BACKGROUND

The Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), 2021 (Public Law 116-260, signed into law on Dec. 27, 2020) provided $22B in financial support for colleges and universities, also known as Higher Education Emergency Relief Funds II (HEERF II). UC campuses qualified for $391M in support, $130M of which must be used for emergency grants to students. This is the same level of support required under the CARES Act of 2020. See Table 1 below.

Table 1: Shares of CRRSAA/HEERF II Funding

	Total Award	Minimum Amount for Student Aid Portion
Berkeley	$45,429,825	$15,220,314
Davis	51,521,569	16,935,882
Irvine	54,737,221	18,365,815
Los Angeles	52,623,807	17,953,435
Merced	20,217,509	6,518,949
Riverside	46,440,300	14,867,313
San Diego	52,015,747	17,444,885
San Francisco	1,133,080	433,978
Santa Barbara	38,078,709	12,602,098
Santa Cruz	28,784,842	9,663,601
TOTAL	**$390,982,609**	**$130,006,270**

The Department of Education established a CRRSAA website with a Q & A. Revised guidance for all HEERF administration was released here on May 11, 20212. Guidance differs somewhat from the CARES Act emergency grants, but the delivery method will be the same.

University of California Office of the President Guidance as of May 24, 2021

The UC Office of the President issued the following guidance for the financial aid portion of the CRRSAA. This document reflects the University's current understanding of federal intent and is separated into sections: Guidance which mirrors the CARES Act and that which differs.

The UC Office of the President will help coordinate the sharing of information between campuses and with outside stakeholders. UCOP will not be involved in the allocation of the funding, which will come from the US Department of Education. Campuses are encouraged to work with the Office of the President on summarizing their plans, as well as on future reporting requirements to ensure systemwide coordination for both state and federal policymakers.

Guidance Similar to CARES Act

- Ensuring that students can continue to make progress towards graduation despite financial and other challenges created by the COVID-19 pandemic should be the overarching goal of campuses' plans.

- As with CARES Act, the campus Financial Aid Office will be in the best position to administer in compliance with existing and forthcoming regulations.

- UC Financial Aid Offices are requested to consult with other key leaders on campus, including the Graduate Division, Basic Needs Centers and campus Associated Students, as they develop their process and plans, although not on individual awarding decisions.

- Campuses continue to make myriad decisions about COVID-19 and therefore need flexibility as they develop their local emergency grant funding to meet the needs of their students. In general, the plans should reflect the following principles:

    o Efficient Delivery: Campuses should prioritize delivery in Spring and, if necessary, Summer 2021. Additional funding is anticipated for future terms.

    o Equity: Campuses may provide broad-based support (e.g., a base award to all students), but are also encouraged to provide additional support to groups that may require additional assistance (e.g., low-income, parenting students).

    o Direct Emergency Grant Payments: The Department's guidance is clear that funds should be delivered directly to students, not to pay for past due bills, to reimburse prior expenditures by the campus (e.g., to pay back the campus for purchased laptops), or to replace lost wages.

    o Beyond the Cost of Attendance: The Department also has made it clear that this funding can be made available to students without regard to the normal total cost of attendance limits.

    o Disaster Emergency Relief: The IRS released guidance in late 2020 clarifying that the payments of disaster relief are not reportable on the 1098-T.

Guidance Unique to CRRSAA: Emphasis on Exceptional Financial Need

The CRRSAA guidance from the Department of Education places much more emphasis on the needs faced by recipients. Below is a quote from Question 8, Page 5 of the Q & A:

Unlike the CARES Act, the CRRSAA requires that institutions prioritize students with exceptional need, such as students who receive Pell Grants, in awarding financial aid grants to students. However, students do not need to be only Pell recipients or students who are eligible for Pell grants… Institutions should carefully document how they prioritize students with exceptional need in distributing financial aid grants to students, as the Department intends to establish reporting requirements regarding the distribution of financial aid grants to students consistent with section 314(e) of CRRSAA.

UC campuses awarded CARES Act funding to undergraduate students in a way that is consistent with the "exceptional need" above, providing tiered awards based on their Expected Family Contribution or status as parenting students.

However, some campuses provided CARES funds to graduate students without a Free Application for Federal Student Aid (FAFSA) as long as they signed an affidavit that they would otherwise have qualified as Title IV eligible.

The Office of the President recommends that campuses require CRRSAA recipients either file a FAFSA or California Dream Act Application or develop a robust alternative means of confirming that a student has extraordinary financial need.

Guidance Unique to CRRSAA: Undocumented and International Students

On May 11, 2021, the Department of Education released revised guidance that pertains to all HEERF funds here. Of particular note, the Department clarified that all students are eligible for emergency grants:

> *8. Question: May undocumented students and international students receive HEERF?*
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> *Answer: Yes. The Department's final rule on student eligibility for HEERF states that all students who are or were enrolled in an institution of higher education during the COVID-19 national emergency are eligible for emergency financial aid grants from the HEERF, regardless of whether they completed a FAFSA or are eligible for Title IV. That includes citizens, permanent residents, refugees, asylum seekers, Deferred Action for Childhood Arrival (DACA) recipients, other DREAMers, and similar undocumented students.*

Prior UCOP guidance encouraged campuses to find alternative fund sources to support undocumented and international students given the Department's reluctance to clarify their eligibility before the May 11 release. Given the new guidance, UCOP encourages campuses to provide equivalent support to California's undocumented students, particularly those with demonstrated financial need through the California Dream Act Application.

UCOP strongly recommends that campuses develop an alternative means to assess the financial need of any international students before providing a HEERF emergency grant. For example, campuses could require that international students provide a written narrative with documentation of their financial challenges, including how their circumstances may have changed since filing their I-20. Alternatively, campuses could ask international students to fill out the equivalent of a FAFSA, e.g., using online need analysis calculators.

Furthermore, as the Department emphasizes, priority should be given to domestic students. As the May 11 guidance expands,

International students may also receive HEERF. ***However, as noted in Questions 11 and 12, institutions must ensure that funds go to students who have exceptional need. The Department encourages institutions to prioritize domestic students,*** *especially undergraduates, in allocating this funding. This includes citizens, permanent residents, refugees, asylum seekers, DACA recipients, other DREAMers, and similar undocumented students.* ***[emphasis added]***