

DEPARTMENT OF EDUCATION – JUSTIFICATION LETTER FOR EMERGENCY APPROVAL

June 26, 2024

TO: Office of Information and Regulatory Affairs
Office of Management and Budget

THROUGH: Strategic Collections and Clearance
Governance and Strategy Division
Office of Chief Data Officer
Office of Planning, Evaluation and Policy Development
U.S. Department of Education

FROM: Nasser Paydar,
Assistant Secretary
Office of Postsecondary Education
U.S. Department of Education

RE: Request for emergency clearance by June 28, 2024 for the collection associated with surveying colleges and universities to better understand projections for fall enrollment and how the Department can better support colleges in moving forward.

The Department plans to engage with colleges and universities most impacted by the FAFSA delays and is **seeking emergency clearance for a survey to be distributed on July 1, 2024**. Given the delays in launching the form and backend processing this year, schools have faced a dramatically compressed timeline to prepare and offer aid packages to students – most notably, schools with enrollment decision deadlines. The Department is focused on understanding with more confidence where schools are in the process of sending financial aid offers to students and how their enrollment is looking for the fall to better understand schools' fiscal situation. Having a baseline of where schools are will enable the Department to better target support to schools and efforts for FAFSA submission and completion.

1. Information is Essential to the Mission of the Agency

This information collection is essential to the agency's mission, as ED has determined that clearance under the normal notice and comment procedures is not possible, as harm to the students is reasonably likely to result if the agency cannot gather the information at this time that will inform support to institutions of higher education in sending financial aid offers.

The Department plans to send the survey to approximately 1,300 institutions on July 1, 2024. It is critical for the Department to collect this information as soon as possible to ensure the Department has an understanding of schools' projected fall enrollment and how we can support them over the summer. The Department has provided several resources to assist schools in packaging aid offers and has undertaken a robust student support strategy to increase FAFSA submission and completion. It's important that the Department follows up with schools now so that we have a robust understanding of how/if enrollment declines are disproportionately affecting certain types of schools over others ahead of the fall. This will

enable us to better match schools with technical assistance and funding support, either through community-based organizations, philanthropy, or state and local government coordination.

2. The Information is Needed Prior to the Expiration of Time Periods Established Under PRA
Routine PRA approvals can take several months. The remaining time we have to increase FAFSA submissions and completions before the start of the next school year is limited—less than 3 months away. The next two summer months of 2024 are our remaining window to act on this issue before the next school year begins. Routine PRA approval would not allow enough time to collect and analyze the data to strategize and develop supports for colleges.

3. Public Harm is Reasonably Likely to Result if Normal Clearance Procedures are Followed

Across the U.S. we are nearly 1.5M FAFSA applications behind schedule for our routine pace year-over-year, and still hoping for another 7M+ FAFSA applications across all sources for this coming school year. In order to close that gap, we need to ask for and receive all of this information in this survey quickly. This will ensure our interventions are more strategic and targeted and ensure opportunities to apply for aid for lower income students who wish to attend college than otherwise would in the coming year.

4. An Unanticipated Event Has Occurred

Due to delays in launching the FAFSA form this year and subsequent technical bugs, high schools across the country had a very late start in supporting students to complete the FAFSA. This was far later than any normal year, and we are still trying to catch up. We are still seeking to support FAFSA outreach and completion for those graduating high school students who have not yet submitted, and for those who have started applications but not submitted.

With challenges to backend processing of student aid this year, colleges are currently still sending aid offers to students as quickly as possible, with many extending their deadlines beyond the usual July 1st mark. We currently do not have representative information about the status of enrollment at colleges across the country, and therefore cannot make fully informed strategic choices about where to focus our efforts. If the Department can gain this survey response now, the information can still be used to aid students, colleges, and states in closing gaps.

5. Conclusion.

Following normal clearance procedures for approval of this information collection will delay the Department's ability to expeditiously make strategic choices about where to target additional support. It is critical that all students regardless of financial background have the opportunity to pursue higher education, and FAFSA is one of the major tools we have to ensure that outcome. This year that outcome is at risk, and we believe there is still time to avert it provided we are building strategy on accurate and detailed information.

Thank you for your consideration.