

insights

TYPES NOT MAPPED YET December 29, 2020 | TTR not mapped yet | Scott Z. Goldschmidt, Aaron D. Lacey

Higher Education Emergency Relief Funds reporting requirements

Here at REGucation, we have been closely monitoring the CARES Act and compliance obligations under the Higher Education Emergency Relief Fund ("HEERF"). As we now have a clearer picture of HEERF reporting and data collection obligations, we thought the following post would provide a timely recap and reminder of institutional obligations.

Funding and Certification Agreement reporting requirements

Institutions that accepted HEERF funds completed two Funding and Certification Agreements - one for [Emergency Financial Aid Grants to Students](#) (the "Student Portion") and another for the [Institutional Portion](#) of HEERF funds. The Funding and Certification Agreements direct Institutions to:

- Comply with Quarterly and Annual Reporting Requirements (discussed in more detail below);
- Document that the Institution has continued payment of employees and contractors during the period of any disruptions or closures to the greatest extent practicable, in compliance with Section 18006 of the CARES Act;
- Cooperate with any examination of records with respect to the funds by making records and authorized individuals available when requested; and
- For grant costs, maintain adequate documentation as required by 2 CFR § 200.333 and 2 CFR § 200.403(g) to support the reasonableness of these costs, consistent with the cost principles in 2 CFR part 200 subpart E of the Uniform Guidance. ([Higher Education Emergency Relief Fund \(HEERF\) Round 3 Frequently Asked Questions](#), Q.1).

Quarterly reporting requirements

Institutions must publish a quarterly report for both the Student Portion and the Institutional Portion. Reports must be posted on the institution's primary website no later than 10 days after the calendar quarter (January 10, April 10, July 10, October 10).

Student Portion

The following information must be publicly posted for the Student Portion quarterly report:

1. An acknowledgement that the institution signed and returned to the Department the Certification and Agreement and the assurance that the institution has used, or intends to use, no less than 50 percent of the funds received under Section 18004(a)(1) of the CARES Act to provide Emergency Financial Aid Grants to Students.
2. The total amount of funds that the institution will receive or has received from the Department pursuant to the institution's Certification and Agreement for Emergency Financial Aid Grants to Students.
3. The total amount of Emergency Financial Aid Grants distributed to students under Section 18004(a)(1) of the CARES Act as of the date of submission (i.e., as of the initial report and every calendar quarter thereafter).

4. The estimated total number of students at the institution eligible to participate in programs under Section 484 in Title IV of the Higher Education Act of 1965 and thus eligible to receive Emergency Financial Aid Grants to Students under Section 18004(a)(1) of the CARES Act.
5. The total number of students who have received an Emergency Financial Aid Grant to students under Section 18004(a)(1) of the CARES Act.
6. The method(s) used by the institution to determine which students receive Emergency Financial Aid Grants and how much they would receive under Section 18004(a)(1) of the CARES Act.
7. Any instructions, directions, or guidance provided by the institution to students concerning the Emergency Financial Aid Grants.

Student Portion reports may be a cumulative total of expenditures. If all Student Portion funds are expended, no further quarterly reports are required to be published.

Institutional Portion

The Institutional Portion quarterly reporting form is available [here](#). Institutional Portion reports should not be cumulative and only list expenditures incurred during the calendar quarter. If all Institutional Portion funds are expended, Institutions should check the "Final Report" box on the form, and no further quarterly reports are required to be published.

Annual Reporting Requirements

In late December 2020, ED published the final HEERF Annual Reporting Form. HEERF annual performance reports must be submitted via the [Annual Report Data Collection System](#), but a sample form for reference only can be found [here](#).

The HEERF annual report, covering HEERF expenditures between March 13 and December 31, 2020, is required to be submitted by **February 1, 2021**. Late submissions will not be accepted, and deadline extensions will not be granted. Noncompliant institutions may face enforcement actions from the Department.

The Annual Report Data Collection System will be open from January 5 to February 1, 2021. Further instructions, including instructions on how to access the data collection system, can be found [here](#).

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