



FAA

Aviation Safety

Memorandum

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To: General Aviation Safety Assurance (AFG) Office Managers

From: Mark Giron, Acting Manager, General Aviation and Commercial Division, AFS-800

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Subject: **Revised:** Special Guidance for Title 14 Code of Federal Regulation (14 CFR) part 141 Pilot School Regarding Training Interruptions Related to Coronavirus (COVID-19) and Applicable Deviations to Order 8900.1.

This memorandum supersedes the memorandum issued on March 17, 2020 pertaining to Special Guidance for Title 14 Code of Federal Regulation (14 CFR) part 141 Pilot Schools Regarding Training Interruptions Related to Coronavirus (COVID-19) and Applicable Deviations to Order 8900.1.

Summary of Revisions:

- Removed limitations for enrolling new students.
- Added a note for documenting the denial of the temporary distance learning method.
- Added information for documenting the issuance of the deviation to part 141 Pilot Schools.
- Added a note on the expiration/termination of this deviation and information regarding the revision of the school's training course outline(s).
- Added a note for returning to standard operations after the deviation expires.

BACKGROUND

The Centers for Disease Control and Prevention (CDC) has determined that COVID-19 meets the definition for "severe acute respiratory syndromes" set forth in Executive Order (E.O) 13674. Therefore, this COVID-19, also known as the coronavirus, is a

“quarantinable communicable disease,” as defined by E.O. 13295, as amended by E.O.s 13375 and 13674. Additionally, the World Health Organization (WHO) has declared the COVID-19, also known as the coronavirus, outbreak a Public Health Emergency of International Concern.

The impact of this virus has caused multiple states and cities within the United States (U.S.) to take action by reducing or limiting public gatherings, which includes the closure of schools, colleges and universities in most locations. These closures may impact student learning and schedules on Title 14 Code of Federal Regulations (14 CFR) part 141 pilot schools.

The Airmen Training and Certification Branch is providing the following temporary guidance to assist currently enrolled part 141 pilot school students.

Note: In this memo, the term part 141 pilot school(s) also includes part 141 provisional pilot schools.

POLICY DEVIATION

This guidance is temporary in nature and should not be applied as standard procedure. This memorandum provides a deviation from current guidance. The standard procedures for revising a training course outline (TCO) are located in FAA Order 8900.1, Volume 3, Chapter 53, Section 2, *Approve Training Course Outlines for a Part 141 Pilot School*, and Volume 2, Chapter 9, Section 1, *Initial Certification or Renewal of a Part 141 Pilot School*. Flight Standards District Offices (FSDO) with part 141 pilot school oversight responsibilities may use this guidance to authorize flexibility for part 141 curriculum delivery and student attendance within the current requirements of part 141. FSDOs and assigned principal inspectors (PI) should discuss these options with the effected part 141 pilot schools and provide the appropriate support based on the option selected by the schools.

The FAA recognizes that no one solution will fit every situation or school’s capabilities. FAA inspectors should not require a school to choose any specific option. It is the part 141 pilot school’s responsibility to determine its appropriate course of action. The part 141 pilot school must remain in compliance with the requirements of part 141. Below are recommended options to assist FSDOs and assigned PIs along with part 141 pilot schools in determining an appropriate path forward. FSDOs or part 141 pilot schools experiencing circumstances where this guidance may not be applicable should contact the Airmen Training and Certification Branch. Contact information is provided below.

RECOMMENDED OPTIONS

1. Authorize use of a temporary distance learning program
2. Schools can suspend part 141 operations for a period of time
3. Other short-term deviations to Order 8900.1
4. Exemptions to 14 CFR part 141

1. **Authorize use of a temporary distance learning program.**

A part 141 pilot school electing to utilize a distance learning program must provide students with an equivalent level of instruction found in a traditional classroom.

- a. Part 141 pilot schools may request to use a temporary distance learning program and be authorized distance learning program content provided there is no change to the Training Course Outline (TCO) except the delivery method. The responsible FSDO should support requests to conduct appropriate instruction using the temporary distance learning program for a limited timeframe.

Note: The responsible FSDO must document any denial of the request through a PTRS entry 1368, and provide supporting information on the reason for this denial.

- b. The following guidelines are required in order to authorize a deviation from FAA Order 8900.1, Volume 3, Chapter 53, Section 2, *Approve Training Course Outlines for a Part 141 Pilot School*.
 - i. A detailed description of the distance learning technology to be utilized.
 - ii. Procedures describing the how the distance learning program will be administered, to include a description of the how course content will be delivered and how instructors and students will communicate as needed.
 - iii. Procedures to ensure distance learning course records are kept in compliance with the approved curriculum, to include procedures for tracking student attendance under each subject/topic. The school must maintain a list of those students who were taught under the distance learning method and make these records available to the FAA upon request.
- c. The part 141 pilot school must establish a timeframe for distance learning delivery. The timeframe should align with program semester/defined end dates. Due to the uncertainty of the situation, extensions to the timeframe may be approved by the assigned POI.
- d. The responsible FSDO will review the distance learning program to ensure this adequately describes how students will be taught course content.
- e. Instructors will initiate substantive communication with their students, either individually or collectively, on a regular basis. In other words, 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.

- f. The pilot school must set procedures for annotating the student record documenting attendance based on this temporary approval.
- g. Each pilot school shall determine stage checks and end of course tests that will be administered during the period of this alternative method of classroom instruction in the event part 141 pilot schools are unable to reopen by the end of the course or semester.
- h. Each stage check and end of course test must be identical to the checks and tests that are normally administered. Each student will be given the check or test through a testing platform such as Blackboard, Socrative, and Elearning (Desire2Learn). This list is not all inclusive. Any method that is utilized must ensure the integrity of the test, provides identification of the student, is able to maintain the confidentiality of the answers provided by the student, and maintains access control. If needed, testing can be postponed until students can return to the classroom.
- i. The pilot school must maintain the security of all checking and testing. Test results must be provided to each student in a timely manner. If the end of course test results in the course completion, each student will be issued a graduation certificate in accordance with § 141.95 within 30 days. During the use of this temporary approval the use of electronic graduation certificates is authorized.
- j. Each pilot school must have a defined timeframe for using the temporary distance learning program. The procedures must specify that the system is only to be used for absences associated with pilot school closures related to the COVID-19 outbreak.
- k. The assigned PI will enter a PTRS record using activity code 1368, indicating this is a temporary substitution for the method of delivery for the course or courses for which schools are authorized a temporary method of distance learning. They will also place COVID19 in the National Use field.
- l. The approval to conduct training via the distance learning program will be provided to the Pilot School on FAA letterhead and signed by the PI.

Note: This deviation process is effective until superseded or terminated. The General Aviation and Commercial Division will notify all responsible

FSDOs of revisions or the termination of this deviation via memo. The deviation will also terminate if the Pilot School revises their current Training Course Outline(s) to reflect the incorporation of the distance learning program.

Note: Pilot Schools that implement procedures using this deviation must develop a process to return all affected students to the Pilot School's standard curriculum within 30 days after the termination of this deviation.

2. Suspend part 141 pilot school operations for a period of time.

- a. Part 141 pilot schools may choose to suspend operations for a period of time depending on local authority's requirements. Should the pilot school suspend operations for a period of time, they must provide a written notification of the timeframe it expects for suspension. The part 141 pilot school should notify the responsible Flight Standards office of when it plans to resume operations. The school should submit its plan for suspension and resumption of operations to the responsible office for their awareness.
- b. Enter a PTRS record using activity code 1368 indicating the school has suspended operations until their proposed deadline. They will also place COVID19 in the National Use field.

3. Other short-term deviations to Order 8900.1.

Pilot schools may submit alternate proposals to the responsible FSDO to address learning under circumstances related to COVID-19. When proposals require deviation from FAA Order 8900.1 not discussed above, the responsible FSDO should submit a request for a deviation to guidance to the Airmen Training and Certification Branch in accordance with FAA Order 8900.1, Volume 1, Chapter 1, Section 1, *General Order Information*. Requests can be sent via email to the correspondence inbox 9-AFS-800-Correspondence@faa.gov

4. Exemptions to 14 CFR part 141.

A part 141 pilot school may request an exemption from applicable requirements under 14 CFR part 141. Exemptions requests must be submitted in accordance with the requirements under 14 CFR part 11. A part 141 pilot school should be advised that petitions for exemption may take substantially longer compared to deviations to FAA guidance and the outcome may vary.

The General Aviation and Commercial Division has heard of temporary authorizations for certain part 141 pilot schools being issued by responsible FSDOs. Those authorizations should immediately be reviewed to ensure they comply with the requirements of this temporary policy deviation and reissued once the requirements of this policy deviation are met.

If you have any questions regarding this memorandum, please contact the General Aviation and Commercial Division, Airmen Training and Certification Branch by e-mail at 9-AFS-800-Correspondence@faa.gov or by phone at (202) 267-1100.