

ATTACHMENT TO GEN-16-09

Questions and Answers on Eligible Career Pathway Programs and Eligibility for Title IV Aid

Question 1: What is the definition of an eligible career pathway program?

Answer 1: As noted in Dear Colleague Letter GEN-16-09, the definition of an eligible career pathway program aligns with how career pathway is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(7)). See section 484(d)(2) of the HEA.

Question 2: Who determines whether a program is an eligible career pathway program?

Answer 2: Each institution must make its own determination of whether a program is an eligible career pathway program based on the statutory definition in section 484(d)(2) of the HEA, and as described in Dear Colleague Letter GEN-16-09. Institutions must document the basis for such a determination. We describe the requirements for documentation in Question & Answer 3 below.

Question 3: What documentation must an institution maintain regarding an eligible career pathway program and the students who receive Title IV aid for enrollment in that program?

Answer 3: An institution must maintain documentation that each of its eligible career pathway programs meet the requirements in the definition of an eligible career pathway program in section 484(d)(2) of the HEA and described in Dear Colleague Letter GEN-16-09. This includes documentation that the program includes workforce preparation activities and training for a specific occupation or occupational cluster and is aligned with the skill needs of the State or regional economy.

Also, for each student who received Title IV aid for enrollment in an eligible career pathway program by successfully completing one of the ATB alternatives, the institution must document—

- Evidence that the student successfully completed one of the ATB alternatives; and
- That the student was enrolled in both the Title IV eligible postsecondary program component and the component that enables an individual to attain a high school diploma or its recognized equivalent.

It is the institution's responsibility to document its compliance with all applicable programmatic and student eligibility requirements.

Question 4: For determining whether a student enrolled in an eligible career pathway program meets the ATB eligibility criteria, would remedial or developmental coursework fulfill the ATB requirement that the student complete at least six hours that are applicable toward a degree or certificate offered by the Title IV eligible postsecondary institution?

Answer 4: No, the requirement is that the six credit hours (or 225 clock hours) must be applicable to a degree or other credential offered by the Title IV eligible postsecondary institution. The completion of remedial or developmental coursework does not qualify.

Question 5: Is the part of the definition of an eligible career pathway program that requires a component that enables an individual to attain a high school diploma or its recognized equivalent met if the Title IV eligible postsecondary institution has a written agreement with another entity that offers the component?

Answer 5: Such a written agreement will meet the requirement only if the component enables an individual to attain a high school diploma or its recognized equivalent.

Question 6: Does an eligible career pathway program have to be approved or endorsed by the Department or by the institution's accrediting agency, the State agency that authorizes the institution, or a State workforce agency?

Answer 6: There is no requirement under the HEA that an eligible career pathway program be approved or endorsed by the Department or by an accrediting agency or a State. However, institutions may be subject to State laws or regulations regarding eligible career pathway programs or relevant requirements of their accrediting agency(ies). The Department will not be developing a career pathway program approval process, but will review the eligibility of these programs through program reviews and audits.

During any program review or audit of an institution's development and implementation of an eligible career pathway program, the Department will consider whether the institution complied with the relevant statutory provisions as described in Dear Colleague Letter GEN-16-09, and any other guidance that the Department provides.

We remind institutions that the Title IV eligible postsecondary program component of an eligible career pathway program must meet all the requirements for Title IV eligibility under 34 CFR 668.8, including that the institution be accredited and have authorization by the State to offer the postsecondary program.

Question 7: Is each ATB student required to be concurrently enrolled in both a component that enables an individual to attain a high school diploma, or its recognized equivalent, and postsecondary coursework throughout the student's enrollment in an eligible career pathway program?

Answer 7: No, each ATB student enrolled in an eligible career pathway program is not required to be concurrently pursuing both the postsecondary program and the component for attaining a high school diploma, or its recognized equivalent.

Note that the eligible career pathway program must include a Title IV eligible postsecondary program component as defined under 34 CFR 668.8, and provide a component that enables an individual to attain a high school diploma or its recognized equivalent under 34 CFR 600.2. Therefore the eligible career pathway program must be designed in such a way that students participate in both the Title IV eligible postsecondary program component and the component that enables an individual to attain a high school diploma or its recognized equivalent. However, the attainment of a postsecondary credential is not contingent on obtaining a high school diploma or its recognized equivalent. Similarly, a student who has met the requirements of the secondary component of the eligible career pathway may be awarded a high school diploma or its recognized equivalent even without completing the full program.

Question 8: What impact does the enrollment of a student in the component of an eligible career pathway program that enables an individual to attain a high school diploma or its recognized equivalent have on the awarding and disbursement of Title IV aid?

Answer 8: It is only the Title IV eligible postsecondary program component that supports the determination of the eligibility of a student and the amount of such eligibility. The Title IV regulations and provisions apply only to the Title IV eligible postsecondary program component.

Therefore, when constructing a student's Title IV cost of attendance (COA), only the costs related to the Title IV eligible postsecondary program component can be included. Likewise, only the clock or credit hours of the Title IV eligible postsecondary program component can be used to establish the student's Title IV enrollment status.

For the same reason, provisions related to a student's enrollment and withdrawal, and any resultant Return of Title IV Funds calculation and National Student Loan

Data System (NSLDS) enrollment reporting, only apply to the Title IV eligible postsecondary program component of the eligible career pathway program.

Question 9: When is a student no longer considered to be an ATB student?

Answer 9: A student who gained Title IV eligibility under one of the ATB alternatives is considered to be an ATB student until the student obtains a high school diploma or its recognized equivalent. At that time, the student would no longer be subject to restrictions placed on ATB students, including the requirement that the student continue to be enrolled in the eligible career pathway program and the student could enroll in any Title IV eligible postsecondary program and receive Title IV assistance (assuming all other eligibility requirements are met).