

Q&A Session: 2nd Chance Pell: Reshaping Course Delivery in Response to COVID-19 (03/27/2020)

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Question: Are we counting summer as a term? Or are we only counting the traditional primary terms?

Answer: Summer is considered a term if you offer coursework during the summer. The Department has extended flexibilities that would be inclusive of terms that include March 5th or begin between March 5th and June 1st (including June 1st). The flexibility offered in this case would allow you to extend your spring term even if that extension would cause an overlap with the summer term.

Question: Do students in a term-based program have to resume their coursework at the same point that they left once they re-enter a program after using a leave of absence?

Answer: Normally, that is correct. However, the recently-passed CARES Act makes changes to those requirements. Please refer to forthcoming guidance from the Department on this provision for more information. Guidance will be available on the Department's COVID-19 website at <https://www.ed.gov/coronavirus>.

Question: Selective Service's website notes they will not be issuing Status of Information Letters (SILs) until further notice because of limited operations due to COVID-19. For the summer term or 2020-2021 award year, this presents challenges for many students. The handbook allows institutions to wait 30 days for a response. After 30 days, unless there is evidence the student willfully failed to register, Pell funds can be awarded and disbursed to the student. Is there any potential to shorten the 30-day time frame knowing SIL are not going to be mailed?

Answer: Currently the 30-day rule is still intact and there are no plans to change this.

Question: Do we have to change a student's enrollment status to "leave of absence" if we plan to give an incomplete grade in May and plan to resume when able? What is the implication for Pell between an incomplete and a leave of absence (LOA)? Is an approved leave of absence better because the student can come back and continue?

Answer: If you give a student an incomplete grade for a class, it essentially means the student has completed some, but not all, of the course, with still some coursework to complete. Therefore, an incomplete grade generally cannot be used as documentation that a student completed a course in order to obviate the need to perform a Return of Title IV Funds (R2T4) calculation. If you plan to put the student on incomplete status for all of his or her classes and that student doesn't have any classes with a passing grade or a grade that denotes they completed the class, then you would need to consider the student withdrawn and perform an R2T4 calculation.

Colleges and Universities that temporarily discontinue instruction may offer an approved leave of absence if they can reasonably resume instruction within 180 days. Placing a student on a leave of absence allows an institution to avoid performing an R2T4 calculation for that student unless he or she is unable to return.

An incomplete grade may also impact future financial and student academic progress. Therefore, it might be in a student's interests to place them on an LOA now under the flexibility due to COVID-19; however, if a student does not return when classes resume, he or she must be considered withdrawn the day the LOA began.

Note that the CARES Act includes provisions related to withdrawals and R2T4 calculations. Please refer to forthcoming guidance from the Department on this provision for more information. Guidance will be available on the Department's COVID-19 website at <https://www.ed.gov/coronavirus>.

Question: What is the timeframe for the incomplete? Our incomplete allows for 1 year to complete.

Answer: The Department's satisfactory academic progress (SAP) regulations require schools to have a policy on how incompletes will be treated. The Department does not have any regulations or guidance for how long an incomplete can last except that a college must have a policy explaining its treatment of such grades for SAP purposes.

Question: How can sites provide regular and substantive instruction to students in prison?

Answer: Here is a simple way to look at correspondence vs. distance learning: If regular and substantive interaction is provided via paper and content is delivered via technology, the program is correspondence. If regular and substantive interaction is provided via paper and content is delivered via paper, the program is correspondence. If regular and substantive interaction is provided via technology and content delivered via technology, the program is distance learning. If regular and substantive interaction is provided via technology and content delivered via paper, the program is distance learning.

Technology must be used to facilitate regular and substantive interaction in a distance education course. Distance education is defined in the regulations under 34 CFR 600.2 as “education that uses one or more of the technologies ...to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor, either synchronously or asynchronously.” The technologies may include—(1) The internet; (2) One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices; (3) Audio conferencing; or (4) Video cassettes, DVDs, and CD-ROMs, if those materials are used in conjunction with any of the technologies listed above.

The definition requires that “instruction” be delivered through the use of technology, but not necessary all course materials. As noted in the webinar, if email or teleconferencing is used to facilitate regular and substantive interaction between students and instructors *in addition to* sending content (such as textbooks) via paper or mail, or if email is sent to facilitate interaction (even if it is then printed for students), these uses of technology would fulfill the definition.

If the interaction between students and instructors occurs without the use of technology, or is only provided through technology in limited circumstances, the course would not be considered to be offered using distance education.