Regular and Substantive Interaction When Going Online as a Response to COVID-19
March 19, 2020

Issue
A March 5 memo from USED reiterated that all distance education courses—including those that started as face-to-face and then hastily moved online in response to COVID-19—must include regular and substantive interaction between instructors and students. The Department did allow accreditors to relax additional requirements in this area during this extraordinary time.

Impacted
This issue impacts an institution’s administrators in charge of accreditation, regulatory compliance, academic affairs, and course design as well as instructors.

Effective Dates
According to USED, “this flexibility only applies to a program during a payment period that includes March 5 or the following payment period.”

Background
For an institution providing distance education programs to be eligible to participate in Title IV, the programs must include “regular and substantive interaction between the instructor and the students.” COVID-19 does not eliminate these requirements, even for institutions transitioning abruptly from face-to-face programs to distance education:

“To meet the Department's requirements for providing distance education, an institution must communicate to students through one of several types of technology – including email – described under 34 CFR § 600.2, and instructors must initiate substantive communication with students, either individually or collectively, on a regular basis.”

Recommended Action(s)
Bullet list recommendations in format below

• No need to purchase a new LMS: “An instructor could use email to provide instructional materials to students enrolled in his or her class, use chat features to communicate with students, set up conference calls to facilitate group conversations, engage in email exchanges or require students to submit work electronically that the instructor will evaluate.”

• Do what works for your students: The purpose of the March 5 memo is to provide “flexibilities for schools that are working to help students complete the term in which they are currently enrolled.”

Applicable regulations
34 CFR §600.2; other policies referenced in the March 5 Memo.