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Pell Grants for Short-Term Programs: Background and Legislation in the 118th Congress

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Pell Grants for Short-Term Programs: Background and Legislation in the 118th Congress

The Federal Pell Grant program, authorized by Title IV of the Higher Education Act (HEA), is the single largest source of federal grant aid supporting postsecondary education students. For several years, Congress and stakeholders in the higher education and workforce training communities have promoted the possibility of expanding Pell Grants to students enrolled in short-term programs—educational programs that do not meet the minimum durational requirements in current law. The possible expansion would be intended to provide prospective students with more educational and career options and employers with more skilled applicants. Concerns about a possible expansion are generally related to historical fraud perpetrated by providers of short-term programs and inconsistent employment returns for short-term programs.

The Pell Grant program provides grant aid to financially needy undergraduate students who have not achieved a bachelor's degree and are enrolled in eligible educational programs at HEA Title IV-participating institutions of higher education (IHEs). In general, eligible educational programs are undergraduate degree programs and certificate programs of at least 600 clock hours of instruction (or the equivalent) offered over a minimum of at least 15 weeks. Title IV-participating IHEs may include public, private nonprofit, and proprietary institutions, and they must be authorized to operate a postsecondary educational program by the state in which they are located, accredited by an accrediting agency recognized by the U.S. Department of Education (ED), and certified by ED.

From 2012 to 2017, ED conducted an experiment allowing select IHEs to award Pell Grants to otherwise Pell-eligible students in educational programs that were at least 150 clock hours of instructional time, were at least eight weeks in duration, were offered by public or private nonprofit IHEs, and met local or regional workforce needs. Over 80% of recipients pursued programs in transportation and materials moving or health professions. Pell-eligible students demonstrated a 10 percentage-point increase in completion when offered a Pell Grant for short-term programs. The average cost of attendance was \$16,900, and the average Pell Grant award was \$1,312.

As of August 2023, three major bills have been introduced in the 118th Congress to expand Pell Grants to short-term programs:

- Promoting Employment and Lifelong Learning Act (PELL Act; H.R. 496);
- Jobs to Compete Act (H.R. 1655); and
- Jumpstart Our Businesses by Supporting Students Act (JOBS Act; S. 161) and its companion, the JOBS Act of 2023 (H.R. 793).

The bills share several provisions. *Short-term programs* would be defined as educational programs providing 150-599 clock hours of instruction offered over 8-14 weeks. The programs would have to be in in-demand industries. Student eligibility would be expanded to otherwise Pell-eligible students who have received a bachelor's degree but not a postbaccalaureate degree. The proposals would require that IHEs offering Pell-eligible short-term programs be accredited by an accrediting agency for which ED has included within its scope of recognition the ability to assess an IHE's Pell-eligible short-term education programs.

Some key provisions differ between the bills. Only public and private nonprofit IHEs could offer Pell-eligible short-term programs under S. 161/H.R. 793, while H.R. 496 and H.R. 1655 would not limit HEA Title IV-participating IHEs by institutional control. S. 161/H.R. 793 and H.R. 1655 would require that short-term programs be on the state's eligible training provider list as created under the Workforce Innovation and Opportunity Act (WIOA), lead to a *recognized postsecondary credential* as defined by WIOA, and provide academic credit toward related degrees and certificates. H.R. 496 and H.R. 1655 would both establish outcome metrics for the short-term programs: a 70% completion rate, a 70% employment placement rate, and a requirement that the earnings of program completers exceed specified benchmarks. In addition, H.R. 1655 would establish several additional quality assurance requirements for short-term programs that have no corollary in the other bills. For example, H.R. 1655 would require that IHEs offering short-term programs have not been subject to specified adverse actions within the past five years and that the program not be exclusively offered through distance education.

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Introduction

The Federal Pell Grant program, authorized by Title IV of the Higher Education Act (HEA), is the single largest source of federal grant aid supporting postsecondary education students.¹ In FY2023, the Pell Grant program is estimated to make \$30 billion available to over 6 million students.² For several years, Congress and stakeholders in the higher education and workforce training communities have promoted the possibility of expanding Pell Grants to short-term programs—programs with durations below the current statutory minimum. This report provides background on this policy option and compares key provisions of three relevant legislative proposals introduced in the 118th Congress. The comparison explains, as available, the rationale for these provisions and similar HEA provisions.

Under current law, educational programs must meet or exceed statutory duration requirements for enrolled students to qualify for a Pell Grant. Under proposals to expand Pell Grants to short-term programs, a postsecondary student who is otherwise Pell-eligible but enrolled in a short-term program would be eligible to receive a Pell Grant award prorated to the duration of the program (*short-term Pell Grants*). Generally, the proposals would support students enrolled in educational programs that provide 150-599 clock hours of instruction over 8-14 weeks, meet requirements under Title IV of the HEA, and meet additional proposed requirements.

The meaning of *short-term* throughout this report varies depending on the context, statutory provisions, regulations, and U.S. Department of Education (ED) guidance. Every effort is made to define the term in context.

This report is intended to inform Congress as it considers legislation authorizing short-term Pell Grants. The first section discusses current and historical context for HEA Title IV federal student aid and short-term programs. The second section describes three proposals from the 118th Congress that would establish a new type of Pell Grant that would support student enrollment in short-term programs. All references to current law denote the HEA as in effect on or before July 1, 2024, as a result of amendments by the FAFSA Simplification Act (FSA; Title VII, Division FF, P.L. 116-260 [Consolidated Appropriations Act, 2021]) and the FAFSA Simplification Act Technical Corrections Act (FSATCA; Division R, P.L. 117-103 [Consolidated Appropriations Act, 2022]).³

HEA Title IV Aid and Short-Term Educational Programs

HEA Title IV currently authorizes, and has historically authorized, several federal student aid programs, including Pell Grants and student loans. Such aid has been available to postsecondary students in variously defined short educational programs. Some have expressed ongoing concerns regarding the value and suitability of such programs.

After a description of the Pell Grant program, this section briefly reviews the policy arguments for and against extending Pell Grants to students enrolled in short-term programs and describes

¹ For a more detailed description of the Pell Grant program, see CRS Report R45418, *Federal Pell Grant Program of the Higher Education Act: Primer*.

² U.S. Department of Education, *President's Budget Request FY2024*, Student Aid Overview, pp. 3-4.

³ The amendments go into effect on or before July 1, 2024, coinciding with the beginning of the 2024-2025 award year. For a description of the amendments, see CRS Report R46909, *The FAFSA Simplification Act*.

the historical and current use of student loans and Pell Grants for short programs, as well as related findings.

Pell Grant Program Under Current Law

HEA Title IV-eligible students who are financially needy undergraduates may be awarded Pell Grants to defray the cost of their postsecondary education while enrolled in HEA Title IV-eligible undergraduate programs.⁴ Financial need is determined through a combination of the family's adjusted gross income (AGI) and the student aid index (SAI). SAI is calculated in accordance with an HEA-defined methodology that establishes how much the student's family is expected to contribute to his or her educational costs.

HEA-Specified Minimum Number of Hours and Weeks of Instruction

- At least 600 clock hours, 16 semester or trimester hours, or 24 quarter hours of instruction offered over a minimum of at least 15 weeks; or
- At least 300 clock hours, 8 semester hours, or 12 quarter hours of instruction offered over a minimum of 10 weeks for programs that admit as regular students only individuals who have completed the equivalent of an associate's degree.

An HEA Title IV-eligible undergraduate program must be offered by a public, private nonprofit, or proprietary (private for-profit) HEA Title IV-participating institution of higher education (IHE).⁵ HEA Title IV-participating IHEs must satisfy the requirements of a program integrity triad—state authorization, accreditation or preaccreditation, and certification by ED—as well as additional criteria. An HEA Title IV-eligible undergraduate program offered by a public or private nonprofit institution must

- lead to an associate's or bachelor's degree,⁶
- be a qualifying postbaccalaureate teacher education program,
- be at least one academic year of training that leads to a recognized nondegree credential and prepares students for gainful employment in a recognized occupation (see the "Gainful Employment in a Recognized Occupation" section), or
- meet or exceed the *HEA-specified minimum number of hours and weeks of instruction* (see text box) and prepare students for gainful employment in a recognized occupation.

If the program is offered by a proprietary HEA Title IV-participating IHE, it must either (1) be a qualifying postbaccalaureate teacher education program or (2) meet the HEA-specified number of

⁴ An undergraduate student has not completed the curriculum requirements of a bachelor's or higher degree. In addition, undergraduate students include those enrolled in Pell-eligible postbaccalaureate teacher certificate or licensing programs. Such programs do not lead to a graduate degree, are offered by a school that does not also offer a bachelor's degree in education, and lead to certification or licensure necessary for employment as an elementary or secondary school teacher in the state. Students with a bachelor's degree must be enrolled at least half-time in a postbaccalaureate teacher education program. To be eligible for a Pell Grant, the student enrolled in the postbaccalaureate teacher education program must be pursuing an initial teacher certification or licensing credential within the state.

⁵ 34 C.F.R. §668.8(c), (d), and (h). Only students enrolled in domestic institutions may receive Pell Grants.

⁶ At a public or private nonprofit HEA Title IV-participating IHE, eligible programs also include programs of at least two academic years that are acceptable for full credit toward a bachelor's degree.

hours and weeks of instruction (see text box) and prepare students for gainful employment in a recognized occupation.⁷

Gainful Employment in a Recognized Occupation

HEA requires that some educational programs “prepare students for gainful employment in a recognized occupation.” Prior regulations, which have been rescinded, established *gainful employment* rules to operationalize the statutory phrase.⁸ In May 2023, ED published proposed rules for new gainful employment regulations.⁹ These regulations would establish program-level metrics relating to debt-to-earnings limits and earnings compared to high school graduates, and the proposed rules would require the disclosure of program-level performance information (e.g., primary occupation, completion rate, program costs) to prospective students.

Short-Term Pell Grant Policy Arguments

Congress and higher education advocacy organizations have generally described several justifications for extending Pell Grants to educational programs that are shorter in duration than permitted under current law. In general, the policy is intended to benefit prospective students, employers, and the overall economy. Suggested advantages have included the following:

- support for short-term training may increase workforce participation and lead to the filling of vacant positions for employers,¹⁰
- not all students are interested in or have the capacity to achieve a degree,¹¹ and
- some short-term training programs may provide equal or better employment and earning prospects to completers and federal return on investment than some educational programs that are Pell-eligible under current law.¹²

Proponents have also argued that Pell Grants may be an optimal mechanism to support short-term training because the program is a quasi-entitlement program—for the most part, eligible students receive the Pell Grant award amount calculated for them without regard to available appropriations—with a stable funding stream.¹³

⁷ At a proprietary HEA Title IV-participating IHE that has been continuously accredited by an ED-recognized accrediting agency since at least October 1, 2007, and has provided the program continuously since January 1, 2009, eligible programs also include those leading to a bachelor’s degree in liberal arts.

⁸ U.S. Department of Education, “Program Integrity: Gainful Employment,” 79 *Federal Register* 64889, October 31, 2014, as rescinded by U.S. Department of Education, “Program Integrity: Gainful Employment,” 84 *Federal Register* 31392, July 1, 2019.

⁹ U.S. Department of Education, Office of Postsecondary Education, “Financial Value Transparency and Gainful Employment (GE), Financial Responsibility, Administrative Capability, Certification Procedures, Ability to Benefit (ATB),” 88 *Federal Register* 32300-32511, May 19, 2023.

¹⁰ Republican Members of the House Committee on Education and the Workforce, “Workforce Pell Opens Pathways to Successful Careers,” press release, November 18, 2022; and U.S. Congress, House Committee on Education and the Workforce, *Promoting Real Opportunity, Success, and Prosperity Through Education Reform Act*, to accompany H.R. 4508, 115th Cong., 2nd sess., February 8, 2018, H.Rept. 115-550, pp. 203-204.

¹¹ Republican Members of the House Committee on Education and the Workforce, “Workforce Pell Opens Pathways to Successful Careers,” press release, November 18, 2022.

¹² Republican Members of the House Committee on Education and the Workforce, “Workforce Pell Opens Pathways to Successful Careers,” press release, November 18, 2022.

¹³ Wesley Whistle, *Short Memories Lead to Long-Term Consequences*, New America, January 11, 2021, p. 28.

Opposition to expanding Pell Grants to short-term programs is rooted in historical abuse and inconsistent employment returns for these programs.¹⁴ For example, federal investigations have found various abuses by IHEs across all institutional sectors related to the provision of student loans for shorter educational programs (see the “Student Loans for 300-599 Clock Hour Programs” section). While completers of some short-term programs have higher wages or lengthier employment terms than noncompleters, completers of other short-term programs do not realize such benefits.¹⁵ The evidence of fraud and inconsistent returns have resulted in some advocates of short-term Pell Grants proposing various limitations on the expansion, including, but not limited to, establishing employment and earnings standards for graduates.

Student Loans for 300-599 Clock Hour Programs

Although Pell Grants are not currently available to students in short-term programs, federal student loans have been since the 1960s. Experience with the administration of student loan programs for postsecondary students enrolled in eligible programs of at least 300 clock hours might inform the short-term Pell Grant policy proposals. The requirements for such student loan programs have been modified over time in response to findings of abuse and poor outcomes.

Pre-1992 Loan Programs and Outcomes

Since at least 1965, and through 1992, student loans were available through various loan programs for postsecondary students for the pursuit of educational programs of at least 300 clock hours. These loan programs were intended to provide parallel access to postsecondary education for vocational and collegiate students in recognition of diverse student objectives and preferences, as well as workforce needs.¹⁶ The National Vocational Student Loan (NVSL) program was available to students enrolled in vocational programs of at least 300 clock hours of classroom instruction (or the equivalent) at public, private nonprofit, and proprietary business, trade, technical, and vocational schools.¹⁷ The NVSL loan program was merged into the HEA Title IV-B student loan program to simplify program administration.¹⁸ By 1970, the HEA Title IV-B student loan program was available for programs of not less than 300 clock hours of classroom instruction (or the equivalent).¹⁹

In the 1970s, shorter educational programs, especially those offered by proprietary institutions, were associated with poor student outcomes and abuses. Employment and wages for program graduates were generally poor regardless of whether the training was offered by proprietary or public institutions. Based on a sample of 2,000 graduates from both proprietary and public institutions, 20% of professional and technical graduates were employed in related jobs, and 80%

¹⁴ Sean Ruddy and Kevin Miller, *Are Short-Term Pell Grants a Good Idea? The Need for an Expanded Pilot Study*, Bipartisan Policy Center, December 2021, p. 4.

¹⁵ Sean Ruddy and Kevin Miller, *Are Short-Term Pell Grants a Good Idea? The Need for an Expanded Pilot Study*, Bipartisan Policy Center, December 2021, p. 4.

¹⁶ U.S. Congress, Senate Committee on Labor and Public Welfare, *National Vocational Student Loan Insurance Act of 1965*, to accompany H.R. 7743, 89th Cong., 1st sess., September 21, 1965, S.Rept. 89-758.

¹⁷ NVSL was authorized by the National Vocational Student Loan Insurance Act of 1965 (NVSL; P.L. 89-287) and the Higher Education Act of 1965 (P.L. 89-329). U.S. Department of Health, Education, and Welfare, Office of Education, “Part 178-Federal, State, and Private Programs of Low-Interest Loans and Direct Federal Loans to Vocational Students,” 31 *Federal Register* 14942, November 26, 1966.

¹⁸ The Higher Education Amendments of 1968 (P.L. 90-575).

¹⁹ U.S. Department of Health, Education, and Welfare, Office of Education, “Part 177-Federal, State, and Private Programs of Low-Interest Loans to Vocational Students and Students in Institutions of Higher Education,” 35 *Federal Register* 16888-16896, October 31, 1970.

of lower-level clerical or service worker graduates, excluding secretaries, barely earned minimum wage. Training offered by proprietary institutions was found to be associated with deceptive advertising, predatory recruiting practices, unfair refund policies, low completion rates, poor curriculum and instructional quality, institutional financial instability and high bankruptcy risk, and improper training for a job that may not exist.²⁰

By the early 1990s, several concerns had been raised regarding vocational programs of 300-599 clock hours and the provision of student loans for such programs. Congressional testimony provided prior to the enactment of the Higher Education Act Amendments of 1992 by the Secretary of Education and other stakeholders postulated that eliminating loans for shorter programs would reduce loan defaults and the use of student aid for programs of poor quality with poor employment outcomes.²¹ In addition, congressional testimony in the early 1990s by a student loan guaranty agency, a state licensing agency, an accrediting agency, and the ED Inspector General indicated that some IHEs had increased the instructional duration of programs in order for students to be eligible for loans, and such program stretching was associated with increased debt and time to completion.²² Some Members of Congress advocated for greater federal monitoring of these programs rather than eliminating federal student aid for them because shorter educational programs provided greater choice among educational program offerings for students, an opportunity to pursue training for disadvantaged students, and practical training that led to remunerative employment.²³

Higher Education Amendments of 1992

The Higher Education Amendments of 1992 (1992 amendments; P.L. 102-325), as amended by the Higher Education Technical Amendments of 1993 (P.L. 103-208), enacted several provisions to address reported problems of fraud and abuse in the HEA Title IV aid programs generally, and student loans for shorter programs specifically. For example, the student loan cohort default rate threshold was lowered for all IHEs, making it easier for IHEs to lose HEA Title IV eligibility.²⁴ The amendments also included student protections. For example, IHEs were required to establish a fair and equitable tuition refund policy for HEA Title IV aid recipients. Regarding student loans for shorter programs specifically, the 1992 amendments revised the definition of *HEA Title IV eligible programs* and established requirements for shorter programs for which students may borrow Direct Loans.

²⁰ U.S. Congress, House Committee on Government Operations, *Reducing Abuses in Proprietary Vocational Education: Twenty-Seventh Report*, committee print, 93rd Cong., 2nd sess., December 30, 1974, H.Rept. 93-1649.

²¹ U.S. Congress, House Committee on Education and Labor, *Higher Education Amendments of 1992*, 102nd Cong., 2nd sess., February 27, 1992, H.Rept. 102-447, p. 63; U.S. Congress, Senate Committee on Governmental Affairs, Permanent Subcommittee on Investigations, *Abuses in Federal Student Aid Programs*, 101st Cong., 2nd sess., February 20, 26, 1990, S.Hrg. 101-659 (Washington: GPO, 1990), pp. 488-490; and U.S. Congress, Senate Committee on Governmental Affairs, Permanent Subcommittee on Investigations, *Abuses in Federal Student Aid Programs, Part 2*, 101st Cong., 2nd sess., September 12, 1990, S.Hrg. 101-659, Pt. 2, p. 122.

²² U.S. Congress, Senate Committee on Governmental Affairs, Permanent Subcommittee on Investigations, *Abuses in Federal Student Aid Programs, Part 2*, 101st Cong., 2nd sess., September 12, 1990, S.Hrg. 101-659, Pt. 2, pp. 121, 126, 209-211, 443, 553.

²³ U.S. Congress, House Committee on Education and Labor, Subcommittee on Postsecondary Education, *Oversight Hearing on the Reauthorization of the Higher Education Act of 1965*, 99th Cong., 1st sess., May 13, 1985, H.Hrg. 99-33, pp. 10-11.

²⁴ In general, the cohort default rate is the percentage of an IHE's qualifying Federal Family Education Loan (FFEL) program and Direct Loan program borrowers who enter repayment in a given fiscal year and default within three years after entering repayment.

Because vocational programs of 300-599 clock hours had been linked to charges of fraud, abuse, and high default rates, the 1992 amendments established requirements that

- for purposes of all HEA Title IV aid programs, eligible undergraduate educational programs be at least 600 clock hours, 16 semester hours, or 24 quarter hours over a minimum of 15 weeks and prepare students for gainful employment in a recognized profession;
- for purposes of all HEA Title IV aid programs, eligible educational programs be 300-599 clock hours (or the equivalent) over a minimum of 10 weeks and require at least an associate's degree for admission; and
- for purposes of providing loans to students enrolled in short programs, eligible educational programs be 300-599 clock hours and have verified completion and placement rates of at least 70%.²⁵

The 1992 requirements for shorter programs remain in current law, but the 1992 definition of *eligible program* has been expanded to include programs offered through telecommunications and programs that utilize direct assessment.²⁶

Current Requirements for 300-599 Clock Hour Programs Participating in the Direct Loan Program

Under current law, students in 300-599 clock hour programs may be eligible to borrow a federal student loan from the William D. Ford Federal Direct Loan (Direct Loan, or DL) program.²⁷ Such educational programs are programs of 300-599 clock hours of instruction that are offered during a minimum of 10 weeks and have a verified completion rate and placement rate of at least 70%. The Secretary may establish additional requirements for 300-599 clock hour programs. Under current regulations, the program must

- provide undergraduate training that prepares a student for gainful employment in a recognized occupation,
- admit as regular students some individuals who have not completed the equivalent of an associate's degree,
- have been in existence for at least one year, and
- not be more than 50% longer than the minimum training period required by the state or federal agency (if any) for the occupation for which the program is intended.²⁸ For some occupations, state and federal agencies require that entrants receive a minimum number of hours of instruction on certain subjects.²⁹

²⁵ IHEs calculate their program-level completion and placement rates.

²⁶ The Deficit Reduction Act of 2005 (P.L. 109-171) expanded the *eligible program* definition to include programs offered in whole or in part through telecommunications and programs that utilize direct assessment in lieu of credit hours or clock hours as the measure of student learning.

²⁷ HEA §481(b)(2).

²⁸ 38 C.F.R. §668.8(d)(3).

²⁹ For example, the Maryland Department of Labor requires applicants to have completed 150 hours of courses approved by the Maryland Commission of Real Estate Appraisers, Appraisal Management Companies and Home Inspectors and meet other requirements to become a licensed real estate appraiser; see <https://www.dllr.state.md.us/license/reahi/> (as available on March 28, 2023).

Regardless of program length, students borrowing Direct Loans must be enrolled on at least a half-time basis.³⁰ The Secretary must verify the 300-599 clock hour program meets the established statutory and regulatory requirements before the first student is eligible to receive a Direct Loan in the program.

On April 10, 2019, there were approximately 114 ED-approved 300-599 clock hour programs for which a student could borrow a Direct Loan. Public and proprietary IHEs offered most of the programs—20% and 76%, respectively. Almost half (46%) of all the programs were in the cosmetology and related personal grooming services, and an additional 14% were in the health professions and related clinical sciences.³¹ The majority (65%) of programs required 400 or fewer clock hours of instruction. Sixty percent of programs reported completion rates over 90%, and 44% of programs reported placement rates above 90%.³²

A 2021 analysis by the Brookings Institution of the outcomes for 300-599 clock hour programs for which students may borrow Direct Loans found that earnings of graduates from more than two-thirds (70%) of such programs did not exceed the average earnings of high school drop outs.³³

History of Pell Grants for Shorter Programs

As opposed to the student loan programs, Pell Grants have not been available to students enrolled in shorter programs. The Pell Grant program (initially known as Basic Educational Opportunity Grants) was enacted by the Education Amendments of 1972 (P.L. 92-318). As originally implemented, a Pell-eligible educational program had to lead to a degree or certificate, be of at least six months in duration, and admit as regular students only high school graduates (or the equivalent).³⁴

The definition of *HEA Title IV-eligible educational program* enacted by the 1992 amendments applied to the Pell Grant program as well as other HEA Title IV aid programs, except that 300-599 clock hour educational programs that did not require at least an associate's degree for admission were not Pell-eligible.³⁵ The 1992 eligible program requirements (see the “Higher Education Amendments of 1992” section) generally remain in effect under current law.

ED Pell Grant Experiments with Shorter Educational Programs

Since at least the 1990s, ED has tested various statutory and regulatory changes in an effort to improve the integrity of student aid delivery, improve services to students, and reduce administrative burdens.³⁶ In 2009, ED made a public solicitation for innovative strategies to

³⁰ To be enrolled half-time, a student must be taking at least half of the course load of a full-time student. For example, if a school sets 12 semester hours as full-time, 6 semester hours is considered as half-time.

³¹ The program categorization is based on ED's Classification of Instructional Programs (CIP Codes). The classification provides a taxonomic scheme that supports the accurate tracking and reporting of fields of study and program completions activity.

³² Email from U.S. Department of Education, Office of Legislation and Congressional Affairs, to CRS, August 7, 2019.

³³ Stephanie Riegg Cellini and Kathryn J. Blanchard, *Quick college credentials: Student outcomes and accountability policy for short-term programs*, Brookings, July 22, 2021, <https://www.brookings.edu/research/quick-college-credentials-student-outcomes-and-accountability-policy-for-short-term-programs/>.

³⁴ 45 C.F.R. §190.2 (1975).

³⁵ IHEs calculate their program-level completion and placement rates.

³⁶ Under Section 487A(b) of the HEA, the Secretary of Education has the authority to grant waivers from specific HEA Title IV statutory or regulatory requirements to test alternative methods for administering the HEA Title IV programs.

improve postsecondary student outcomes.³⁷ In partial response to that solicitation, ED conducted two Pell Grant experiments from November 2012 to June 30, 2017. Experiment #1 provided Pell Grants to students with a bachelor's degree, and Experiment #2 provided Pell Grants to students in short-term programs. The experiments were intended to test whether allowing students to receive a Pell Grant while pursuing shorter vocational training programs would address the unemployed or underemployed status of such individuals.³⁸ The experiments were designed with a random assignment evaluation such that the outcomes might inform potential statutory changes. Most of the entering participants were over age 30 with an average adjusted gross income of \$22,176.

The outcomes that were evaluated under these experiments focused on program enrollment and completion. ED indicated that data related to employment and earnings could not be collected during the study period and the results might not have met statistical requirements for measuring effects.

Post-Bachelor's Pell Grant Experiment

The post-bachelor's experiment (Experiment #1), provided Pell Grants to otherwise Pell-eligible students with a bachelor's degree who were unemployed or underemployed and started the educational program for the first time. The program had to

- meet the current law minimum durational requirements,
- be no more than one year in duration,
- be Pell-eligible, and
- meet local or regional workforce needs as determined by the institution in consultation with employers or state or local workforce agencies.

The Pell Grant was limited to one scheduled award over no more than two award years. Actual awards were prorated based on the program's length and number of credits awarded. Experiment #1 had 35 IHEs and 414 students participating. Otherwise Pell-eligible students with a bachelor's degree demonstrated a 20 percentage-point increase in enrollment and completion when offered a Pell Grant for shorter educational programs. Over 50% of participants enrolled in health professions and related programs. They completed their programs within 30 months, on average, as many participants were not enrolled full-time. The average cost of attendance was \$19,600.³⁹ Participants received \$3,577 in Pell Grants, on average. In addition, one-third of participants received federal student loans averaging \$12,950.⁴⁰

³⁷ U.S. Department of Education, "Federal Student Financial Assistance Programs Under Title IV of the Higher Education Act of 1965, as Amended," 74 *Federal Register* 55542-55543, October 28, 2009.

³⁸ U.S. Department of Education, "Postsecondary Educational Institutions Invited to Participate in Experiments Under the Experimental Sites Initiative," 76 *Federal Register* 66698-66707, October 27, 2011.

³⁹ The cost of attendance presented is the total price for in-state students living off campus (but not with family).

⁴⁰ U.S. Department of Education, "Postsecondary Educational Institutions Invited to Participate in Experiments Under the Experimental Sites Initiative," 76 *Federal Register* 66698-66707, October 27, 2011; and J. Thomas, N. Gonzalez, A. Wiegand, N. Paxton, and L. Hebbbar, *The Effects of Expanding Pell Grant Eligibility for Short Occupational Training Programs: Results from the Experimental Sites Initiative* (NCEE 2021-001) (Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, 2021), <http://ies.ed.gov/ncee>.

Short-Term Pell Grant Experiment

The short-term Pell Grant experiment (Experiment #2), provided Pell Grants to Pell-eligible students in short-term programs. The educational program had to

- provide at least 150 clock hours of instructional time,
- be at least eight weeks in duration,
- be offered by a community college or postsecondary vocational institution, and
- meet local or regional workforce needs as determined by the institution in consultation with employers or state or local workforce agencies.

The Pell Grant was prorated for the shorter instructional time.⁴¹ Experiment #2 had 28 IHEs and 2,270 participating students participating. Over 80% of these students pursued programs in (1) transportation and materials moving or (2) health professions. Pell-eligible students demonstrated a 10 percentage-point increase in enrollment and completion when offered a Pell Grant for short-term programs. The average cost of attendance was \$16,900.⁴² On average, participants received \$1,312 in Pell Grants, and 9% received federal student loans averaging \$4,021.⁴³

ED's evaluation has some limitations. The findings may not be generalizable because the sample sizes were small, 72% of the participating institutions were public two-year colleges, and almost half of the institutions were in the southeastern United States. Although the analysis did not find evidence of reduced associate's degree completion, neither experiment examined employment or wage outcomes, so it is unclear to what extent pursuit and completion of shorter educational programs would benefit participants in the short- and long-term in the workforce.⁴⁴

Short-Term Pell Grant Bills in the 118th Congress

Although short-term Pell Grants have bipartisan support in terms of concept, there is salient disagreement in two policy areas—institutional eligibility and program quality assurance mechanisms.⁴⁵

This section compares three bills that have been introduced in the 118th Congress:⁴⁶

⁴¹ The Pell Grant was prorated in accordance with 34 C.F.R. §690.63(a)(3).

⁴² The cost of attendance presented is the total price for in-state students living off campus (not with family).

⁴³ Department of Education, "Postsecondary Educational Institutions Invited to Participate in Experiments Under the Experimental Sites Initiative," 76 *Federal Register* 66698-66707, October 27, 2011; and J. Thomas, N. Gonzalez, A. Wiegand, N. Paxton, and L. Hebbbar, *The Effects of Expanding Pell Grant Eligibility for Short Occupational Training Programs: Results from the Experimental Sites Initiative* (NCEE 2021-001) (Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, 2021), <http://ies.ed.gov/ncee>.

⁴⁴ J. Thomas, N. Gonzalez et al., *The Effects of Expanding Pell Grant Eligibility for Short Occupational Training Programs: Results from the Experimental Sites Initiative* (NCEE 2021-001) (Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, 2021), <http://ies.ed.gov/ncee>.

⁴⁵ Jennifer Stiddard, "Skills Blog: Looking Back at Short-Term Pell and Future Prospects," press release, August 1, 2022, National Skills Coalition, <https://nationalskillscoalition.org/blog/higher-education/making-college-work/looking-back-at-short-term-pell-and-future-prospects/>. This article reviewed short-term Pell Grant legislation in the 117th Congress.

⁴⁶ Additional bills to authorize short-term Pell Grants have been introduced in the 118th Congress. See, for example, S. 2442 and H.R. 221. The bills compared herein have several cosponsors who are members of the committee to which the bills were referred or are sponsored by leadership of the committee to which the bills were referred.

- The Promoting Employment and Lifelong Learning Act (PELL Act; H.R. 496), as introduced on January 25, 2023. This bill is sponsored or co-sponsored by at least 10 Members of the House Committee on Education and the Workforce (E&W), including the committee chair.
- The Jobs to Compete Act (H.R. 1655), as introduced on March 17, 2023. This bill is sponsored by the ranking member of E&W and has at least one cosponsor on the committee.
- The Jumpstart Our Businesses by Supporting Students Act (JOBS Act; S. 161), as introduced on January 31, 2023. This bill has at least nine cosponsors on the Senate Committee on Health, Education, Labor and Pensions.⁴⁷ The companion legislation, the JOBS Act of 2023 (H.R. 793), was introduced February 2, 2023, and has at least one cosponsor on E&W.

This section briefly describes some of the major provisions included in these bills, as introduced; it does not provide a comprehensive discussion of every provision contained in the bills.⁴⁸ The analysis related to S. 161 also applies to H.R. 793. **Table 1** provides a summary of key characteristics of the proposals.

Table 1. Comparison of Key Characteristics of Selected Short-Term Pell Grant Bills in the 118th Congress

Characteristic	H.R. 496	H.R. 1655	S. 161 ^a
General Characteristics			
Eligible program duration	150-600 clock hours (or equivalent credit hours) offered over 8-15 weeks	150-599 clock hours (or equivalent credit hours) offered over 8-14 weeks, subject to other limitations	150-600 clock hours offered over 8-15 weeks, subject to other limitations
Eligible institutions	IHEs, including public, private nonprofit, and proprietary (private for-profit) IHEs, must be accredited by an institutional accrediting agency recognized by ED to assess an IHE's Pell-eligible short-term education programs	IHEs, including public, private nonprofit, and proprietary (private for-profit) IHEs, must be accredited by an institutional accrediting agency recognized by ED to assess an IHE's Pell-eligible short-term education programs; and IHEs must not have been subject to specified adverse actions within the past five years	Only public and private nonprofit IHEs that are accredited by an institutional accrediting agency recognized by ED to assess an IHE's Pell-eligible short-term education programs
Eligible students	Students may have received a bachelor's degree but not a postbaccalaureate degree	Students may have received a bachelor's degree but not a postbaccalaureate degree	Students may have received a bachelor's degree but not a postbaccalaureate degree
Award Rules			
Minimum grant ^b	Maintains current law minimum Pell Grant award of 10% of the total maximum award, but short-term Pell Grant awards based on SAI have no minimum award	Maintains current law minimum Pell Grant award of 10% of the total maximum award, but short-term Pell Grant awards based on SAI have no minimum award	Lowers current law minimum Pell Grant award to 5% of the total maximum award, but short-term Pell Grant awards based on SAI have no minimum award

⁴⁷ The bill is similar, although pared down and modified, to Section 90305 of the America Creating Opportunities for Manufacturing, Pre-Eminence in Technology, and Economic Strength Act of 2022 (America COMPETES Act of 2022; H.R. 4521), as passed by the House.

⁴⁸ This report does not specifically outline unique considerations for correspondence programs.

Characteristic	H.R. 496	H.R. 1655	S. 161 ^a
Administrative Requirements			
WIOA Eligible Training Provider List (ETPL) ^c	Eligible programs are not required to be on the WIOA ETPL but must be in an in-demand industry or occupation per WIOA and must meet hiring requirements of employers in in-demand industry sectors or occupations under WIOA	Eligible programs must be on the state’s ETPL created under WIOA; programs on the WIOA ETPL must be in in-demand industry sectors or occupations	Eligible programs must be on the state’s ETPL created under WIOA; programs on the WIOA ETPL must be in in-demand industry sectors or occupations
Other relevant labor market requirements	Program must provide training aligned with “in-demand industry sectors or occupations” (see row above)	Program must provide training aligned with “high-skill, high-wage, or in-demand industry sectors or occupations” in the state or local area, as determined by an accrediting agency; and it must meet applicable educational requirements for professional licensure or certification in the state, if applicable	Program must provide training aligned with “high-skill, high-wage, or in-demand industry sectors or occupations in the state or local area, as determined by an industry or sector partnership”; and it must meet applicable educational requirements for professional licensure or certification in the state, if applicable
Credential	NA	Program must lead to a recognized postsecondary credential, as defined by WIOA ^d	Program must lead to a recognized postsecondary credential, as defined by WIOA ^d
Credit toward a subsequent educational program	NA	Program must ensure noncredit coursework in a completed program provides credit toward a related certificate or degree program, and must, with exceptions, ensure credits are acceptable toward related certificate or degree programs	Program shall include institutional credit articulation for a student enrolled in a noncredit job training program that may be applied to a subsequent credit-bearing certificate or degree program upon enrollment in such program at such institution
Other requirements	NA	Program cannot be exclusively online, must have been offered for at least one year, must provide counseling to students, and must ensure educational spending is at least 50% of program tuition and fees revenue	NA
Outcome Metrics			
Completion and placement requirements	At least 70% completion rate and 70% placement rate	At least 70% completion rate and 70% placement rate	NA
Earnings requirement	Value-added earnings of program completers must exceed the published tuition and fees for the program	Median earnings of program completers must increase by at least 20%, and must exceed the median earnings of adults aged 25-34 with only a high school diploma (or equivalent) in the state in which the program is located	NA

Characteristic	H.R. 496	H.R. 1655	S. 161 ^a
Gainful employment	NA	Program must “prepare students for gainful employment in a recognized occupation” ^e	NA
Other Requirements			
IHE disclosures to enrolled and prospective students	NA	IHEs must disclose program information such as program cost, program completion rate, professional licensure pass rates, and earnings of program completers	NA
IHE reporting to ED	NA	Annual reporting for each program, with information such as overall expenditures, educational expenditures, and tuition and fees revenue	NA
ED reporting to the public	ED must expand the College Scorecard to report data on Pell-eligible short-term programs such as program duration, completion rates, employment rates, and earnings ^f	ED must expand the College Scorecard to report data on Pell-eligible short-term programs such as program duration, completion rates, employment rates, and earnings, disaggregated by various demographic indicators ^f	NA

Source: Prepared by CRS based on H.R. 496, H.R. 1655, and S. 161 as introduced in the 118th Congress.

Notes:

ETPL = the WIOA eligible training provider list.

NA = not applicable (no relevant requirement).

SAI = student aid index.

WIOA = the Workforce Innovation and Opportunity Act.

- a. The companion legislation of S. 161 is the JOBS Act of 2023 (H.R. 793).
- b. Under current law, to qualify for a Pell Grant award the student must qualify for the minimum grant amount to be eligible for the program. The minimum grant amount is 10% of the maximum award. If a student does not qualify for the maximum Pell Grant award based on adjusted gross income (AGI), the student may qualify for a calculated award based on SAI, but the calculated award must not be below the minimum grant. If a student does not qualify for a calculated Pell Grant award based on SAI, the student may qualify for the minimum grant based on AGI.
- c. For more information on WIOA, see CRS Report R44252, *The Workforce Innovation and Opportunity Act and the One-Stop Delivery System*. For more information on the ETPL, see CRS Report R44252 and DOL Training and Employment Guidance Letter 08-19, January 2, 2020.
- d. For more details on credentials under WIOA, see Section 3(52) of WIOA, and DOL Training and Employment Notice 25-19, June 8, 2020.
- e. If the proposed gainful employment rules (U.S. Department of Education, Office of Postsecondary Education, “Financial Value Transparency and Gainful Employment (GE), Financial Responsibility, Administrative Capability, Certification Procedures, Ability to Benefit (ATB),” 88 *Federal Register* 32300-32511, May 19, 2023) are finalized, programs would be required to meet the regulations.
- f. College Scorecard is ED’s web portal intended to allow the public to search and compare colleges by their fields of study, costs, admissions, results, and other characteristics and to compare fields of study by credential type, salary, WIOA qualification, and other characteristics. It is available at <https://collegescorecard.ed.gov>.

General Frameworks of the Legislation

For the most part under current law, HEA Title IV-eligible educational programs are Pell-eligible programs as long as they are undergraduate programs. As mentioned earlier, all references to current law denote the HEA as in effect on or before July 1, 2024, as a result of amendments by the FAFSA Simplification Act (FSA; Title VII, Division FF, P.L. 116-260 [Consolidated Appropriations Act, 2021]) and the FAFSA Simplification Act Technical Corrections Act (FSATCA; Division R, P.L. 117-103 [Consolidated Appropriations Act, 2022]).⁴⁹

None of the three bills discussed in this report simply reduce the minimum hours for a program to be Pell-eligible. Instead, each bill creates a new type of award within the existing authorization for Pell Grants in HEA Section 401 and then creates supplemental criteria related to the new award. Establishing a new type of award within the existing Pell Grant program means that these new programs would utilize existing Pell funding streams. The supplemental criteria would modify student eligibility, institutional eligibility, educational program eligibility, and award rules, as well as establish additional requirements.

The next sections begin with a comparison of eligibility requirements for students, IHEs, and the short-term programs based on current law and the three bills. This is followed by a description of any procedures the bills would establish for the approval of Pell-eligible short-term programs. Subsequent sections describe changes the bills would make to Pell Grant award rules, reporting and disclosure requirements, and the Direct Loan program.

H.R. 496 and H.R. 1655 call the new awards the Workforce Pell Grants Program, and S. 161 calls them the Job Training Federal Pell Grant Program. This report collectively refers to these new proposed awards as *short-term Pell Grants*.

Eligible Students

Under current law, individuals with a bachelor's degree (or the equivalent) are not eligible for a Pell Grant.

Under all three bills, students who are enrolled in eligible short-term programs and otherwise eligible for a Pell Grant would be eligible for a short-term Pell Grant. All three bills would also establish eligibility for short-term Pell Grants to students with a bachelor's degree but not a postbaccalaureate degree.⁵⁰

ED's short-term Pell Grant Experiment #1 included individuals with a bachelor's degree because some such students are unemployed or underemployed.⁵¹ Approximately 21% of undergraduates seeking an undergraduate certificate in AY2015-2016 had previously earned a degree.⁵² In AY2019-2020, such pursuit represented approximately 22% of undergraduates with a degree.⁵³

⁴⁹ The amendments go into effect on or before July 1, 2024, coinciding with the beginning of the 2024-2025 award year. For a description of the amendments, see CRS Report R46909, *The FAFSA Simplification Act*.

⁵⁰ None of the three bills would change the current law provision that excludes individuals with a bachelor's degree from regular Pell Grant eligibility.

⁵¹ U.S. Department of Education, Office of Postsecondary Education, "Postsecondary Educational Institutions Invited To Participate in Experiments Under the Experimental Sites Initiative," 76 *Federal Register* 66698-66707, October 27, 2011.

⁵² CRS analysis of U.S. Department of Education, National Center for Education Statistics, National Postsecondary Student Aid Study: 2016 Undergraduates (NPSAS:UG) using the following variables: DEGPRHIGH, SECTOR4, and UGDEG.

⁵³ CRS analysis of U.S. Department of Education, National Center for Education Statistics, National Postsecondary (continued...)

Among AY2013-2014 bachelor's degree recipients, 5.8% pursued further education in a two-year institution within two years of earning their degree.⁵⁴

Eligible Institutions

Under current law, only HEA Title IV-participating IHEs may award Pell Grants to eligible students enrolled in Pell-eligible educational programs.⁵⁵ Domestic public, private nonprofit, and proprietary institutions may be HEA Title IV-eligible if they meet several statutory and regulatory requirements, including being accredited by an ED-recognized accrediting agency. HEA Title IV-eligible IHEs that receive ED certification as HEA Title IV-participating IHEs may disburse Pell Grants.

Under current law, there are additional requirements for Title IV-participating IHEs that disburse Pell Grants to incarcerated students that are similar to those in the short-term Pell Grant proposals.⁵⁶ Such IHEs must not be proprietary IHEs and must not have been subject within the preceding five years to the following unfavorable actions by ED, their accrediting agency, or the state:

- any suspension, emergency action, or termination of programs under HEA Title IV;
- any adverse action by the institution's accrediting agency; or
- any action by the state to revoke a license or other authority to operate.

Under H.R. 496 and H.R. 1655, current HEA Title IV-participating IHEs from all sectors could offer Pell-eligible short-term programs. S. 161 would restrict eligible institutions to public and private nonprofit institutions, thus excluding proprietary IHEs.

None of the proposals would expand the types of institutions that could offer short-term programs compared to current law. For example, the proposals would not include employers or professional organizations as eligible institutions.

While institutions from all sectors would be eligible under H.R. 1655, the bill would exclude institutions that have been subject during any of the preceding five years to the following adverse actions:

- any suspension, emergency action, or termination of programs under HEA Title IV;
- any adverse action by the institution's accrediting agency; or
- any action by the state to revoke a license or other authority to operate.

H.R. 496 and S. 161 would not establish similar restrictions related to institutional standing.

The proposed accreditation requirements are described below.

Student Aid Study: 2020 Undergraduates (NPSAS:UG) using the following variables: DEGPRHIGH, SECTOR4, and UGDEG.

⁵⁴ National Student Clearinghouse, *Snapshot Report: Two-Year Enrollment after Bachelor's Degree*, Summer 2016, <https://nscresearchcenter.org/snapshotreport-twoyearenrollmentafterbachelors24/>.

⁵⁵ For more information on current law institutional eligibility requirements, see CRS Report R43159, *Institutional Eligibility for Participation in Title IV Student Financial Aid Programs*.

⁵⁶ HEA §484(t)(1)(B).

Role of Accreditation and Accreditors

Under current law, an HEA Title IV-eligible educational program must be evaluated by an ED-recognized accrediting agency through one of two options. The IHE offering the Title IV-eligible educational program may be accredited (or preaccredited if it is a public or private nonprofit IHE) by an *institutional accrediting agency* recognized by ED for the purposes of Title IV aid.

Alternatively, if the IHE is a single-purpose institution (e.g., a stand-alone medical school), the Title IV-eligible educational program may be accredited by a *programmatic accrediting agency* recognized by ED for the purposes of Title IV aid.

In addition, HEA Title IV-eligible distance or correspondence education programs can only be evaluated by those accrediting agencies that ED has recognized as having the evaluation of distance or correspondence education programs within their scope of recognition. The IHE may be accredited by such an institutional accrediting agency, or with respect to a single-purpose institution, the program may be accredited by such a programmatic accrediting agency. ED-recognized accrediting agencies may expand their scope of recognition to include distance education by notifying ED.⁵⁷ Accrediting agencies that accredit IHEs offering distance education programs or individual distance education programs are not required to have separate standards, procedures, or policies for the evaluation of distance education but are required to mandate that IHEs have processes in place to verify student identities.

Regarding the recognition of specific accrediting agencies, ED considers recommendations from the National Advisory Committee on Institutional Quality and Integrity (NACIQI). NACIQI provides recommendations to ED for accrediting agencies that may relate to the criteria for agency recognition, the recognition of specific agencies, and other issues. If the enrollment at an IHE offering distance education increases by 50% or more within the institutional fiscal year, NACIQI must review at its next meeting any change in scope for the accrediting agency that accredits such IHE.

Each of the three proposals to expand Pell Grants to short-term programs generally would require that IHEs offering Pell-eligible short-term programs be accredited by an institutional accrediting agency. ED would have to include within the agency's scope of recognition the evaluation of IHEs based on standards "for determining if the institution has the capability to effectively offer" Pell-eligible short-term education programs. Each bill would establish requirements for accreditors that seek to include IHEs that offer short-term programs within their scope of recognition. The bills would not authorize ED recognition of programmatic accrediting agencies for purposes of Pell-eligible short-term education programs.

H.R. 496 would require that accrediting agencies recognized to assess IHEs with Pell-eligible short-term programs ensure the short-term programs meet several requirements. The accrediting agency would be responsible for ensuring the programs are aligned with in-demand industry sectors or occupations, meet hiring requirements for those sectors or occupations, have been offered for at least one year, and have verified completion and placement rates of at least 70%.

H.R. 1655 would explicitly require that each accrediting agency that is recognized to assess IHEs with Pell-eligible short-term education programs ensure the education of the short-term program is aligned with the requirements of high-skill, high-wage, or in-demand industry sectors or occupations in the state or local area in which the program is provided. The accrediting agency would have to rely on an appropriate entity (e.g., workforce development board) for determining

⁵⁷ Distance education is added to an agency's scope of recognition upon receipt of the official notification. ED reviews an agency's application of its distance education policies and procedures during the agency's next renewal of recognition.

such alignment. The accrediting agency would also have to ensure the educational content of the short-term program and postsecondary credential satisfy any professional licensure or state certification standards in the state(s) in which the program is offered.

Upon enactment of H.R. 496 or H.R. 1655, ED-recognized accrediting agencies would be given interim authority to temporarily expand their scope of recognition to include Pell-eligible short-term education programs by notifying ED and explaining within the notification how the agency intends to meet the additional recognition criteria. The temporary expansion in accreditation scope would expire within five years of the bill's enactment date unless ED were to approve the expansion.

H.R. 496 and H.R. 1655 would each also establish additional requirements for NACIQI. They would require NACIQI to hold meetings through 2025 to evaluate the additional criteria in the scope of recognition for accrediting agencies that accredit IHEs offering Pell-eligible short-term programs. If an accrediting agency so expands its scope of recognition, NACIQI would be required to review at its next meeting the addition in scope for such accrediting agency and advise ED on whether the agency meets the statutory criteria.

S. 161 would require that accrediting agencies recognized to assess IHEs with Pell-eligible short-term programs ensure the educational content of the short-term program meets hiring requirements and satisfies the educational prerequisites for relevant licensure or certification.

Characteristics of Programs Eligible for Short-Term Pell Grants

As noted previously, HEA Title IV-eligible educational programs generally are Pell-eligible under current law as long as they are undergraduate programs. Educational programs of 300-599 clock hours that are eligible for the Direct Loan program are not Pell-eligible. For prison education programs (PEPs), the HEA establishes several additional requirements beyond the general HEA Title IV educational program eligibility requirements so that enrolled incarcerated students may receive Pell Grants.⁵⁸ Some of these additional requirements have analogies in the short-term Pell Grant proposals, which will be described below as appropriate.

Each of the short-term Pell Grant proposals would establish additional requirements for educational programs to be eligible under the proposed new program. In many cases, the additional requirements serve to ascertain that the educational programs supported by the new short-term Pell Grant program provide workers with skills that are relevant in the labor market. Generally, with the exception of the program duration requirement, these additional requirements can be classified as emphasizing program (administrative) characteristics or participant outcomes (performance-based metrics).

Eligible Program Duration

Under current law, a Pell-eligible program is an undergraduate program that requires at least 600 clock hours of instruction or 16 semester hours (or the equivalent) offered during a minimum of 15 weeks. Alternatively, if an associate's degree is required for admission, an eligible program may be an undergraduate program of at least 300 clock hours of instruction or 8 semester hours (or the equivalent) offered during a minimum of 10 weeks.⁵⁹

⁵⁸ HEA §484(t)(1)(B).

⁵⁹ Undergraduate programs are defined as programs designed to lead to a certificate or degree at or below the baccalaureate level and also include qualifying postbaccalaureate teacher certification programs. Students with a (continued...)

H.R. 496, H.R. 1655, and S. 161 would all authorize short-term Pell Grants for otherwise HEA Title IV-eligible programs of 150-599 clock hours offered over 8-14 weeks.⁶⁰ H.R. 496 and H.R. 1655 would permit programs measured in credit hours. Under all three bills, hour and week requirements would apply to undergraduate, graduate, and professional programs.⁶¹

H.R. 1655 and S. 161 would establish an additional maximum program duration based on state requirements. They would require that the short-term program not exceed by more than 50% the minimum training period required by the state (if applicable) for such program. This requirement would closely mirror the regulatory requirement for 300-599 clock hour programs that are eligible for the Direct Loan program.

Administrative Requirements for Programs Eligible for Short-Term Pell Grants

Each of the three bills would establish required components of eligible programs. Generally, these components would be in addition to existing requirements for HEA Title IV-eligible programs (e.g., they must be offered by a Title IV-participating IHE).

Labor Market Relevance

Under current law, with the exception of PEPs, the HEA does not require Pell-eligible educational programs to be aligned with specific occupations or to demonstrate labor market relevance.⁶² PEPs must satisfy any applicable educational requirements for professional licensure or certification in the state where the correctional facility is located or, in the case of a federal correctional facility, in the state in which most of the incarcerated individuals will reside upon release.

Each of the three bills has a general directive that the training programs supported by the new grant would meet hiring requirements of employers in in-demand industries. H.R. 496 specifically refers to employer hiring requirements in in-demand sectors under the WIOA.⁶³ H.R. 1655 refers to employer hiring requirements in high-skill, high-wage sectors or in-demand sectors under the WIOA.⁶⁴ S. 161 includes a more general reference to meeting the hiring requirements

bachelor's degree must be enrolled at least half-time in a postbaccalaureate teacher education program. Half-time enrollment is at least six credit hours in a standard semester. A postbaccalaureate teacher education program does not lead to a graduate degree, is offered by a school that does not also offer a bachelor's degree in education, and leads to certification or licensure necessary for employment as an elementary or secondary school teacher in the state. To be eligible for a Pell Grant, the student enrolled in the postbaccalaureate teacher education program must be pursuing an initial teacher certification or licensing credential within the state.

⁶⁰ Strictly speaking, the upper bounds for eligible programs under H.R. 1655 would be "less than 600 clock hours" and "less than 15 weeks." The upper bounds in H.R. 496 and S. 161 are specified as "not more than 600" clock hours and "not more than 15" weeks.

⁶¹ Students with a bachelor's degree but not a postbaccalaureate degree would be eligible for short-term Pell Grants; and students in postbaccalaureate programs would be eligible for short-term Pell Grants as long as they did not have a postbaccalaureate degree.

⁶² To the extent that the IHE establishes objectives of labor market relevance for a particular program, the accrediting agency is expected to ensure that the program is of sufficient quality to achieve the program's stated objective (34 C.F.R. §602.17(a)). In addition, accrediting agencies must develop school assessment standards, which could include, as appropriate, consideration of state licensing examinations and job placement rates, as long as the accrediting agencies apply the standards consistently to all IHEs (34 C.F.R. §602.16(a) and 602.18).

⁶³ H.R. 496 would require the accrediting agency to determine whether the short-term program meets the hiring requirement.

⁶⁴ H.R. 1655 would require the IHE to determine whether the short-term program meets the hiring requirement after validation of that determination by an appropriate third-party entity (e.g., an industry or sector partnership).

of employers.⁶⁵ H.R. 1655 and S. 161 each specify that eligible programs must provide training “aligned with the requirements of high-skill, high-wage, or in-demand industry sectors or occupations” in the state or local area, but the determination would be made by the accrediting agency under H.R. 1655 and by an industry or sector partnership under S. 161.⁶⁶

Beyond meeting hiring requirements, H.R. 496 does not specify any requirements related to licensure. H.R. 1655 and S. 161 both specify that eligible programs would be required to meet any applicable educational requirement for professional licensure or certification in the state.⁶⁷

Integration with WIOA ETPL

WIOA is the primary federal workforce development legislation and supports job training for eligible workers.⁶⁸ The statute authorizes formula grants to states that are administered at the federal level by the U.S. Department of Labor (DOL). As a condition of receiving WIOA funds, states must conduct a labor market analysis to identify in-demand industries and occupations, and eligible training programs under WIOA must be in such industries and occupations. States identify eligible training providers through the development and publication of an ETPL. Providers on the WIOA ETPL must report on participants’ participation and outcomes.⁶⁹

H.R. 496 would not require that programs be on the ETPL to qualify as an eligible short-term Pell program. The bill requires that programs “provide an education aligned with the requirements of in-demand industry sectors or occupations” as defined in WIOA.

H.R. 1655 and S. 161 would both require an eligible short-term Pell program to be on the ETPL created under WIOA for the state in which the program is located. Inclusion of a program on the ETPL implies that the state has determined the training program to be in an in-demand industry or occupation.

Credential Requirements

Under current law, Pell Grants can support programs that lead to a degree or certificate.

H.R. 1655 and S. 161 would both require an eligible short-term Pell program to lead to a recognized postsecondary credential, as defined by WIOA.⁷⁰ H.R. 496 does not have a similar requirement.

⁶⁵ S. 161 would require the IHE to determine whether the short-term program meets the hiring requirement after validation of that determination by an industry or sector partnership. S. 161 would prohibit ED from approving the program without a certification from the state board that it meets the requirements.

⁶⁶ S. 161’s subsequent requirement that eligible programs be on the Eligible Training Provider List (ETPL) could therefore require that the program meet WIOA in-demand industries’ criteria.

⁶⁷ H.R. 1655 and S. 161 would require the IHE to determine whether the short-term program meets licensure or certification requirements after validation of that determination by an appropriate third-party entity (e.g., an industry or sector partnership).

⁶⁸ For more information on WIOA, see CRS Report R44252, *The Workforce Innovation and Opportunity Act and the One-Stop Delivery System*.

⁶⁹ For more information on the ETPL, see CRS Report R44252, *The Workforce Innovation and Opportunity Act and the One-Stop Delivery System*; and DOL Training and Employment Guidance Letter 08-19, “Workforce Innovation and Opportunity Act (WIOA) Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs,” January 2, 2020, <https://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-08-19>.

⁷⁰ WIOA defines a *recognized postsecondary credential* as “a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal Government, or an associate or baccalaureate degree.” See WIOA Section 3(52), 29 U.S.C. §3102(52).

Articulation Requirements

Under current law and regulations, PEPs must offer credits that may be transferred to at least one IHE in the state where the correctional facility is located, or, in the case of a federal correctional facility, in the state in which most of the incarcerated individuals will reside upon release. In addition, PEPs must “be operating in the best interest of students,” as determined by the appropriate correctional agency.⁷¹ The best interest determination must include, among other requirements, an assessment of whether all formerly incarcerated students are able to fully transfer their credits and continue their programs at any location of the IHE that offers a comparable program.

H.R. 496 would not require that programs eligible for short-term Pell Grants be part of an articulation agreement.

S. 161 and H.R. 1655 would both require that short-term Pell programs have mechanisms through which credits earned can be applied to a subsequent program. S. 161 and H.R. 1655 would require that eligible programs include means by which noncredit programs may be applied to credit programs.⁷² H.R. 1655 also has a more general requirement that eligible programs ensure “the acceptability of the credits received under the workforce program toward meeting [subsequent] certificate or degree program requirements.” H.R. 1655 would establish an exception to this requirement for a program that “prepares students for employment in an occupation for which there is only one recognized postsecondary credential.”

Other Requirements

H.R. 1655 would establish several additional requirements for the short-term Pell Grant programs that may be intended to ensure the quality of the program or improve student outcomes:

- The program could not be offered exclusively through distance education or a correspondence course except as a temporary response to a disaster or emergency.
- The program must have been offered by an IHE for not less than one year prior to becoming a short-term Pell program, as determined by the IHE’s accrediting agency. This provision would be similar to one of the regulatory requirements for 300-599 clock hour programs that are eligible for the Direct Loan program.
- One-half of the amount of tuition and fees revenue for the program could not exceed the amount of educational spending for the program for each of the three most recent fiscal years.
- The program would have to provide counseling to students to help them achieve their educational and career goals.

⁷¹ 34 C.F.R. §668.241. The determination must include an assessment of the comparability of the PEP’s instructors, credits, advising services, and credit transferability to non-PEP programs and may include an assessment of other relevant factors.

⁷² A dichotomy exists between programs made up of credit course(s) and noncredit programs (those structured as a series of noncredit courses). However, courses in the same field of study with the same vocational objective and industry recognition may be offered for credit at one institution and noncredit at another, or even within the same institution. All degree programs are credit programs. Credit programs are most often approved by an accrediting entity and may have more stringent student entrance or prerequisite requirements. Generally, individuals who successfully complete credit courses and programs earn credits that may be transferred or used as currency toward the completion of other credit programs. Although noncredit programs may offer continuing education units (CEUs) or vocational certificates to program completers, the programs do not generally proffer students currency toward the pursuit of credit programs or noncredit programs in other fields.

- The program would have to provide counseling to students that reveals the industry sectors and occupations for which the program prepares students, the related certificate and degree programs for which the program prepares students, and sources of financial assistance.
- The program would have to be a *career and technical education* program as defined under the Carl D. Perkins Career and Technical Education Act (Perkins Act), wherein *career and technical education* is defined as organized educational activities that provide technical skills and academic content that lead to an industry-recognized credential, a certificate, or an associate’s degree, or to further education.

In addition to the administrative requirements described above, S. 161 would establish an additional requirement for a short-term Pell program:

- The program would have to be a *career and technical education* program, but S. 161 would not define the term.

Outcome Metrics for Programs Eligible for Short-Term Pell Grants

With the exception of 300-599 clock hour programs that are eligible for the Direct Loan program, neither HEA Title IV nor regulations establish program-level completion and employment outcome requirements for Title IV-eligible programs offered at IHEs. The best interest determination for PEPs may include an assessment of whether earnings, completion rates, and job placement rates exceed established thresholds. ED publishes outcome data on resources like the College Scorecard, but these outcome metrics, by themselves, have no direct effect on institutional or program eligibility for student aid programs. The College Scorecard allows the public to search for and compare colleges by their graduation rates, the median earnings of former students, and the median earnings of program completers by field of study and other characteristics.⁷³ The proposed *gainful employment* rules (see the “Gainful Employment in a Recognized Occupation” section) would establish program-level metrics relating to debt-to-earnings limits and earnings relative to high school graduates. Some provisions in the short-term Pell Grant proposals are similar to some of the proposed gainful employment rules.

In practice, institutions and programs often set their own standards for student learning outcomes, depending on a variety of factors such as the level of education offered and the skills and competencies required of graduates in different fields, and these standards may be guided by accrediting agency policies. Accrediting agencies then evaluate the appropriateness of those standards and whether institutions and programs use information gained from student learning outcomes to improve student learning.⁷⁴

H.R. 496 and H.R. 1655 have distinct earnings requirements but somewhat similar requirements related to completion and placement. In addition, H.R. 1655 would require that Pell-eligible short-term programs meet gainful employment requirements.

S. 161 does not include outcome metrics in the program eligibility requirements and is therefore not discussed in this section.

⁷³ The portal is available at <https://collegescorecard.ed.gov/>.

⁷⁴ See Council for Higher Education Accreditation, *The Value of Accreditation*, June 2010, p. 5. See also, for example, Higher Learning Commission, “Criteria for Accreditation” CCRT.B.10.010, Criterion 4, Revised September 1, 2020, <https://www.hlcommission.org/Policies/criteria-and-core-components.html>.

Earnings Requirements

H.R. 496 would establish a “value-added earnings” metric and require that it is equal to or exceeds the published tuition and fees for the program. The metric would be calculated for students who received HEA Title IV aid and completed the program three years prior. The metric would be calculated as the difference between (1) the median earnings of such students, as adjusted by the state and metropolitan area regional price parities and (2) 150% of the federal poverty line applicable to single individuals.⁷⁵

H.R. 1655 would establish two earnings metrics. Eligible programs would be required to meet both.

- The first metric would be a “median earnings increase requirement” of at least 20%. This metric would be calculated on the basis of the median earnings of students approximately six months after completing a program compared to the median earnings of the students prior to enrollment. The bill would establish that programs must report these metrics within 18 months of being approved as an eligible program.
- The second metric involves program completers exceeding the earnings of a comparison group. The bill would specify that the median earnings of program completers must exceed the median earnings for adults aged 25-34 with only a high school diploma (or equivalent) in the state in which the program is located.

The value-added earnings metric in H.R. 496 would not directly consider a participant’s earnings prior to program participation. Instead, it would focus on earnings relative to program cost.

S. 161 would not establish an earnings metric that affects program eligibility.

Completion and Placement Rates

H.R. 496 and H.R. 1655 would establish similar requirements for completion and job placement. Both bills would require

- a verified completion rate of at least 70%, calculated so as to ensure that a student would be counted as a completion if the student finished the program within 150% of the normal time for completion,⁷⁶ and
- a job placement rate of at least 70%.⁷⁷

Neither bill defines *placement*. For example, it is unclear if a program participant who is subsequently employed in a field unrelated to their training would be considered a successful placement.

S. 161 would not establish requirements related to completion and placement.

ED Approval Procedures for Programs

Under current regulations, in most instances, an HEA Title IV-participating IHE may self-certify that a new educational program is an eligible program before disbursing Title IV funds to students

⁷⁵ In 2023, 150% of poverty for a single individual in the contiguous 48 states and the District of Columbia is \$21,870.

⁷⁶ 34 C.F.R. §668.8(f).

⁷⁷ H.R. 1655 would require “a verified employment placement rate of at least 70 percent, as determined in accordance with the regulations of the Secretary,” while H.R. 496 would require a “verified a job placement rate of at least 70 percent.”

enrolled in it. To self-certify, an IHE must obtain any required state and accrediting agency approvals and ensure the program meets all statutory and regulatory requirements. Some Title IV-participating IHEs and programs require written approval from ED before disbursing Title IV aid to students in new educational programs.⁷⁸ For example,

- an IHE must await approval if the new educational program is an undergraduate, 300-599 clock hour program that is eligible for Direct Loans⁷⁹; and
- an IHE must await approval of the first PEP at the first two correctional institutions.⁸⁰ Before approving the PEP, ED is to review the approvals granted by the entity overseeing the correctional institution, the state, and the accrediting agency, and ensure other program requirements are met.

All three short-term Pell Grant proposals would require a Title IV-participating IHE to apply for and await ED approval for each new short-term program before disbursing Pell Grants to enrolled students.

Under H.R. 496, ED could consider a program that was not previously a Title IV program to be an eligible short-term Pell Grant program for a provisional eligibility period of no more than three years. To qualify for the provisional eligibility period, the program would have to meet the hour and week durational requirements, receive accrediting agency approval, and meet the value-added earnings metric (see the “Earnings Requirements” section).⁸¹ If the earnings data were determined to be inaccurate, the IHE would be required to return any HEA Title IV aid funds received following the provisional approval. H.R. 496 would not establish requirements for approvals following the provisional approval period.

Under H.R. 1655, ED would be required to approve or disapprove each new short-term program within 120 days of receiving an application. Before approving the program, ED would have to receive state certification that the program meets three criteria:

1. it aligns with the requirements of high-skill, high-wage, or in-demand industry sectors or occupations;
2. it fulfills the applicable WIOA requirements; and
3. it leads to a recognized postsecondary credential that satisfies employment requirements.

H.R. 1655 would establish an initial approval period of two years and subsequent approval periods of three years. If ED were to determine that the program no longer met the approval requirements, ED would be required to deny a subsequent approval application, ensure enrolled students receive transcripts, and prohibit the approval of substantially similar programs. ED could immediately withdraw approval of the program.

Under S. 161, ED would be required to approve or disapprove each new short-term program within 60 days of receiving an application. Before approving the program, ED would be required

⁷⁸ 34 C.F.R. §600.20(c); and *FSA Handbook 2022-2023*, Volume 2, Chapter 5.

⁷⁹ 34 C.F.R. §600.10(c)(1)(iii).

⁸⁰ 34 C.F.R. §600.10(c).

⁸¹ The value-added earnings metric for provisional approval would require median earnings of individuals who completed the program three years prior, less 150% of the poverty line for single individuals, to equal or exceed published tuition and fees for the program. This threshold would mirror the bill’s value-added earnings metric for Pell-eligible short-term programs except that it measures all program completers rather than program completers who received Title IV aid.

to receive state certification that the program meets all of the short-term program requirements. S. 161 would not establish approval periods or disapproval procedures.

Award Rules

Under current law, the amount of an eligible student's Pell Grant award is determined on the basis of a set of award rules. A student's Pell Grant scheduled award—the maximum Pell Grant aid a full-time, full-academic-year student can receive—is determined based primarily on either AGI or SAI.⁸²

- A student whose AGI is below specified thresholds may be eligible for a scheduled award equal to the maximum Pell Grant.⁸³
- A student who is not eligible for the maximum Pell Grant based on their AGI being below specified thresholds may be eligible for a scheduled award based on SAI as long as the scheduled award is no lower than 10% of the total maximum award, also known as the *minimum scheduled award*.
- A student whose AGI is not below specified thresholds and who is not eligible based on SAI may be eligible for a scheduled award equal to the minimum award if their AGI is between specified limits.

Students who are enrolled less-than-full-time, less than a full academic year, or in less-than-full-academic year programs do not receive their scheduled award. Instead, they receive a proportionally reduced amount. Under the lifetime eligibility limit, a student may receive no more than the equivalent of 12 full-time semesters of Pell Grant awards. Each of the proposals would use the same general award rules, with some exceptions to the lifetime eligibility limit and minimum award rule.⁸⁴

H.R. 1655 and S. 161 would address the lifetime eligibility limit, while H.R. 496 would not. Under H.R. 1655 and S. 161, a student would be eligible for no more than 12 full-time semesters (or the equivalent in part-time educational pursuit) in aggregate of short-term Pell Grants and Pell Grants. H.R. 496 would not establish a lifetime eligibility cap for short-term Pell Grants or an interaction between short-term Pell Grants and Pell Grants.

All three proposals would eliminate the minimum award for students whose scheduled award is based on SAI if such students are pursuing Pell-eligible short-term programs. In other words, the scheduled award for such students could be as small as \$1. For a more detailed description and examples related to the elimination of the minimum award rule, see the **Appendix**. In addition, S. 161 would lower the minimum scheduled award from 10% to 5% of the total maximum award for students who are eligible for

- a scheduled Pell Grant award based on SAI and are not pursuing Pell-eligible short-term programs, and
- a scheduled award equal to the minimum award because their AGI is between specified limits regardless of the hours and weeks in the educational program.

⁸² SAI, as established by the HEA, is an indicator of what the student's family is expected to pay for the student's higher education based on information provided on the Free Application for Federal Student Aid (FAFSA).

⁸³ For the 2023-2024 award year, the maximum Pell Grant is \$7,395, as established by the HEA and the FY2023 appropriations act providing funding for ED.

⁸⁴ For more information, see CRS Report R46909, *The FAFSA Simplification Act*.

Reporting and Disclosure Requirements

Under current law, to participate in the HEA Title IV aid programs, institutions must disclose various information to the public and report other information to ED.⁸⁵ The information to be reported to ED includes, for example, institutional characteristics and operations, student enrollment and completions, financial aid, counseling for students receiving HEA Title IV loans, and disclosures for HEA Title IV loans and private education loans. With respect to their educational programs, IHEs must disclose to prospective and enrolled students

- whether completion of educational programs meet the educational requirements for specific licensure or certification needed for employment if the educational program is designed to meet or is advertised as meeting such educational requirements in the applicable states, and
- estimated costs associated with educational programs.

As mentioned earlier, the proposed gainful employment regulations would require the disclosure of program-level performance information (e.g., primary occupation, completion rate, program costs) to prospective students in applicable programs. If an institution fails to make the required disclosures or reports, ED may impose sanctions including limiting the institution's participation in HEA Title IV student aid programs, terminating the institution's participation in HEA Title IV student aid programs, or imposing monetary civil fines.

IHEs report the aforementioned information to ED through the Integrated Postsecondary Education Data System (IPEDS) and National Student Loan Data System (NSLDS). ED compiles data from IPEDS, NSLDS, and administrative tax records maintained by the Department of the Treasury into the College Scorecard, which is made available to the public through a web portal and downloadable data files. The College Scorecard allows the public to search and compare colleges by their costs, admissions, results, and other characteristics, as well as their fields of study by credential type, salary, WIOA qualification, and other characteristics. The fields of study are categories of programs defined by subject area (e.g., accounting and business/management) and credential level (e.g., undergraduate certificates or diplomas).⁸⁶

While H.R. 496 and H.R. 1655 would increase the reporting and disclosure requirements, S. 161 would not establish additional requirements.

H.R. 1655 would require that IHEs offering Pell-eligible short-term programs provide disclosures about the program to prospective students. The disclosures would include information related to institutional charges, estimates of grant aid, a program's completion rate, the pass rate for applicable professional licensure or certification examinations, and the employment rate and earnings of program completers. Prospective students would have to sign an enrollment agreement that includes the disclosures. The IHE would also have to publish the disclosures on its website.

H.R. 496 and H.R. 1655 would require ED to expand the College Scorecard to report data on Pell-eligible short-term programs. Both bills would require data on each program's hour and week

⁸⁵ 34 C.F.R., Part 668-D.

⁸⁶ The fields of study do not necessarily map directly to educational programs advertised in institutional course catalogs. The categorization is based on ED's Classification of Instructional Programs (CIP Codes). The classification provides a taxonomic scheme that supports the accurate tracking and reporting of fields of study and program completions activity. The CIP titles and program descriptions are intended to be general categories into which program completions data can be placed, not exact duplicates of specific majors or field of study titles used by individual institutions. Data are presented in a manner to provide protection for privacy purposes and to reduce the risk of disclosure of confidential or identifying information.

durational requirements, completion rates, and employment rates. Both bills would require earnings data as well, but the specific presentations would differ. For example, H.R. 496 would require information on the percentage of completers who have earnings above 150% of the federal poverty line for single individuals within three years of completion.⁸⁷ H.R. 1655 would require information on median earnings of completers within six months of completion. It would also require additional data on student demographics and re-enrollment in higher education. Under H.R. 1655, ED would be required to coordinate with the Secretary of Labor and IHEs to provide the requisite data.

In addition, H.R. 1655 would require that IHEs offering Pell-eligible short-term programs provide disclosures about the programs to ED. The IHE would be required to provide information annually for each program on overall expenditures, educational expenditures, and tuition and fees revenue.

Effect on Direct Loans for Students Pursuing 300-599 Clock Hour Programs

The Direct Loan program allows eligible students in educational programs of 300-599 clock hours of instruction over at least 10 weeks to borrow from the HEA Title IV Direct Loan program (see the “Current Requirements for 300-599 Clock Hour Programs Participating in the Direct Loan Program” section). The DL program supports Title IV-eligible students regardless of family income. The Pell Grant program supports lower-income Title IV-eligible students.

H.R. 496 and S. 161 would not amend the DL program for students pursuing 300-599 clock hour programs. Lower-income students would be able to combine the Pell Grant and Direct Loan while pursuing educational programs of 300-599 clock hours over at least 10 weeks. Lower-income students in shorter programs (i.e., 150-299 clock hours over 8-9 weeks) would only be eligible for Pell Grants.

H.R. 1655 would require that 300-599 clock hour programs be Pell-eligible short-term programs for enrolled students to receive Direct Loans. The ability of students in 300-599 clock hour programs that meet the current law requirements to receive Direct Loans would sunset within 60 days of ED approving the first short-term Pell Grant program.

⁸⁷ The applicable poverty line is as determined under Section 673(2) of the Community Services Block Grant Act (42 U.S.C. §9902(2)).

Appendix. Calculation of Pell Grant Award Amounts for Shorter Clock Hour Programs

The amount of an eligible student's Pell Grant award is determined on the basis of a set of award rules. The *scheduled award*, based primarily on adjusted gross income (AGI) and student aid index (SAI), is the maximum Pell Grant aid a full-time, full-academic-year student can receive.⁸⁸ The scheduled award is prorated for the student's enrollment rate (if applicable) and the program's length (if applicable). The award may not exceed the cost of attendance (COA).

For clock-hour and credit-hour nonterm programs,⁸⁹ the scheduled award is prorated for the program's length (see the text boxes below). The amount of the scheduled award is prorated based on either the weeks of instruction or clock hours of instruction in comparison to the academic year minimums. The HEA academic year minimum for clock-hour programs is 900 clock hours over 26 weeks of instructional time. For credit-hour programs, the academic year minimum is 24 semester credit hours (or 36 quarter credit hours) over 30 weeks.

In addition, the Pell Grant award for shorter programs must be paid in a minimum of two installments over the course of the program. Generally, the proration is the lower of either (1) the hours in the payment period divided by the weeks in the academic year or (2) the weeks in the payment period divided by the weeks in the academic year.⁹⁰

Sample Pell Grant Award for Shorter Clock-Hour or Credit-Hour Nonterm Programs: Maximum Scheduled Award

Student A has an AGI at the federal poverty guidelines for her family characteristics, a zero SAI, and a COA of \$16,000. She enrolls in a 500 clock-hour program that lasts 14 weeks. The IHE describes a payment period for the program as 250 clock hours and 7 weeks. The IHE defines an academic year as 900 clock hours over 26 weeks.

The scheduled award for Student A is the maximum Pell Grant award. In AY2023-2024, the maximum Pell Grant award is \$7,395. The amount for each payment period is prorated by the lesser of two fractions:

- the hours in the payment period divided by the hours in an academic year ($250 / 900 = 0.2777$) or
- the weeks in the payment period divided by the weeks in an academic year ($7 / 26 = 0.2692$).

The Pell Grant payment for each payment period is \$1,990.73 ($\$7,395 \times 0.2692$). Student A may receive a total of \$3,981.46 ($\$1,990.73 + \$1,990.73$) in Pell Grant funds for the program over the two payment periods.

For a student whose scheduled award is the minimum Pell Grant award, the scheduled award is also prorated for the program's length (see below).

⁸⁸ The SAI is a metric established in the HEA that synthesizes personal and financial characteristics to estimate the ability, as measured in dollars, of a student to pay for postsecondary education.

⁸⁹ In a nonterm academic calendar, classes do not begin and end within a set time frame, such as a term.

⁹⁰ Generally, the payment period is the academic term. However, for nonterm programs of one academic year or less in length, the first payment period is the period in which the student successfully completes half of the credit or clock hours and half of the weeks of instructional time in the program. The second payment period is the period in which the student completes the remainder of the program. Most HEA Title IV aid disbursements must be made on a payment period basis.

**Sample Pell Grant Award for
Shorter Clock-Hour or Credit-Hour Nonterm Programs:
Minimum Scheduled Award**

Student A has an AGI at 250% of the federal poverty guidelines for her family characteristics, an SAI of \$6,656, and a COA of \$16,000. She enrolls in a 500 clock-hour program that lasts 14 weeks. The IHE describes a payment period for the program as 250 clock hours and 7 weeks. The IHE defines an academic year as 900 clock hours over 26 weeks.

The scheduled award for Student A is the minimum Pell Grant award. In AY2023-2024, the maximum Pell Grant award is \$7,395 and the minimum award is 10% of the maximum, or \$750.⁹¹ The amount for each payment period is prorated by the lesser of two fractions:

- the hours in the payment period divided by the hours in an academic year ($250 / 900 = 0.2777$) or
- the weeks in the payment period divided by the weeks in an academic year ($7 / 26 = 0.2692$).

The Pell Grant payment for each payment period is \$201.90 ($\750×0.2692). Student A may receive a total of \$403.80 ($\$201.90 + \201.90) in Pell Grant funds for the program over the two payment periods.

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⁹¹ The actual minimum award amount differs from 10% of the maximum award because of rounding rules and because ED uses midpoints for both the expected family contribution (EFC) and the COA in the annual award rule.