Postsecondary institutions and their students continue to face challenges due to the impact of COVID-19. In light of these circumstances, the Pennsylvania Higher Education Assistance Agency (PHEAA) is sharing the below guidance in response to questions raised by Act 101 Directors in recent weeks. While this guidance is based primarily on the current Act 101 Program Guidelines, PHEAA plans to provide a subsequent update to the guidelines for further clarification.

PHEAA recognizes that during these unique times your institution may be seeing an increase of Act 101 students withdrawing from classes, limiting enrollment, or choosing not to enroll in the spring term at all. In addition, programs may encounter difficulties in retaining students, maintaining communication, or completing required documentation. The points below address concerns related to continued funding, enrollment, and meeting the minimum number of students required for the program:

- Any change in student enrollment from an institution’s initial reported number of students served (on the 2020-21 Act 101 Application or Renewal Application) will not affect the level of Act 101 CARES Act funding already received for 2020-21.

- Not all changes in student enrollment negatively impact the student roster. If a student has signed a program agreement for the 2020-21 Academic Year, and later reduces enrollment, withdraws during the same term, or ceases all enrollment in a subsequent term (winter or spring, for example), that student should remain on your 2020-21 student roster and be included on the Students Served Certification and 2020-21 Annual Report roster. The student counts toward the program minimum and is counted as a student served for purposes of program funding.

- A student should not be listed on the institution’s 2020-21 Act 101 student roster under the following conditions unless the student gains eligibility in a subsequent term:
  - The student has not attended for a period of one year or more.
  - The academic credential or degree is completed prior to the start of the academic year.
  - The student transfers to another institution prior to the start of the academic year.
  - The student is ineligible due to initial enrollment of less than six semester credits or the equivalent, loss of Pennsylvania residency (as determined by PA State Grant eligibility or the FAFSA®), or is not enrolled in an eligible program.
  - A student left the institution prior to the start of the program year or refused all program services.

- To be on the roster, a student eligible for the Act 101 Program who agrees to receive services must execute a written student agreement that outlines the academic and financial commitment being made to the student; the student and institution must consent to the student agreement annually.
  - PHEAA will accept electronic signatures from students on all Act 101 student agreements. The institution should retain documentation of the student’s email containing the e-signed agreement. A document outlining how to create acceptable signatures is available upon request or at PHEAA.org.
For 2020-21, if the institution has a signed student agreement dated prior to July 1, 2020 in a student file, and the student is a continuing Act 101 student who has verbally consented to the agreement for 2020-21 or has sent an email or text consenting, and is actively using or receiving Act 101 services, but has not returned the signed agreement for 2020-21, the student may remain on the roster under the following conditions:

- An authorized signatory for the institution has signed the student agreement for 2020-21, has a record of it in the student file, and has a record of when the copy was sent to the student via postal mail or a copy of the original email.
- A member of the Act 101 staff has documented in writing the date upon which the student consented to participation, has included all available documentation in the student file, and has a dated record of the student's participation in Act 101 Program services, some of which must have occurred following the date(s) upon which the agreement was sent to the student, and the student consented.

- New eligible students can be added to the Act 101 Program in any term of the academic year. For example, a school that had an unexpected decline in students from the fall term may recruit new students in the spring. Students added to the roster can be added to the total on the 2020-21 Students Served Certification form (due by March 1, 2021).
- PHEAA provides a list of all students at your institution who are economically eligible for Act 101 to help you in identifying potential participants. This is updated on a regular basis. A financial aid administrator with access to PHEAA systems can retrieve the Act 101 2020-21 Family/Salary Report and share it with you.

If you have any questions or concerns, please contact Act 101 staff via email at act101@pheaa.org or via telephone at 800-443-0646, option 3, option 2, a private number reserved for the use of postsecondary schools.

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