

Secretary Cardona  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

August 28, 2023

Dear Secretary Cardona,

We are writing to bring your attention to a recent report published by the National Student Clearinghouse, which revealed a concerning trend: over 40 million Americans have some college experience but left higher education without a credential. That is almost one in six Americans. Few postsecondary pathways are linear, but systemic barriers can make it even harder for individuals who want to return and complete, ultimately impacting economic prospects for both the individual and the country.

One barrier is that very often an individual's academic performance follows them upon reentry, no matter how long they have been out of the classroom, which can result in prospective students being ineligible for critical student financial aid. However, current statute and regulations enable institutions of higher education to lift this barrier for returning students. Therefore, we kindly request your assistance in issuing a "Dear Colleague" letter from the Department of Education (ED) providing guidance on Satisfactory Academic Progress (SAP) regulations to financial aid administrators.

Today's student population is more diverse than ever, encompassing individuals of different ages, races, experiences, and responsibilities. They often encounter obstacles that may disrupt their academic progress and lead them to fall short of SAP requirements. It is essential to recognize that these students do not fail to meet SAP due to a lack of ability but rather due to circumstances beyond their control. As a result, many of them are unable to regain eligibility for Title IV funds, which can be a significant financial burden.

Although students currently have the option to petition for access to Title IV funds and continue their education, the process can be cumbersome and lacks clear articulation to students. Additionally, financial aid administrators are sometimes hesitant to make exceptions that are not explicitly stated in the regulations. Consequently, we believe that issuing a "Dear Colleague" letter from ED with more explicit guidance on SAP can be a strong instrument for reducing unnecessary barriers faced by today's students, enabling more adults to return to school and complete their educational journeys.

We kindly urge you to provide the following guidance on SAP to institutions of higher education (IHEs):

1. Clarify that schools have the authority to create a one-time automatic reset for students who fail to maintain SAP after a short wait-out period. This approach will offer students a fair opportunity to get back on track with their studies without undue financial strain.

2. Remove ambiguity by clarifying what constitutes a "special circumstance," including publishing examples of what may meet this criteria and emphasizing to IHEs that any published list of circumstances is not exhaustive, as there may be other valid reasons for an appeal. By doing so, we can ensure that deserving students receive the support they need to overcome unexpected challenges.

3. Encourage IHEs to establish a clear, well-communicated, and expedited student appeals process. A streamlined and accessible appeals process will empower students to navigate through the system more effectively, fostering their chances of successfully resolving academic setbacks.

4. Promote better communication from IHEs to students about SAP, its implications on their eligibility for Title IV funds, and provide early warnings and interventions for those at risk of falling short of SAP. Early interventions can make a significant difference in helping students stay on track with their studies.

5. Encourage IHEs to collect and report data on the prevalence and disparate impact of students falling short of maintaining SAP. Such data will help identify patterns and potential areas of improvement, ultimately leading to more effective support for students.

We believe that the issuance of this guidance will significantly enhance students' prospects of returning to school, earning their credentials, and becoming strong contributing members of the American workforce.

Thank you for your attention to this matter, and we sincerely hope that together, we can create a more inclusive and supportive educational system for all students.

Respectfully,

Higher Learning Advocates  
Alabama Possible  
Binghamton University  
Breakthrough Central Texas  
California Competes  
Campaign for College Opportunity  
Center for First-generation Students Success  
Center for Higher Education Policy and Practice at SNHU  
Children Now  
College Possible  
College Together  
College Unbound  
Council for Adult and Experiential Learning (CAEL)  
Da Vinci Schools  
Duet  
Generation Hope  
Immigrants Rising  
InsideTrack  
Institute for Higher Education Policy (IHEP)

Jobs for the Future (JFF)  
Kings Against Violence Initiative  
LeadMN  
Michigan College Access Network  
National College Attainment Network (NCAN)  
New America, Center for Education and Labor, Higher Education Program  
NextGen California  
Northern California College Promise Coalition  
Rivet School  
SchoolHouse Connection  
Student Parent HELP Center University of Minnesota  
Student Senate of California Community Colleges  
Student Veterans of America  
The Hope Center for College, Community, and Justice  
The Institute for College Access and Success (TICAS)  
UAspire  
University and Professional Continuing Education Association (UPCEA)  
University of California Student Association  
WorkingNation  
Young Invincibles