



August 14, 2023

Manager of the Strategic Collections and Clearance Team
Governance and Strategy Division
U.S. Department of Education
400 Maryland Ave. SW, LBJ, Room 4C210
Washington, DC 20202-8240

Docket No. ED-2023-SCC-0100

To whom it may concern,

On behalf of the National Association of Student Financial Aid Administrators (NASFAA), we respectfully submit to the U.S. Department of Education (ED) our comments on ED's request for public input on identifying burden across Department of Education Information Collection Requests (Docket No.: ED-2023-SCC-0100).

NASFAA's membership consists of more than 29,000 financial aid professionals at nearly 3,000 colleges, universities, and career schools across the country. NASFAA member institutions serve nine out of every 10 undergraduates in the United States.

NASFAA appreciates ED's interest in examining burden as relates to information collections. Financial aid administrators understand the need for ED to collect data to comply with legislative requirements and to assess the programs it administers. However, the cumulative burden of all the information collections ED requires of institutions is sizable. The more time financial aid administrators spend on these activities, the less time they have to advise students and families, think strategically about how to best serve students and organize their aid offices, engage in professional development, and implement improvements on their campuses.

Before addressing ED's questions about specific information collection burdens, we offer some broad recommendations on how ED should approach information collections with respect to burden.

First, timing is critical. ED must take the time schools need to implement new information collections into account when new or amended legislation requires a new information collection and set its own deadlines accordingly. For instance, the FAFSA Simplification Act was signed into law in 2020, but ED did not release its comment request for the information collection request (ICR) for institutions to report student-level annual Federal Work-Study earnings for Student Aid Index calculations (OMB Control Number: 1845-NEW) to the Common Origination and Disbursement (COD) system until March 2023. This left institutions with only nine months to accommodate an additional 200 hours in their schedules that are already stretched to capacity with preparations for full implementation of the FAFSA Simplification Act on their campuses.

Related, ED should not delay issuing an ICR for public comment until it is too late to accommodate changes in response to public comments. Year after year, the FAFSA is released for public comment so late in the cycle that ED is unable to make changes, defeating the purpose of the public comment period altogether.

Second, ED must ensure its burden estimates are accurate and transparent. Financial aid administrators rely on ED's burden estimates to anticipate the resources they need to devote to information collections. When those estimates are inaccurate, institutions are forced to reallocate resources, delaying equally important tasks, in order to comply. ED should engage with stakeholders when developing burden estimates to ensure accuracy and transparency.

Responses to specific ED questions:

(1) Do some Department information collections or processes place a more significant burden on certain types of respondents, particularly individuals and entities that could be more adversely affected? If so, what impact could this have on these respondents in accessing public benefits?

Fiscal Operations Report and Application to Participate (FISAP) (OMB Control Number 1845-0030)

- FISAP collection is especially burdensome for institutions with smaller financial aid offices. Financial aid administrators report several days of work devoted to FISAP completion each year, which translates to a significant percentage of staff time in smaller financial aid offices.

Free Application for Federal Student Aid (FAFSA) (OMB Control Number 1845-0001)

- Incarcerated students: The FAFSA imposes a significant burden on incarcerated students. The Incarcerated Applicant Form is almost identical to the standard paper FAFSA and the design does not suit the needs of the incarcerated population. Instructions are dense and difficult to understand, and the certifications and associated language related to penalties are intimidating. For instance, by nature of their incarceration, students enrolled in prison education programs are likely unaware if they have defaulted on a student loan and, yet, must attest to the fact that they are not in default or face fines or further imprisonment.
- Undocumented students/parents: We have significant concerns about the burden of obtaining an FSA ID for undocumented students and parents, which will now be required for FAFSA completion. ED must take pains to assure individuals that identifying themselves as undocumented for purposes of applying for federal student aid will not result in penalties related to their citizenship status.
- Graduate and professional students: Even the new, simplified FAFSA imposes an unnecessary burden on graduate and professional students who are applying for only a Direct Unsubsidized Loan or Graduate PLUS Loan. Considering these programs require no income or asset information, students could indicate their desire to apply only for these non-need-based aid types and provide only basic demographic information to establish their eligibility.

Satisfactory Academic Progress (SAP) (OMB Control Number: 1845-0108)

- SAP failure disproportionately impacts low-income students and students of color¹ and should be reexamined with an eye toward equity in access to and success in postsecondary education. Annual and aggregate federal student loan limits, Pell Grant Lifetime Eligibility Used limits, Unusual Enrollment History flags, and institutional academic progress standards are all designed to prevent the fraud and abuse

¹ <https://higherlearningadvocates.org/wp-content/uploads/SAP-reform-policy-brief-2023.pdf>

the SAP standards seek to curb. ED should re-examine all of these limitations on student eligibility together to reduce redundancy and overlap.

Gainful Employment (GE) (OMB Control Number 1845-0107)

- Gainful employment reporting, especially prior-year data reporting, is also especially burdensome for small financial aid offices and for those that do not offer federal student loans. The burden will soon become substantially larger as GE reporting becomes required of non-GE programs through ED's proposed financial value transparency framework.

Financial Value Transparency (no OMB control number)

- ED shares in its proposed financial value transparency regulations preamble that very small numbers of non-GE programs (1.2% of programs at public institutions and 1.6% of programs at private not-for-profit institutions) are expected to fail at least one of the GE metrics. ED places undue burden (over 100 hours) on the 98.8% of public institutions and 98.4% of private not-for-profit institutions that will pass both metrics, in order to capture the small number of failures.

(2) Do some Department information collection requests contain questions that the commenter might perceive as having limited value or utility? If so, please identify specific data elements when recommending burden reduction solutions.

Financial Value Transparency (no OMB control number)

- Reporting gainful employment metrics for non-GE programs will be of little value for students attending programs with longer time horizons to return on investment.
- By offering only a binary distinction of high-debt-burden or not high-debt-burden, ED creates a steep cliff where a few dollars' difference in median earnings or debt between programs will label one program high-debt and leave another free of that distinction despite only a nominal difference in the data being compared, which gives this distinction little practical value for students to evaluate programs.
- Assigning a high-debt-burden label to programs that prepare students for low-paying but socially valuable and personally fulfilling public service careers like social work and early childhood education may even prove to have detrimental value, by cutting off the flow of new practitioners into critical public service fields.

Integrated Postsecondary Education Data System (IPEDS) Reporting (OMB Control Number: 1850-0582)

- IPEDS reporting focuses primarily on first-time, full-time freshmen, which is not representative of the populations of students at many — maybe even most — institutions. Institutions that serve large numbers of part-time students and transfer students must spend many hours reporting data on a subset of their population that does not reflect their actual demographics and likely mischaracterizes the institution.
- IPEDS income bands were set by the 2007 CCRAA, which diminishes their utility with each passing year.

Gainful Employment (OMB Control Number 1845-0107)

- Requiring seven prior years of gainful employment data reporting for programs that do not offer federal student loans places an immense burden on institutions, with no value to prospective and current students.

These programs should be added to the transitional reporting period regulations at 668.408(c)(1) which allow non-GE programs to report only two years of prior data.

(3) Do some Department information collections request duplicative information? If so, please recommend solutions (for example, eliminating duplicative questions in a specific collection or consolidating multiple collections)?

Fiscal Operations Report and Application to Participate (FISAP) (OMB Control Number 1845-0030)

- Student-level Pell Grant award reporting to the COD system makes reporting of total award year federal Pell Grant expenditures duplicative on the FISAP and should be removed.
- ED also has the necessary data to calculate the Cohort Default Rate in the National Student Loan Data System (NSLDS) and should remove this reporting from the FISAP.
- ED has designated for future use a number of student-level campus-based aid data elements to be reported through COD. If ED proceeds with this plan, Federal Supplemental Educational Opportunity Grant and Federal Work-Study reporting (OMB Control Number: 1845-NEW) on the FISAP would be duplicative and should be removed.

Satisfactory Academic Progress (SAP) (OMB Control Number: 1845-0108)

- Tracking SAP and denying federal student aid eligibility for SAP failure is duplicative in light of annual and aggregate federal student loan limits, Pell Grant Lifetime Eligibility Used limits, Return to Title IV Funds, and Unusual Enrollment History flags. Institutions also have their own academic standards that require students to be dismissed when they are not met, preventing them from taking advantage of federal student aid if they are not on a path to successful completion of their program. ED could reduce burden on institutions and students by re-examining all of these limitations on student eligibility together to reduce redundancy and overlap.

Federal information collections are often duplicative of state efforts

- Postsecondary institutions are often required to report substantially similar data to their states that they have already reported to ED but in different formats, which forces them to create separate reporting structures for each entity. ED should engage with state higher education agencies to coordinate data collection efforts and share data.

(4) What data-linkage or data-sharing activities can the Department engage in to reduce the burden of information collections?

As noted in response to question 3 above, ED should ensure that data that exists in one of its systems is linked to other ED systems instead of requesting duplicative information from institutions.

The COD and NSLDS systems should be linked so institutions are not forced to draw data from NSLDS into their own systems before reporting data out to COD in order to avoid a rejection from the COD system when ED already has the information needed to prevent the COD reject in the first place. For instance, if a school reports a disbursement to COD before importing an NSLDS response file into their system indicating that a loan default or overpayment has been resolved, COD will reject the record and the institution has to resolve the rejection. It should not fall on institutions to tell one Department of Education system that another Department of Education system contains the information needed to establish a student's Title IV aid eligibility.

(5) The Department recognizes that burden can be reduced by improving the usability of forms. How might the Department reduce burden by improving the usability of forms, independent of eliminating data collections or data elements?

Foreign Gift Reporting (OMB Control Number 1845-NEW)

Foreign gift reporting is incredibly time-consuming and burdensome for institutions, in part because of the format ED requires. Suggestions for improvement include:

- Creating a mechanism for schools to report multiple entries per submission, such as by country.
- Establishing a per-donor threshold for reporting. Institutions frequently have multiple donors that contribute less than \$25 each, but which have to be reported since they contribute to the \$250,000 total for any one country. These are frequently unrestricted gifts that are part of fundraising and are not tied to any contracts, for which schools may have hundreds in a reporting period.
- Giving schools the ability to edit submissions during the reporting time frame, since currently, any mistakes that are discovered require multiple emails to the foreign gifts team to withdraw the submission.
- Creating a mechanism to print all submissions at once for a reporting period, instead of requiring users to go in and click each one to print and then save to a PDF.
- Giving schools the ability to go into the portal to access previous reports as needed for audit purposes.
- Giving institutions the option to report as the gifts/grants/contracts come in so institutions don't have to do all reporting at once when it is due.
- Allowing users to see all entries versus only those they entered themselves. Many institutions have several people doing data entry and it can be difficult to track all the entries.
- Modifying the reporting portal so information does not need to be entered over and over for each record, such as institutional information.
- Modifying the reporting portal to remove certifications on individual pages and instead have the final acknowledgment and certification be used to cover the submitted record and information.

Enrollment Reporting (OMB Control Number 01845-0035)

- The NSLDS Enrollment Reporting Guide is 205 pages long, with 256 pages of appendices. Recognizing the importance of accurate enrollment reporting and the breadth of possible enrollment scenarios, enrollment reporting is simply too complex and burdensome for institutions. NSLDS enrollment reporting errors continually top the list of program review and audit findings, and even auditors struggle to understand the finer points of this requirement. ED must simplify this process to ensure students' enrollment statuses are accurate.

E-App

- ED could significantly reduce burden on institutions by not requiring a president's or chancellor's signature on minor changes like address or phone number.

(6) What additional feedback would you like to share regarding challenges, barriers, or suggested improvements for obtaining benefits from the Department?

We appreciate the difficulty of finding the appropriate balance between mitigating burden and collecting the data necessary both for the effective and efficient delivery of the federal student aid programs and for ensuring transparency and accountability. We commend the Department in its effort to tackle this sizable task and look

forward to partnering on this issue to ensure ED has the information it needs to provide adequate oversight over the programs it administers and to provide useful and relevant information to stakeholders. We believe ED can do that while also leveraging existing data sources and cutting out unnecessary reporting by postsecondary institutions.

We appreciate the opportunity to comment on this request for public input. If you have any questions regarding these comments, please contact me or NASFAA Senior Policy Analyst Jill Desjean at desjeanj@nasfaa.org.

Regards,



Justin Draeger, President & CEO



Jill Desjean, Senior Policy Analyst