

Sent: Wednesday, June 3, 2020 11:30 AM

To: Financial Aid Directors

Subject: CARES Act Part II: Emergency Financial Aid Grants and the Pursuit of Racial Equity

Hello, Colleagues:

I'm writing with the hope that there have been moments in your day that have lightened your heart. I know many of us are heartbroken over the horrific acts of violence on our black brothers and sisters amidst a global health crisis and economic depression that has disproportionately attacked our black, brown, and native communities, and increased the anti-Asian sentiment within our refugee/immigrant populations. It is a trifecta of global proportions in which our communities of color will struggle to recover from (emotionally, spiritually, and financially) for years to come. But, it has also increased our system's urgency to take bold action steps in supporting our students of color and their families.

As you are already aware, the Department of Education (ED) recently updated their guidance page for the Higher Education Emergency Relief Fund (HEERF) established by the CARES Act. ED stated that their guidance for the HEERF is not enforceable, excepting what is in statute. They focused on the language regarding Title IV eligibility for student emergency grants and stated that they will not initiate any enforcement action based solely on their guidance because it lacks the force and effect of law. They also stated that the underlying statutory terms in the CARES Act are legally binding, as are any other applicable statutory terms, such as the restriction in [8 U.S.C. § 1611](#) on eligibility for Federal public benefits (including grants). This statement appears to exclude our DACA, undocumented, and international students from accessing the emergency grants.

However, the recent clarification also expands our colleges' abilities to consider distributing the emergency aid to the following student populations:

- Basic skills students (67% are students of color)
- Students who are not currently receiving Financial Aid or do not meet Title IV eligibility (Pell-eligible)
- Students who are Ability to Benefit eligible
- Students without a HSD/GED
- Part-time students

I hope this guidance is helpful as your college revisits its policies and practices for distributing the emergency grants. On behalf of SBCTC, I can't thank you enough for the work you do for students in our collective pursuit of racial equity and healing. Without your leadership, courage, and advocacy during this turbulent and precarious time in our nation's history, our students of color and other minoritized populations would be left further behind.



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"Things are not getting worse, they are getting uncovered.

We must hold each other tight and continue to pull back the veil."

- Adrienne Maree Brown

SBCTC Vision

"Leading with racial equity, our colleges maximize student potential and transform lives within a culture of belonging that advances racial, social, and economic justice in service to our diverse communities."