



March 8, 2023

Dear Ms. Rana,
Dear Mr. Castro,

I hope all is well with you.

Today, I'm bringing a completely different topic to your attention. I'm sure that you're already aware but the US Department of Education has proposed some changes concerning Title IV policy that, if put into place as stated in their document, would be extremely detrimental for the US study abroad sector around the globe.

Title IV is the legislation that controls the use of funds from U.S. Federal Financial Aid. The proposed guidance suggests that Title IV funding cannot be used by students if the Third Party Servicer is located outside the United States or is owned or operated by an individual who is not a US citizen or national or a lawful U.S. permanent resident. Title IV functions include coursework, which all abroad programs deliver. Preventing the use of Title IV aid outside the United States would cripple the study abroad sector and student opportunities, which you know are particularly well developed in Europe.

While many abroad campuses may be owned by U.S. institutions, some may not be, and certainly numerous Third Party Providers have non-U.S. ownership. Indeed, most in-country host higher education institutions in Europe do not have U.S. ownership, and neither do housing providers. We're unsure as to their definition of 'operated'; however, assuming it refers to Resident Directors who conduct on-site operations, then our 2019 EUASA survey suggests that only 41% of Resident Directors in Europe hold U.S. citizenship.

We believe the new measures do not intentionally mean to include the study abroad sector in these regulations, but we obviously need to make the case that the mission of this sector constitutes important and legitimate academic programming, and it is intentionally global in its nature.

If study abroad programs, directly operated by local branches or equivalent entities fully owned or established by the US university or college, and with dedicated personnel and premises, are not to be considered as 'third party' then, by definition, they should fall outside the scope of the new rules.

In addition, local or international study abroad providers and host-country higher education institutions, that operate independent from the US institutions, provide a variety of services

to the home institutions' students on study abroad programs. While these programs are third parties, they should be considered as an integral part of the US study abroad sector, being essential to the operation of this sector.

You can download and comment on the proposal [here](#): Another helpful overview by a group of US lawyers can be found at this [link](#).

The Chronicle on Higher Education, NAFSA, The Forum on Education Abroad and EUASA have all gotten involved in the conversation and are preparing responses. We would appreciate if your offices, each in their own capacity, could also join us in asking for greater clarity from the DoE so that US study abroad programs in Europe will not be affected by this new Title IV guidance.

We would be willing to organize a zoom call if that would be helpful.

Sincerely,

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Director and Professor, Champlain College,
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Dr. Laurent Ringer
EUASA, Legal & Political Committee
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