

Comité de Regulaciones Federales y Estatales – Boletín 2018- 15

ELECTRONIC ANNOUNCEMENT

Conforme a la Sección 443 (b) (2) (A) de la Ley de Educación Superior de 1965, según enmendada (HEA) y las reglamentaciones de implementación en el 34 CFR 675.18 (g) establecen los requisitos de gastos de servicio comunitario según el Programa de Estudio-Trabajo (FWS)). El mismo establece que una institución debe cumplir a menos que el Secretario le conceda una exención del requisito de servicio comunitario. La siguiente información explica cómo una institución solicita una exención de los requisitos de gasto del servicio comunitario para el Programa de FWS para el AY2018-19.

La fecha límite para someter electrónicamente la solicitud de exención de servicio comunitario para el Programa FWS del AY2018-19 es a las 11:59 p.m. Hora del este (ET) el lunes, 23 de abril de 2018.

Las solicitudes enviadas luego de esa fecha **NO** serán consideradas.

Notificación de la determinación de la solicitud de exención de servicio comunitario de FWS

El USDE planifica notificar, por correo electrónico, a cada institución que sometió una solicitud de exención de servicio comunitario para el Programa de FWS del AY2018-19 no más tardar del **30 de junio de 2018.**

Enviarán un correo electrónico al Administrador de Ayuda Económica de la institución, conforme a lo provisto en el FISAP sometido más reciente.

En el correo electrónico, el USDE informará a la institución sobre la determinación del Secretario con respecto a la solicitud de exención de la institución en el sitio web de *COD*.

Para información adicional hacer referencia al correo electrónico o número de teléfono al final del anuncio.

Posted Date: March 26, 2018

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Subject: 2018–19 Federal Work-Study Program Community Service Waiver Requests

Section 443(b)(2)(A) of the Higher Education Act of 1965, as amended (HEA) and the implementing regulations at 34 CFR 675.18(g) set forth the community service expenditure requirements under the Federal Work-Study (FWS) Program that a school must meet unless the school is granted a waiver of the community service requirement from the Secretary. The following information explains how a school requests a waiver of the community service expenditure requirements under the FWS Program for the 2018–19 Award Year.

FWS Community Service Expenditure Requirements

In an award year, a school that participates in the FWS Program is required to expend at least seven percent of its FWS federal allocation to pay the federal share of wages to students employed in community service jobs. A school is also expected to provide the institutional share of wages to students employed in community service jobs.

In addition, one or more of the school's FWS students must be employed as a reading tutor for children in a reading tutoring project or performing family literacy activities in a family literacy project [34 CFR 675.18(g)(1)].

A school that fails to meet one or both of the FWS community service requirements may be required to return FWS federal funds in an amount that represents the difference between the amount the school should have spent for community service and the amount it actually spent as well as being subject to a substantial fine. Further, a school that is not compliant with the FWS community service requirements may be subject to other sanctions, including a Limitation, Suspension, and Termination (L, S, & T) proceeding, through which the school could be denied future participation in the FWS Program, and possibly other Title IV, HEA programs.

FWS Community Service Waiver Request

Under the statute, the Secretary may waive one or both of the community service requirements for a school if the school has demonstrated that enforcing the requirement(s) would cause a hardship for the students at that school. The fact that it may be difficult for the school to comply with the requirement(s) is not in and of itself a basis for granting a waiver [34 CFR 675.18(g)(2)]. In the past, the Secretary has approved a limited number of waivers for schools that were able to demonstrate an exceptional circumstance. Some exceptional circumstances include, but are not limited to:

Small FWS Allocation - The school had a very small FWS allocation. The supporting information submitted by the school noted that seven percent of the school's allocation only provided enough funds for a student to work in a community service job for a short period of time. Therefore, the school was unable to find placement for a student in a community service job.

Rural Area - The school is in a rural area that is located far from the type of organizations that would normally provide community service jobs. The school provided information that showed that its students lacked the means of transportation to get to the location of the community service jobs. In a similar waiver request in which transportation did exist, a school provided documentation that showed that the transportation costs were extremely high for the students.

Specialized Program - The school offered only a single program of specialized study that required its students to spend extensive amounts of time in classroom and non-classroom academic activities. The school provided information that demonstrated that this specialized educational program did not allow its students to have time for performing community service jobs at the time those work opportunities were available.

Note: As explained in [Dear Colleague Letter 17-08](#), if a school is unable to meet the community service requirements due to the impact of a Federal Emergency Management Agency (FEMA)-declared disaster, it should complete a waiver request using the submission process described below.

Submission Requirements for a 2018–19 FWS Community Service Waiver Request

A school must submit its waiver request to the Department of Education (the Department) electronically via the Common Origination and Disbursement (COD) Web Site. To submit the request:

1. Log into the [COD Web Site](#)
2. From the “School” tab, select “Campus-Based” from the left navigation menu
3. Select “Forms and Waivers” from the left navigation menu, then click “Manage Application”
4. From the Manage Application page, locate the Community Service Waiver and click “Create”

The school's waiver request must specify whether the school is requesting a waiver of the seven percent community service requirement, the reading tutors of children or family literacy project requirement, or both. It must also include detailed information to demonstrate that complying with the requirement(s) would cause hardship for the school's students.

The deadline for electronic submission of a school's 2018–19 FWS Community Service waiver request is 11:59 p.m. Eastern time (ET) on Monday, April 23, 2018. Transmissions must be completed and accepted by midnight ET.

A waiver request that is received after April 23, 2018 will not be considered.

Determination Notification of the FWS Community Service Waiver Request

The Department plans to notify, via email, each school that submitted a 2018–19 FWS Community Service waiver request that a determination has been made regarding its waiver request no later than June 30, 2018.

We will send this email to the school's Financial Aid Administrator, as provided in the school's most recently submitted Fiscal Operations Report and Application to Participate.

In the email, we will inform the school that the Secretary's determination regarding the school's waiver request has been posted to the COD Web Site.

To review the Secretary's determination:

1. Log in to the [COD Web Site](#)
2. From the "School" tab, select "Campus-Based" from the left navigation menu
3. Select the "Self-Service" link from the left navigation menu, then click "Notifications"

Contact Information

If you have additional questions about the FWS community service expenditure requirements or the procedures for requesting a waiver, contact the COD School Relations Center at [1-800-848-0978](tel:1-800-848-0978). You may also email CODSupport@ed.gov.

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