, or the state agency recognized for approving public postsecondary vocational education. If that agency determines that a remedial class is at the elementary level, the school must abide by that determination, and the class cannot be included for FSA purposes. Nor can FSA funds be used for a remedial course that uses direct assessment of student learning instead of credit or clock hours.

You can't use non-credit remedial hours to determine a student's enrollment status if the course is part of a program that leads to a high school diploma or its recognized equivalent. A student is never permitted to receive funds for GED training or for coursework prior to the completion of high school, even if the GED or high school training is offered at postsecondary schools or is required for the postsecondary program.

Similar to other remedial coursework, a student may receive FSA funds for ESL courses that are part of a larger eligible program. There are differences though: ESL courses don't count against the one-year limitation on remedial coursework mentioned above, and they need not be at the secondary school level.

If your school permits a student to enroll in ESL or other remedial courses that don't apply to his degree or certificate, be aware that awarding FSA loans over a series of semesters for such work can exhaust his eligibility for FSA loans before he completes his program.

Preparatory coursework

A student not enrolled in a degree or certificate program is eligible for Stafford and PLUS loans for up to one year if she is taking coursework necessary for enrollment in an eligible program. See the discussion under Stafford and PLUS loans beginning on page 69.

Teacher certification coursework

A student may receive Federal Work-Study (FWS) and Stafford, Perkins, and PLUS loans if he is enrolled at least half time in required teacher certification coursework, even if it does not lead to a degree or certificate awarded by the school. To qualify, the coursework must be required for elementary or secondary teacher certification or recertification in the state where the student plans to teach and must be offered in credit or clock hours (courses using direct assessment in lieu of credit or clock hours are not eligible). Optional courses that the student elects to take for professional recognition or advancement, and courses recommended by your school but not required for certification, do not qualify. You should document that the courses are required by the state for teacher certification.

A student with a bachelor's degree who is enrolled in a postbaccalaureate teacher certification program can receive a Pell grant in limited situations. See page 68.

Students with intellectual disabilities

Students with an intellectual disability (see margin note) can receive funds from the Pell Grant, FSEOG, and FWS programs. They must be enrolled or accepted for enrollment in a comprehensive transition and postsecondary program¹ for students with intellectual disabilities and must maintain satisfactory academic progress as determined by the school for this program. These students

- do not have to be enrolled for the purpose of obtaining a degree or certificate, and
- are not required to have a high school diploma or its recognized equivalent or to have passed an ability-to-benefit (ATB) test.

Except the statutes governing need analysis, the Secretary has the authority to waive any Pell grant, FSEOG, FWS, or institutional eligibility provisions necessary to ensure that programs enrolling these students are eligible for Federal Student Aid and that eligible students receive those funds.

ELEMENTARY OR SECONDARY ENROLLMENT

A student enrolled in elementary or secondary school is not eligible for aid from the FSA programs, even if she is simultaneously enrolled in an eligible college program. A student is considered to be enrolled in secondary school if she is pursuing a high school diploma or if she has completed the requirements for a diploma, has not yet received it, and either she is taking college coursework for which her high school gives credit or her high school still considers her to be enrolled there.

An adult pursuing a GED (not a high school diploma) is not considered to be enrolled in secondary school. However, as stated earlier, a student can't get aid for GED training, though he can receive aid for other college courses if he meets ability-to-benefit, homeschool, or high school equivalent requirements. An adult can take a course offered by a high school, such as a driver's education course, without being considered enrolled there.

Students with intellectual disabilities

HEA Sec. 484(s), 34 CFR 668.230–233
Students who

1) have mental retardation or a cognitive impairment characterized by significant limitations in intellectual and cognitive functioning and adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and
(2) are currently or were formerly eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1401), including students who were determined eligible for special education or related services under the IDEA but were homeschooled or attended private school.

See 668.233(c) for documentation requirements.

20 U.S.C. 1091, 1140

¹ As defined in 668.231.

Elementary/secondary enrollment

HEA Sec. 484(a)(1), 34 CFR 668.32(b)

Secondary school enrollment examples

Lida is a junior in high school and enrolls in an electronics technician program at Lem Community College (she is above the age of compulsory school attendance for her state and so can be admitted as a regular student at LCC). The coursework is offered evenings and weekends, so she can still attend her high school classes. The electronics technician program is an eligible postsecondary program, and Lida will receive a certificate from Lem when she completes the program. However, she is not eligible for aid because she is still enrolled in high school.

Owen, a regular student at Guerrero University, decides to take a driver's education course at the local high school during the summer. This does not mean he is enrolled in secondary school.

Academic qualifications

HEA Sec. 484(d), 34 CFR 668.32(e)

Recognized equivalent of a high school diploma

34 CFR 600.2

Example: Kitty enrolls in the bachelor's degree program at Brandt College. She didn't graduate from high school and doesn't have a GED. Brandt looks at her high school records to see if she excelled academically in high school. Because she had a C average, she doesn't meet Brandt's standard for admitting students who excel academically and therefore doesn't have the equivalent of a high school diploma. If she were enrolled in a two-year program that counted as two years of her bachelor's degree, she'd have the equivalent of a high school diploma when she completed that program and would be eligible for FSA for the last two years of her degree program. However, since Kitty never went to college before, she'll need to pass an approved ability-to-benefit test or successfully complete six credit hours if she wants to receive FSA.

College Diploma mill definition

An entity that:

1. Charges someone a fee and requires him to complete little or no education or coursework to obtain a degree, diploma, or certificate that may be used to represent to the general public that he has completed a program of postsecondary education or training; and
2. Lacks accreditation by an agency or association that is recognized as an accrediting body for institutions of higher education by the Secretary (pursuant to Part H, Subpart 2 of Title IV) or a federal agency, state government, or other organization that recognizes accrediting agencies or associations.

ACADEMIC QUALIFICATIONS

To receive FSA funds, a student must be qualified to study at the postsecondary level. A student qualifies if she:

- has a high school diploma (this can be from a foreign school if it is equivalent to a U.S. high school diploma);
- has the recognized equivalent of a high school diploma, such as a general educational development or GED certificate;
- has completed homeschooling at the secondary level;
- has passed a Department-approved ability-to-benefit test; or
- has satisfactorily completed six credits or 225 clock hours of college work that are applicable to a degree or certificate offered by the school.

A student may self-certify on the FAFSA that he has received a high school diploma or GED or that he has completed secondary school through homeschooling as defined by state law. If a student indicates that he has a diploma or GED, your school isn't required to ask for a copy—except as noted below—but if your school requires one for admission, then you must rely on that copy of the diploma or GED and not on the student's certification alone.

Checking the validity of a high school diploma

Beginning with 2011–2012, if a college or the Department has reason to believe that the high school diploma is not valid or was not obtained from an entity that provides secondary school education, the college must evaluate the validity of the student's high school completion. Students who indicate on their FAFSA that they graduated high school must give the name, city, and state of the high school. FAFSA on the Web will not allow students to skip these items, and it will have a drop-down list of both public and private high schools populated by the National Center for Education Statistics (NCES). Inclusion on the list does not mean that a diploma from the school is valid, nor does exclusion from the list mean that the diploma is invalid. Note also that diplomas from unaccredited high schools can be valid and qualify students to receive FSA funds as well as to meet college admission standards.

Acceptable documentation for checking the validity of a student's high school completion can include the diploma and a final transcript that shows all the courses she took. For students who completed their secondary schooling outside the United States, comparable documents can help, as can the services of companies that determine the validity of foreign secondary school credentials. Another resource is the state department of education in which the high school is located, if that department has jurisdiction over the high school. Colleges are also free to consult with each other as they develop their procedures for checking the validity of high school diplomas.

For 2011–2012 the ISIR will not provide any more information than what the student submitted on the FAFSA, though in the future the ISIR may indicate that the Department considers a student's high school questionable and in need of validation by the college. We do not expect colleges to check the high school data for every student against other information obtained by

the college during admissions, but if it has reason to believe the high school diploma is dubious—e.g., the college knows the student bought the diploma or transcript and was required to perform little or no work—it must validate the diploma.

A student’s self-certification is not sufficient to validate the high school diploma that is in question. Students who have, for example, passed an ATB test or earned a GED do not need to have a high school diploma, but it should be remembered that for a college to be an eligible institution, it must admit as regular students only those with a high school diploma or the recognized equivalent or who are beyond the age of compulsory school attendance.

As in other areas of FSA administration, colleges have final authority in meeting this requirement. The Department does not plan to have an appeal process or to intervene in reasonable judgments of college administrators, such as a decision to move a high school from a college’s acceptable to unacceptable list or a case where one college has different lists than another.

Equivalents to a high school diploma

The Department recognizes several equivalents to a high school diploma:

- A GED;
- A certificate demonstrating that the student has passed a state-authorized examination (for example, the California High School Proficiency Exam) that the state recognizes as the equivalent of a high school diploma;
- An academic transcript of a student who has successfully completed at least a two-year program that is acceptable for full credit toward a bachelor’s degree; or
- For a student who enrolls before completing high school, a transcript indicating the student has excelled in high school. The student must no longer be enrolled in high school, must satisfy your school’s written policy for admitting such students, and must be starting a program that leads at least to an associate’s degree or its equivalent.

Homeschooling

Though homeschooled students are not considered to have a high school diploma or equivalent, they are eligible to receive FSA funds if their secondary school education was in a homeschool that state law treats as a home or private school. Some states issue a secondary school completion credential to homeschoolers. If this is the case in the state where the student was homeschooled, she must obtain this credential in order to be eligible for FSA funds. She can include in her homeschooling self-certification (see above) that she received this state credential.

An eligible *institution* is defined in part as one that admits as regular students only those who have a high school diploma or equivalent or are beyond the compulsory age of attendance for the school’s state. For students who finish homeschooling at a younger age, the Department considers them

Homeschooled students

HEA Sec. 484(d)(3),
34 CFR 668.32(e)(4)

ATB tests

34 CFR Part 668 Subpart J
(Sections 141–156)

Revised ATB regulations were published in the *Federal Register* on Oct. 29, 2010. Guidance on implementation of requirements for tests in languages other than English was given in GEN-11-08.

Test approval

The Department evaluates tests submitted by publishers or states based on 34 CFR 668 Subpart J. ED will notify the test publisher or state with the result. The name, publisher, and passing score(s) of an approved test will appear in the *Federal Register*.

COD reporting of ATB data

Beginning with 2011–2012, the COD system will start collecting information from schools about students with-



out a high school diploma or its recognized equivalent. You are required to indicate which students were admitted on the basis of: successfully passing an approved ATB test, successfully earning six credits or the equivalent, participating in a state process approved by the Secretary, or being homeschooled. For students who passed an ATB test, you will need to provide a code for the test publisher. For more information, see the 2011–2012 COD Technical Reference, Volume II, Section 1.

State tests and processes

Subpart J explains that a student without a high school diploma can become eligible for FSA funds by getting a passing score on an ATB test, which can be from a publisher or from a state, or by being enrolled at an eligible school that participates in an approved “state process.”

At this time, no state tests or state processes have been submitted for approval. If a test is submitted and approved, both public and private schools in that state may use it. Neither the state test nor the process should be confused with the state-authorized examination that is an equivalent to a high school diploma.

to be beyond the age of compulsory attendance if your school’s state would not require them to further attend secondary school or continue to be homeschooled. See also *Volume 2, Chapter 1*.

Ability-To-Benefit (ATB) test

Students who do not have a high school diploma or equivalent and did not complete secondary school in a homeschool setting can still qualify for FSA funds by passing an “ability-to-benefit” test.

All test administrators must be certified, and students whose native language is not English are not able to use an unapproved test in their native language in place of an ATB test. Because we don’t expect a Spanish language test will be approved by July 1, 2011, the Department will not enforce that provision until a Spanish ATB test is approved. In the meantime, schools can operate under the previous regulations, which allowed that when no test is reasonably available for students whose native language is not English and who are enrolled in a program taught in their native language, any test in their language may be considered approved as long as:



- the test has not been rejected previously by the Department,
- the test measures basic verbal and quantitative skills at the secondary school level, and
- the passing scores and method of determining the passing scores are fully documented.

▼ *Administration of tests.* Only a certified test administrator can proctor an ATB test. Contact the test publisher to find certified test administrators. They may include high school guidance counselors, test and measurement experts, human resource development professionals, qualified professional educators, or regional Armed Forces Command staff who are experts in education, training, and human resource development.

A test must be *independently* and *properly* administered. It is independently administered if given at an assessment center by an employee who is a certified administrator or given by an independent test administrator who keeps the test at a secure location and submits within two business days to the publisher or state either the test for scoring or, for a computerized test, the record of the test score. A school may not compromise test security or procedures or interfere with the administrator’s independence, nor may it pay him a bonus or any other incentive based upon the scores or pass rates of students taking the test.

A test is properly administered if the administrator is certified by the publisher or the state; if he administers the test according to its instructions and only to a test taker at a regularly scheduled time; and he secures the test against disclosure or release and submits to the publisher or state, as applicable, either the completed test for scoring or, for a computerized test, the record of the test score. This submission must be within two business days for independent test administrators. Assessment centers that score the test (which is the case unless they have made an agreement with the publisher

Approved Ability-to-Benefit Tests**Publishers**

ASSET Program: Basic Skills Tests (Reading, Writing, and Numerical)—Forms B2, C2, D2, and E2
 Passing Score: Reading (35), Writing (35), and Numerical (33)

ACT, Inc., 500 ACT Drive, Iowa City, Iowa 52243-0168, Contact: Dr. John Roth, Telephone: (319) 337-1030, Fax: (319) 337-1790

Career Programs Assessment (CPAT) Basic Skills Subtests (Language Usage, Reading, and Numerical)—Forms B and C
 Passing Score: Language Usage (42), Reading (43), and Numerical (41)

ACT, Inc., 500 ACT Drive, Iowa City, Iowa 52243-0168, Contact: Dr. John Roth, Telephone: (319) 337-1030, Fax: (319) 337-1790

Combined English Language Skills Assessment (CELSA): Form 1 or 2
 Passing Score: CELSA Form 1 (97) or CELSA Form 2 (97)

Association of Classroom Teacher Testers (ACTT), 1187 Coast Village Road, Suite 1 #378, Montecito, California 93108-2794, Contact: Pablo Buckelew, Telephone: (805) 965-5704, Fax: (805) 965-5807

COMPASS Subtests: Prealgebra/Numerical Skills Placement, Reading Placement, and Writing Placement
 Passing Score: Prealgebra/Numerical (25), Reading (62), and Writing (32)

ACT, Inc., 500 ACT Drive, Iowa City, Iowa 52243-0168, Contact: Dr. John Roth, Telephone: (319) 337-1030, Fax: (319) 337-1790

Computerized Placement Tests (CPTs)/Accuplacer (Reading Comprehension, Sentence Skills, and Arithmetic)
 Passing Score: Reading Comprehension (55), Sentence Skills (60), and Arithmetic (34)

The College Board, 11911 Freedom Drive, Suite 300, Reston, Virginia 20190, Contact: Mr. David Parmele, Telephone: (571) 262-5795, Fax: (571) 262-5947

Descriptive Tests of Language Skills (DTLS) (Reading Comprehension, Sentence Structure and Conventions of Written English)—Forms M-K-3KDT and M-K-3LDT; and Descriptive Tests of Mathematical Skills (DTMS) (Arithmetic)—Forms M-K-3KDT and M-K-3LDT
 Passing Score: Reading Comprehension (108), Sentence Structure (9), Conventions of Written English (309), and Arithmetic (506)

The College Board, 45 Columbus Avenue, New York, New York 10023-6992, Contact: Technical Support, Telephone: (800) 486-8497

ESL Placement Test (COMPASS/ESL)
 Passing Score: Grammar/Usage (64), Reading (70), and Listening (70)

ACT, Inc., 500 ACT Drive, Iowa City, Iowa 52243-0168, Contact: Dr. John Roth, Telephone: (319) 337-1030, Fax: (319) 337-1790

Wonderlic Basic Skills Test (WBST)—Verbal Forms VS-1 & VS-2, Quantitative Forms QS-1 & QS-2
 Passing Score: Verbal (200) and Quantitative (210)

Wonderlic Personnel Test, Inc., 1795 N. Butterfield Rd., Libertyville, IL 60048, Contact: Mr. Chris Young, Telephone: (847) 247-2544, Fax: (847) 680-9492

WorkKeys Program—Reading for Information Forms A01AA, A02AA, C01AA, and D10AA; Applied Mathematics Forms A01BB, A02BB, C01BB, and D01BB.
 Passing Score: Reading for Information—Forms A01AA (76), A02AA (75), C01AA (77), and D10AA (77); Applied Mathematics—Forms A01BB (73), A02BB (74), C01BB (73), and D01BB (73)

ACT, Inc., WorkKeys Development, Professional Development Services, 101 ACT Drive, P.O. Box 168, Iowa City, Iowa 52243-0168, Contact: Dr. A. Candace Noble, Telephone (319) 337-1296, Fax: (319) 337-1229

or the state) must provide weekly all copies of the completed test or a report with the scores of all test takers and the schools to which those were sent; in either case, the center must include the name and address of the test administrator as well as any identifier given to him by the test publisher or the state. Assessment centers must promptly notify the school and student of his score and whether he passed the test.

Schools must keep for each person who took an ATB test a record that includes the name of the test and the date she took it, her score(s), the name and address of the test administrator, as well as any identifier given to him by the test publisher or the state. The report must also indicate whether a test taker had a disability and was unable to be evaluated with an approved ATB

ATB definitions

Assessment center—A facility that

1. is located at an eligible school that provides two- or four-year degrees or is a postsecondary vocational institution;
2. is responsible for gathering and evaluating information about students for multiple purposes, including course placement;
3. is independent of admissions and financial aid processes at the school;
4. has professionally trained staff
5. uses test administrators (see definition below) to proctor ATB tests; and
6. does not have as its primary purpose the administration of ATB tests.

Independent test administrator—A test administrator at a location other than an assessment center who

1. has no current or prior financial or ownership interest in the school, its affiliates, or its parent corporation, other than the fees earned for administering approved ATB tests, and who has no controlling interest in any other school;
2. is not a current or former employee of or consultant to the school, its affiliates, its parent corporation, a person in control of another school, or a family member of any of these persons;
3. regarding the school, its affiliates, its parent corporation, or any other school, is not a current or former: member of the board of directors, employee of or consultant to a member of the board of directors, the chief executive officer, or the chief financial officer, and is not a member of the family of any of these individuals; and
4. is not a current or former student of the school.

An independent test administrator may not score a test.

Individual with a disability—A person who has a physical or mental impairment that substantially limits one or more major life activities.

Test administrator—A person who is certified by a test publisher (or state in the case of an approved state test) to administer its ATB test in accord with the instructions, including protecting the test and results from improper disclosure, and who is not compensated on the basis of test outcomes.

test or she requested or required accommodations, documentation of her disability, and the arrangements that were provided.

You don't have to always use the same test; you can pick the one most suitable for each student. Also, a person who fails a test may not retake the same form of the test for the period prescribed by the publisher or the state.

▼ *Administering tests for non-native English speakers and the disabled.* For someone whose native language is not English and who is not fluent in it, the test a school must use depends on which of the following situations prevails:

- A student enrolling in a program given entirely in his own language must take a test approved under 34 CFR 668.146 and 148(a)(1).
- A student enrolling in a program that is taught in English with an ESL component must take an English language proficiency assessment approved under 668.148(b)—such as the CELSA or the ESL Placement Test—and, before beginning the portion of the program taught in English, a test approved under 668.146.
- A student enrolling in a program taught in English without an ESL component or he does not enroll in any ESL component that is offered must take a test in English approved under 668.146.
- A student enrolling in an ESL program must take an ESL test approved under 668.148(b).
- A student enrolling in a program taught in his native language that either has an ESL component or a portion that is taught in English must take an English proficiency test approved under 668.148(b) before beginning the portion of the program taught in English.

Persons with disabilities must use a test described in 668.148(a)(2) or 149(a) that reflects the student's skills and learned abilities. The administrator must ensure that documentation supports that the person has a disability and requires accommodations, such as taking extra time or a quiet room, for taking an approved test or is unable to be evaluated by an approved test. Documentation of a disability can be a written determination by a licensed psychologist or physician that includes a diagnosis and, if available, information about testing accommodations or a record of the disability from a local or state educational agency or another government agency, such as the Social Security Administration, or a vocational rehabilitation agency. This record might include a diagnosis and recommended testing accommodations.

▼ *Counting previous test results and school accountability.* A student who has taken an approved, independently administered test must have the test publisher or the assessment center submit the official score to the school to demonstrate the student's ability to benefit. If you accept the results of a previously administered test, you must obtain documentation (usually through the previous school) that the test and its administration met federal requirements. Test scores are valid for ATB purposes indefinitely.

A school is liable for FSA funds disbursed to a student if his eligibility was determined by using a test that was not administered independently, if the school or its employee compromised the testing process in any way, or if the school cannot document that the student received a passing score on an approved test.

SATISFACTORY ACADEMIC PROGRESS (SAP)



To be eligible for FSA funds, a student must make satisfactory academic progress, and your school must have a reasonable policy for monitoring that progress. The Department considers a satisfactory academic progress policy to be reasonable if it meets the criteria explained in this section.

The policy must be at least as strict as that for students who are not receiving FSA funds at your school, and it must apply consistently to all educational programs and to all students within categories, e.g., full-time, part-time, undergraduate, and graduate students. It must require an academic progress evaluation at the end of each payment period for students in programs lasting one year or less, and for all other programs at least annually and corresponding with the end of a payment period.

Grades and pace of completion

The policy must specify the qualitative standard (grade point average or GPA) that a student must have at each evaluation or, if GPA is not an appropriate qualitative measure, a comparable measure against a norm. Students enrolled in a program of more than two academic years must have a GPA of at least a “C” or its equivalent or must have an academic standing consistent with your school’s graduation requirements.

Having a standing consistent with the requirement for graduation means you could use an escalating GPA instead of a fixed one. For example, if your school uses a 4-point scale, it could require students to have a 2.0 average by graduation but allow their average to be lower earlier in their program. If your policy permits such a progression and a student falls below a C average, you must be able to document that her average is consistent with the academic standard required for graduation.

Your policy must specify the quantitative standard (pace) at which students must progress through their program to ensure that they will graduate within the maximum timeframe, and each academic progress check must measure this. You calculate the pace at which a student is progressing by dividing the total number of hours the student has successfully completed by the total number he has attempted. You don’t have to include remedial courses.

Checking a student’s pace of completion allows for variations of enrollment status since you look at the percentage of classes successfully completed rather than the number. Also, you can use a graduated completion percentage for each year of a program. For instance, your policy can permit students to complete a lower percentage of their classes in the first academic year but require them to complete an increasing percentage in subsequent years so that they finish their program in time.

Satisfactory Academic Progress

HEA Sec. 484(c),
34 CFR 668.16(e)
34 CFR 668.32(f)
34 CFR 668.34

As with the ATB regulations, the SAP regulations were rewritten in 2010 and appear in the October 29, 2010, *Federal Register*.

Satisfactory progress definitions

Appeal—A process by which a student who is not meeting SAP standards petitions the school for reconsideration of his eligibility for FSA funds.

Financial aid probation—A status a school assigns to a student who is failing to make satisfactory academic progress and who successfully appeals. Eligibility for aid may be reinstated for one payment period.

Financial aid warning—A status a school assigns to a student who is failing to make satisfactory academic progress. The school reinstates eligibility for aid for one payment period and may do so without a student appeal. This status may only be used by schools that check SAP at the end of each payment period and only for students who were making SAP in the prior payment period.

Maximum timeframe—

- For an undergraduate program measured in credit hours, a period no longer than 150 percent of the published length of the program.
- For an undergraduate program measured in clock hours, a period no longer than 150 percent of the published length of the program as measured by the cumulative number of clock hours the student is required to complete and expressed in calendar time. (Note that a student in a clock hour program cannot receive aid for hours beyond those in the program; the maximum timeframe applies to the amount of calendar time the student takes to complete those hours.)
- For a graduate program, a period the school defines that is based on the length of the program.

Grades for test-based credits

Some schools have developed tests in accord with their academic standards, such as language proficiency tests, that students can take and receive course credit for. If such credits count toward the student's program, the grades for those credits count in the student's GPA for all FSA purposes.

Your policy must explain how GPA and pace of completion are affected by course incompletes, withdrawals, and repetitions, and by transfer credits from other schools. At a minimum, transfer credits that count toward the student's current program must count as both attempted and completed hours. You may have reasonable rules for students who initially enroll in specific courses but modify that enrollment within a limited time. However, your policy cannot exclude from the progress review courses in which a student remained past the add/drop period and earned a grade of "W" (or its equivalent), nor can it routinely exclude certain hours attempted, such as those taken during a summer session.

Generally all periods of the student's enrollment count when assessing progress, even periods in which the student did not receive FSA funds. However, your policy may permit that for students who change majors, credits and grades that do not count toward the new major will not be included in the satisfactory progress determination. You may limit how many times a student can in this way "reset" academic progress by changing majors.

If a satisfactory progress check shows that a student does not have the required GPA or is not maintaining the required pace, she becomes ineligible for FSA funds unless she is placed on financial aid warning or probation, as explained below. Your policy must describe both of these statuses if it allows for them, and it must provide for notification to students of the results of any evaluation that affects their eligibility for FSA funds.

Academic amnesty/renewal

Some schools have academic amnesty/renewal procedures through which a student can apply to have credits attempted and grades earned in previous semesters excluded from the calculation of the student's grade-point average. The FSA program regulations make no provision for the concept of academic amnesty or academic renewal. Therefore, a school must always include courses applicable to a student's major (whenever taken) in evaluating a student's satisfactory academic progress. This may, however, be an item that is subject to appeal if the school's policy permits such appeals.

Financial aid warning

Only schools that check satisfactory progress at the end of each payment period may place students on financial aid warning as a consequence of not making satisfactory progress. A school may do this without appeal or any other action by the student. Warning status lasts for one payment period, during which the student may continue to receive FSA funds. Students who are still failing to make satisfactory progress after the warning period lose their aid eligibility unless they successfully appeal and are placed on probation. Schools do not need to have warnings; they can instead require students to immediately appeal to be placed on probation.

Appeals, financial aid probation, and academic plans

All schools can have financial aid probation in their satisfactory progress policy. When a student loses FSA eligibility because he failed to make satisfactory progress, he may appeal that result on the basis of: his injury or illness, the death of a relative, or other special circumstances. His appeal must explain why he failed to make satisfactory progress and what has changed in his situation that will allow him to make satisfactory progress at the next evaluation. You can grant his appeal and put him on probation if you determine that he should be able to meet the standards after the subsequent payment period or if you develop an academic plan that, when followed, will ensure that he will meet the standards by a specific time. Students who fail the satisfactory progress check after the end of the probationary payment period may only continue to receive aid if they successfully appeal, you develop an academic plan for them, and they are meeting its requirements.

Your school determines the process and documentation required for an appeal. It may decide to require more extensive information on an initial ap-

peal and some type of an update statement on a subsequent appeal.

The regulations do not specify what must be included in an academic plan. The school and the student should develop a plan that ensures that the student is able to meet the school's satisfactory progress standards by a specific time, though an academic plan could instead take the student to successful program completion. Students must also appeal to change their plan. They must explain what has happened to make the change necessary and how they will be able to make academic progress.

Reestablishing aid eligibility

Your policy, even if it does not permit appeals, must explain how students who are not making satisfactory academic progress can restore their eligibility for FSA funds. Other than when a student is placed on financial aid warning or probation or has agreed to an academic plan as outlined above, he can regain eligibility only by taking action that brings him into compliance with your school's satisfactory progress standards.

The requirement that a student complete a number of credits or enroll for a number of academic periods without receiving FSA funds, or that he interrupt his attendance for one or more academic periods, may be part of your academic progress policy. However, neither paying for one's classes nor sitting out for a term affects a student's academic progress standing, so neither is sufficient to reestablish aid eligibility.

Completed program, no degree

A student who completes the academic requirements for a program but does not yet have the degree or certificate is not eligible for further additional FSA funds for that program.

Retaking a program

Your school may permit a student to receive FSA funds for retaking a program that she has completed before. Students at a clock-hour or non-term credit-hour school may also receive aid for a program they withdraw from and then reenter after 180 days. See *Volume 3*, chapters 1 and 3.

Satisfactory Academic Progress Examples: One-Year Programs

One-year credit-hour program with financial aid warning: Sarven Technical Institute has a program that a full-time student can complete in 24 semester hours. Because this is a one-year program, Sarven must check SAP every payment period. Their policy is that students must complete the program by the time they have attempted 36 (150% of 24) hours, and the pace of completion is 2/3 or 66.67%. They require a 2.0 GPA at all times.

Suzie plans to take two classes (eight hours) each semester. In the first term she fails one class and gets a B in the other. Her GPA is 1.5 and her pace of completion is 50%, so Sarven automatically places her on financial aid warning and informs her of this. In her second semester, Suzie gets a C (in the class she failed in the first semester) and an A, raising her GPA to 2.25 (Sarven counts all grades for re-taken classes), and she has completed 75% of her classes, so she restores her aid eligibility.

Clock-hour program with appeal: Frisson Community College has a 900-clock-hour program that normally takes eight months to complete. Frisson allows a maximum timeframe of 12 months to complete the program, and students must complete at least 300 clock hours every four months and maintain a 2.0 GPA. Because the program is so short and financial aid warnings would delay a rigorous review of students' academic performance until

late in (or the end of) the program, Frisson decides not to use warnings. Instead, it requires students to submit an appeal when they are not meeting SAP standards.

After the first four months, Jerry's GPA is 3.0, but he completes only 250 of the 300 clock hours that were required. Frisson informs him that he must submit an appeal to continue to receive FSA funds. Jerry tells the administrator that he was diagnosed with depression, which prevents him from doing as much as he'd like. He provides a note from his psychiatrist and affirms that he is doing better since he has gotten regular treatment. The administrator grants his appeal and puts him on financial aid probation since she determines that Jerry can finish the program in the remainder of the year. She drafts a plan that allows him some flexibility in his pace of completion and that requires him to check with her once a month to inform her of his progress in his classes.

After four more months, Jerry's GPA is 3.3, and he has completed 580 hours out of the 600 required under Frisson's published SAP policy, which would normally make him ineligible for FSA funds. But because he is progressing according to his personal SAP plan and is predicted to complete the program within the maximum timeframe, he may still receive aid.

Satisfactory Academic Progress Examples: Four-Year Programs

Four-year credit-hour program with appeal: Students in a bachelor's degree program at Brandt College must complete 120 credits and may attempt up to 180 credits (120 x 150%). Brandt reviews a student's academic progress once per year and has a pace of completion of 2/3 or 66.67% of the classes that students attempt; it requires a cumulative GPA of 1.50 after the first year, 1.75 after the second year, and 2.0 after the third year and beyond.

In his first semester, Homer fails one and withdraws (late in the term) from one of his five courses (15 credits). He takes four courses in his second semester and again fails one and withdraws from one. Though his GPA is 1.71, he isn't making SAP by the end of the first year because he completed only 15 credits out of the 27 he attempted, and two thirds of 27 is 18. Homer applies for an appeal, but because his only reason for not making SAP is that he wasn't able to concentrate on college after being in high school, and because he doesn't offer evidence showing what has changed, the aid administrator at Brandt denies his appeal, and he is ineligible for aid in his second year.

Even if Homer had a more convincing reason for failing at SAP, such as being injured in a car accident, the administrator might still have denied his appeal because she saw little improvement or variation in Homer's pace of completion and did not determine that he would likely be making SAP a year later. If Homer's academic performance improves by the end of his second year so that he is meeting the SAP criteria, he can again receive FSA funds.

Four-year credit-hour program with warning and appeal: Krieger University checks SAP every quarter, which permits it to use financial aid warnings. Students must complete 144 credit hours to receive a BA or BS degree, and they may attempt up to 216 credit hours to complete a program. Students must complete at least half of the credits they attempt in their first year and 75% of their credits in each year after that. They must have no less than a 2.0 GPA at all times.

Gina finishes her first year at Krieger with a 2.25 GPA and completes all of the credits that she attempts, so she is making SAP. After the first quarter in her second year, she again completes all of her classes but poor grades leave her with a 1.94 GPA. The aid administrator places her on financial aid warning for one quarter and informs her that she is not meeting the SAP standards. Gina does poorly in the next quarter as well, and her GPA drops to 1.85. The aid administrator informs her that she can't continue on warning status and needs to submit an appeal explaining why she is failing to make SAP and why she thinks that will change and allow her to again make SAP.

Gina brings the administrator an obituary showing that her mother died recently, which required that she help with family affairs and caused her to lose her focus at school. She asserts that is over now. The administrator places her on probation and suggests that she might take fewer courses. But Gina enrolls full time and again receives poor grades, causing her GPA to drop to 1.80. The administrator informs Gina that she has become ineligible for FSA funds but that she can become eligible again if she raises her GPA to 2.0 or that she can submit another appeal and this time request to be placed on an academic plan.

ENROLLMENT STATUS

A student must be enrolled at least half time to receive aid from the Stafford and PLUS loan programs. The Pell, TEACH Grant, and Campus-based programs don't require half-time enrollment, except for postbaccalaureate Pell grants for teacher education and Perkins and FWS for students enrolled in a program for a teaching credential. But enrollment status does affect the amount of Pell a student receives; see *Volume 3*.

To be enrolled half time, a student must be taking at least half of the course load of a full-time student. Your school defines a full-time workload, but it must meet the minimum standards in the FSA regulations. The definition of full time for FSA purposes can differ from that used for other purposes at your school, such as the definition used by the registrar's office.

Your definition of a full-time workload for a program must be used for all students in that program and must be the same for all FSA-related purposes, including loan deferments. You can't accommodate a student with a learning disability or other handicap by allowing her a full-time enrollment status lower than the minimum standard (see the margin note on students with intellectual disabilities).

▼ *Minimum standards for full-time enrollment.* Students' workload may include any combination of courses, work, research, or special studies that your school considers sufficient to classify them as full time. This includes, for a term-based program, one repetition of a previously passed course that is not due to the student failing other coursework. The regulations specify a minimum standard for undergraduate students but not for graduate students. For undergraduates, full-time status must be at least:

- 12 semester hours or 12 quarter hours per academic term in an educational program using a semester, trimester, or quarter system;
- 24 semester hours or 36 quarter hours per academic year for an educational program using credit hours but not using a semester, trimester, or quarter system, or the prorated equivalent for a program of less than one academic year;
- 24 clock hours per week for an educational program using clock hours;
- a series of courses or seminars equaling 12 semester or quarter hours over a maximum of 18 weeks;
- for a program that measures credit hours and uses nonstandard terms, the number of weeks of instruction in the term divided by the number of weeks of instruction in the academic year, multiplied by the number of credit hours in the academic year;
- the work portion of a cooperative education program in which the amount of work performed is equivalent to the academic workload of a full-time student; or
- for correspondence work, a courseload commensurate with the definitions listed above, and at least half of that load must be

Counting non-credit or reduced-credit remedial work

A student can receive aid for a limited amount of remedial coursework that is included as part of a regular program. As long as the student qualifies for aid for remedial courses, you must include the remedial courses in the student's enrollment status.

Some schools give no credit or reduced credit for remedial classes. To determine enrollment status, credit hours for the remedial class should be the same as for the comparable full-credit class. If you're using credit hours, you can compare the number of classroom and homework hours of study that the remedial course requires with the hours required for similar courses offered for full credit. Clock-hour schools should use the number of classroom hours attended in the remedial program. 34 CFR 668.20

Enrollment status for students with intellectual disabilities

Because a comprehensive training program for students with intellectual disabilities can include work for which the school awards no credit, such as audited courses, the school must develop equivalencies in credit hours for such work, just as it must do with non-credit remedial coursework. This will allow the school to determine the enrollment status for students in these programs.



Full-time student definition

34 CFR 668.2(b)

non-correspondence coursework that meets half of the school’s requirement for full-time students.

Your school must have a written policy stating what enrollment status the work portion of a co-op program is equivalent to. If it equals a full-time academic load, the co-op student is considered full time regardless of how many credits are earned for the co-op work.

A student taking only correspondence courses is never considered to be enrolled more than half time. See *Volume 3* for more on Pell and enrollment status and correspondence courses.

Half-time enrollment

HEA Sec. 428(b)(1)(A),

34 CFR 668.2(b)

A school may choose to define half time as half of the minimum full-time standard established in the regulations even if this is less than half the full-time standard established by the school. For example, if a school sets 14 semester hours as full time, it could use 6 semester hours (one half of the regulatory full-time minimum of 12) as half time instead of 7.

If a student is enrolled in courses that do not count toward his degree, they cannot be used to determine enrollment status unless they are eligible remedial courses. This means you cannot award the student aid for classes that do not count toward his degree or certificate. Also, Federal Student Aid can be awarded only for learning that results from instruction provided or overseen by the school. It cannot be awarded for any portion of a program based on study or life experience prior to enrollment in the program, or based on tests of learning that are not associated with educational activities overseen by the school.



STUDENTS CONVICTED OF POSSESSION OR SALE OF DRUGS

A federal or state drug conviction can disqualify a student for FSA funds. The student self-certifies in applying for aid that he is eligible; you’re not required to confirm this unless you have conflicting information.

Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Federal Student Aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student’s record does not count, nor does one received when she was a juvenile, unless she was tried as an adult.

The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

	Possession of illegal drugs	Sale of illegal drugs
1st offense	1 year from date of conviction	2 years from date of conviction
2nd offense	2 years from date of conviction	Indefinite period
3+ offenses	Indefinite period	

Drug convictions

HEA Section 484(r)

34 CFR 668.40

If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

Schools must provide each student who becomes ineligible for FSA funds due to a drug conviction a clear and conspicuous written notice of his loss of eligibility and the methods whereby he can become eligible again.

A student regains eligibility the day after the period of ineligibility ends or when he successfully completes a qualified drug rehabilitation program or passes two unannounced drug tests given by such a program. Further drug convictions will make him ineligible again.

Students denied eligibility for an indefinite period can regain it after successfully completing a rehabilitation program (as described below), passing two unannounced drug tests from such a program, or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify to you that she has successfully completed the rehabilitation program; as with the conviction question on the FAFSA, you are not required to confirm the reported information unless you have conflicting information.

When a student regains eligibility during the award year, you may award Pell grant, TEACH, and Campus-based aid for the current payment period and Direct loans for the period of enrollment.

Standards for a qualified drug rehabilitation program

A qualified drug rehabilitation program must include at least two unannounced drug tests and satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a federal, state, or local government program.
- Be qualified to receive payment directly or indirectly from a federally- or state-licensed insurance company.
- Be administered or recognized by a federal, state, or local government agency or court.
- Be administered or recognized by a federally- or state-licensed hospital, health clinic, or medical doctor.

If you are counseling a student who will need to enter such a program, be sure to advise the student of these requirements. If a student certifies that he has successfully completed a drug rehabilitation program, but you have reason to believe that the program does not meet the requirements, you must find out if it does before paying the student any FSA funds.

Drug abuse hold

The Anti-Drug Abuse Act of 1988 includes provisions that authorize federal and state judges to deny certain federal benefits, including student aid, to persons convicted of drug trafficking or possession. The Central Processing System maintains a hold file of those who have received such a judgment, and it checks applicants against that file to determine if they should be denied aid. This is separate from the check for a drug conviction via question 23; confirmation of a student in the drug abuse hold file will produce a rejected application and a separate comment from those associated with responses to question 23. See the *ISIR Guide* on the IFAP publications page for more information.

Incarcerated students

HEA Sec. 401(b)(8) and 484(b)(5)
34 CFR 600.2 and 668.32(c)(2)

INCARCERATED STUDENTS

A student is considered to be incarcerated if she is serving a criminal sentence in a federal, state, or local penitentiary, prison, jail, reformatory, work farm, or similar correctional institution (whether it is operated by the government or a contractor). A student is not considered to be incarcerated if she is in a half-way house or home detention or is sentenced to serve only weekends.

Incarcerated students are not eligible for FSA loans but are eligible for FSEOGs and FWS. They are also eligible for Pell grants if not incarcerated in a federal or state penal institution. See *Chapter 6* for more information on this and on sex offenders who were incarcerated but are now subject to an involuntary civil commitment.

You may accept the student's written self-certification that he is no longer incarcerated.

CONFLICTING INFORMATION

In addition to reviewing data provided by the Department's application system and NSLDS (as discussed in the rest of this volume), your school must have an internal system to share information relevant to the student's eligibility, such as his academic standing. The FSA program regulations require a school to develop an adequate system to ensure the consistency of any data related to a student's application or eligibility for Federal Student Aid regardless of the source of that data. Your school is responsible for reconciling all inconsistencies that it receives with one exception: if the student dies during the award year, you aren't required to resolve conflicting information.

If your school has conflicting information for a student or you have any reason to believe his application is incorrect, you must resolve such discrepancies before disbursing FSA funds. If you discover a discrepancy after disbursing FSA funds, you must reconcile the conflicting information and require the student to repay any aid for which he wasn't eligible, unless he is no longer enrolled for the award year and will not re-enroll. Refer to the *Application and Verification Guide* and *Volume 2, Chapter 3* for more information.

CHANGE IN STATUS

A student's eligibility status can change during the award year, which almost always affects whether he can be paid. The special rules for changes in satisfactory academic progress status were discussed in the SAP section.

Gaining eligibility

A student who *applies for aid* by filling out a FAFSA is eligible for aid for the entire award year. A student who *gains eligibility* is one who was previously ineligible for some reason. In general, she may receive Pell grant, TEACH, and Campus-based funds for the entire payment period and Stafford and PLUS loans for the period of enrollment in which she becomes eligible.

Conflicting information

34 CFR 668.16(b)(3) and (f)

A student is eligible for Pell grant, TEACH, and Campus-based aid for the entire award year, not just the payment period, in which he becomes eligible by meeting the requirements for citizenship, valid Social Security number, or Selective Service registration.

Losing eligibility

A student cannot receive any Federal Student Aid after losing eligibility for it, unless he qualifies for a late disbursement.

Gaining eligibility examples

Allen enrolls in a one-year certificate program at Sarven Technical Institute. Sarven won't officially admit Allen before he provides an academic transcript from his previous school, but it lets him start classes in the fall. Sarven receives Allen's transcript after he's attended for a month and officially admits him. He's still in his first payment period when admitted, so he can receive Pell and campus-based funds for his entire period of enrollment. The school can also use the program length of one year as the period of enrollment for which Allen can receive a loan.

Chavo is finishing his senior year in high school; his classes end June 4. He decides to start classes in the winter at Sarven Technical Institute on January 11. The second payment period begins on May 17. Chavo isn't eligible for aid when he first starts classes at Sarven. However, when he becomes eligible after June 4, Sarven can disburse Pell and campus-based funds to Chavo retroactively for the current payment period that started on May 17 (but not for the payment period that started in January) and a Stafford loan for the current period of enrollment, which does include the payment period that began in January.

Losing eligibility example

George is a student at Guerrero University. At the end of September, after the start of the fall term, he is convicted in a state court for possession of drugs. It is his first offense, and he isn't incarcerated, but he is ineligible for aid. Guerrero gave George his first Direct subsidized loan disbursement at the beginning of the semester in September and was going to disburse a Perkins loan to him in October. Now Guerrero can't disburse the Perkins loan. George doesn't have to pay back the first disbursement of his Direct loan, but he can't receive additional FSA funds until one year elapses or he successfully completes a qualified drug rehabilitation program.

Eligibility Requirements for Specific Educational Programs

See *Volume 2, Chapter 2* for more information on the topics below. Note that a school may not refuse to provide FSA funds to a student because he is enrolled in correspondence or distance education courses unless they are not part of an eligible program.

Correspondence courses

A correspondence or “home study” course is one for which the school provides instructional materials and exams for students who don’t physically attend classes at the school and who are studying independently. When a student completes a portion of the materials, he takes the related exam and returns it to the school for grading. If the course uses video cassettes or discs, it is a correspondence course unless the school provides the same instruction to students who physically attend the school that year. Distance education courses are not considered correspondence courses.

A student enrolled in a correspondence course can only receive FSA funds if the course is part of a program that leads to an associate’s, bachelor’s, or graduate degree; if the program leads to a certificate, the student is not eligible for aid for that course. There are also restrictions regarding cost of attendance for correspondence courses; see *Volume 3, Chapter 2*.

HEA Sec. 484(k), 34 CFR 600.2, 34 CFR 668.38

Distance education courses

Distance education refers to instruction delivered to students who are separated from their instructor and in support of regular and substantive interaction between them, whether in real time or through time delay. Technologies used may include the Internet; one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices; audio conferencing; or, if used in conjunction with the previous technologies, video cassettes, DVDs, and CD-ROMs. If a course does not qualify as a distance education course, it is considered to be a correspondence course.

Students can receive FSA funds for distance education courses under these conditions: the courses must belong to an eligible program, and the school must have the capability to effectively deliver distance education programs as determined by an accrediting agency that is recognized by the Department and that has the evaluation of distance education programs within the scope of its recognition. Short-term certificate programs of less than one year offered via distance education are eligible for FSA funds, and they are not considered correspondence programs.

HEA Sec. 103 and 484(l), 34 CFR 600.2, 34 CFR 668.38

Students studying abroad

A student in a study-abroad program is eligible for aid if the program is approved for academic credit toward her degree by the eligible home school at which she is enrolled as a regular student. The home school must have a written agreement with the foreign school (or with another U.S. school that contracts with the foreign school) or a single written arrangement with a study-abroad organization to represent an agreement between the home school and the foreign school.

HEA Sec. 484(o), 34 CFR 668.39