

**Recipient’s Funding Certification and Agreement  
Emergency Financial Aid Grants to Students under the Coronavirus Aid, Relief, and  
Economic Security (CARES) Act**

Section 18004(a)(1) of the CARES Act, Pub. L. No. 116-136 (March 27, 2020), authorizes the Secretary of Education (“Secretary”) to allocate formula grant funds in the amount of \$1,130,072 to West Hills College Lemoore (“Recipient”).

Section 18004(c) of the CARES Act requires Recipient to use no less than fifty percent of the funds received to provide emergency financial aid grants to students for expenses related to the disruption of campus operations due to coronavirus (including eligible expenses under a student’s cost of attendance such as food, housing, course materials, technology, health care, and child care). This Certification and Agreement solely concerns the emergency financial aid grants to students under Section 18004(c) of the CARES Act.

To address the pressing financial need of students due to the disruption of campus operations from coronavirus, and pursuant to the authority duly delegated to the Secretary under the CARES Act and associated with the coronavirus emergency, as stated in Proclamation 9994 of March 13, 2020, “Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak,” *Federal Register* Vol. 85, No. 53 at 15337-38, the Secretary and Recipient agree as follows:

1. The Secretary will provide Recipient fifty (50) percent of its formula grant funds (the “advanced funds”) for the sole and exclusive purpose of providing emergency financial aid grants to students for their expenses related to the disruption of campus operations due to coronavirus, such as food, housing, course materials, technology, health care, and child-care expenses.

2. Recipient agrees to promptly make available emergency financial aid grants from the advanced funds directly to students for their expenses related to the disruption of campus operations due to coronavirus, such as food, housing, course materials, technology, health care, and child-care expenses. Recipient shall not use the advanced funds to reimburse itself for any costs or expenses, including but not limited to any costs associated with significant changes to the delivery of instruction due to the coronavirus and/or any refunds or other benefits that Recipient previously issued to students.

3. Recipient retains discretion to determine the amount of each individual emergency financial aid grant consistent with all applicable laws including non-discrimination laws. Recipient acknowledges that the Secretary recommends the maximum Federal Pell Grant for the applicable award year as an appropriate maximum amount for a student’s emergency financial aid grant in most cases, and the Recipient should be mindful of each student’s particular socioeconomic circumstances in the staging and administration of these grants. The Secretary strongly encourages Recipient’s financial aid administrator to exercise the use of professional judgment available under Section 479A of the Higher Education Act of 1965 (HEA), 20 U.S.C § 1087tt, to make adjustments on a case-by-case basis to exclude individual emergency financial aid grants from the calculation of a student’s expected family contribution. The Secretary does not consider these individual emergency financial aid grants to constitute Federal financial aid under Title IV of the HEA.

4. In consideration for the advanced funds and as conditions for their receipt, Recipient warrants, acknowledges, and agrees that:

(a) The advanced funds shall not be used for any purpose other than the direct payment of grants to students for their expenses related to the disruption of campus operations due to coronavirus, such as food, housing, course materials, technology, health care, and child-care;

(b) Recipient holds those funds in trust for students and acts in the nature of a fiduciary with respect thereto;

(c) Recipient shall promptly comply with Section 18004(e) of the CARES Act and (i) report to the Secretary thirty (30) days from the date of this Certification and Agreement and every forty-five (45) days thereafter in accordance with 2 CFR 200.333 through 2 CFR 200.337, or in such other additional form as the Secretary may specify, how grants were distributed to students, the amount of each grant awarded to each student, how the amount of each grant was calculated, and any instructions or directions given to students about the grants; and (ii) document that Recipient has continued to pay all of its employees and contractors during the period of any disruptions or closures to the greatest extent practicable, explaining in detail all specific actions and decisions related thereto, in compliance with Section 18006 of the CARES Act;

(d) Recipient shall comply with all requirements in Attachment A to this Certification and Agreement;

(e) Recipient shall promptly and to the greatest extent practicable distribute all the advanced funds in the form of emergency financial aid grants to students by one year from the date of this Certification and Agreement, and document its efforts to do so as part of the report specified in subsection (c) above;

(f) Recipient shall cooperate with any examination of records with respect to the advanced funds by making records and authorized individuals available when requested, whether by (i) the U.S. Department of Education and/or its Inspector General; or (ii) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority; and

(g) failure to comply with this Certification and Agreement, its terms and conditions, and/or all relevant provisions and requirements of the CARES Act or any other applicable law may result in Recipient's liability under the False Claims Act, 31 U.S.C. § 3729, *et seq.*; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; 18 USC § 1001, as appropriate; and all of the laws and regulations referenced in Attachment A, which is incorporated by reference hereto.

RECIPIENT or Authorized Representative of Recipient

Kristin Clark

OPEID Number

04111300

DATE

04/15/2020

## **Attachment A to Recipient's CARES Funding Certification and Agreement**

*The Recipient assures and certifies the following:*

- Recipient will comply with all applicable assurances in OMB Standard Forms 424B and D (Assurances for Non-Construction and Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; nondiscrimination; Hatch Act provisions; labor standards; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders and regulations.
- With respect to the certification regarding lobbying in Department Form 80-0013, no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; Recipient will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 C.F.R. Part 82, Appendix B); and Recipient will require the full certification, as set forth in 34 C.F.R. Part 82, Appendix A, in the award documents for all subawards at all tiers.
- Recipient will comply with the provisions of all applicable acts, regulations and assurances; the following provisions of Education Department General Administrative Regulations (EDGAR) 34 CFR parts 75, 77, 79, 81, 82, 84, 86, 97, 98, and 99; the OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

### **Paperwork Burden Statement**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1801-0005. The time required to complete this information collection is estimated to be 2,853 total burden hours. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to: Hilary Malawer, 400 Maryland Avenue, SW. Washington, D.C. 20202.

# CARES Act Funds Disclosures

## Department of Education Required Disclosures for the Receipt and Use of CARES Act and Higher Education Emergency Relief Fund (HEERF)

Congress recently passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which included the Higher Education Emergency Relief Fund (HEERF) to assist students who have experienced financial hardship relating to the COVID-19 pandemic.

### Student Eligibility Requirements for HEERF

These funds, which are grants, not loans, are available to help eligible students who are facing an unexpected financial emergency and need help with one or more of the following items in order to stay enrolled in college: housing, food, basic technology to assist with online learning, and other essentials due to circumstances relating to the pandemic.

West Hills College Lemoore acknowledges that the institution signed and returned to the Department of Education the Certification and Agreement and assures that it intends to use no less than 50% of the \$2,260,143 in total funds allocated to the college under Section 18004(a)(1) of the CARES Act to provide Emergency Financial Aid Grants to students.

Pursuant to the institution's Certification and Agreement for Emergency Financial Aid Grants to Students, the total amount of funds received to date for Emergency Financial Aid Grants to Students is \$1,130,072 (US Department of Education PR/Award Number: P425E201752).

As of July 27, 2020, \$458,000 has been distributed to students under Section 18004(a)(1) of the CARES Act.

The estimated total number of West Hills College Lemoore students eligible or could be eligible to participate in programs under Section 484 in Title IV of the Higher Education Act of 1965 and thus eligible to receive Emergency Financial Aid Grants to students under Section 18004(a)(1) of the CARES Act is 4,251.

As of July 27, 2020, the total number of students who have received an Emergency Financial Aid Grant to students under Section 18004(a)(1) of the CARES Act is 916.

Eligible students must have met the following criteria, per the U.S. Department of Education requirements:

- Submitted a 2019-2020 FAFSA
- Have West Hills College Lemoore as their college of record
- Was not a fully online student prior to March 13, 2020
- Did not drop from all of their classes

- Enrolled in at least one unit
- Cannot be enrolled as an international student
- Be enrolled or accepted for enrollment in a degree, certificate or transfer program
- Not be enrolled in elementary or secondary school and have a high school diploma or its recognized equivalent
- \*\*Be maintaining satisfactory academic progress (SAP) standards
- \*Not owe an overpayment on Title IV grants
- \*Not be in default on a Title IV loan
- \*Be a U.S. citizen or national, a permanent resident, or an eligible noncitizen
- \*Have returned any fraudulently obtained Title IV funds, if the student is convicted of or pled guilty or no contest to charges
- \*Not have fraudulently received Title IV loans in excess of annual or aggregate limits
- \*Have repaid any Title IV loan overpayment amounts in excess of annual or aggregate limits, if obtained inadvertently
- \*Registered for Selective Service, if assigned male at birth
- \*Have a valid Social Security Number
- \*Not have a federal or state conviction for drug possession or sale, with certain time limitations

\*Criteria was removed on 6/25/20 based on the Legal Advisory found [here](#).

\*\*Students not meeting the completion rate or max time frame criteria of SAP were not listed in the Legal Advisory.

Students were afforded an opportunity to submit an emergency grant application and if determined eligible according to the Department of Education guidelines were awarded \$500 in Emergency Financial Aid Grants under Section 18004(a)(1) of the CARES Act.

Funds are being disbursed via check or electronic payment.

In late April 2020, a message was sent to all registered students informing them of the CARES Emergency Grant with instructions to go online or to contact the Financial Aid Office. A set of [frequently asked questions](#) was also provided to students at that time. Beginning the week of August 3, 2020, the College plans to award and package \$500 grants to eligible new students and to communicate the award to those students with an encouragement to use the funds for instructional technology needs.