

DRAFTING RECOMMENDATIONS

Submitted by Aaron Lacey | Private Nonprofit Institutions | December 9, 2025

- Proposed Revision to Section 668.20

§ 668.20 Limitations on remedial coursework that is eligible for Title IV, HEA program assistance.

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- (g) In determining a student's enrollment status and cost of attendance, a An institution may not take into account any noncredit or reduced credit remedial course, including a course in English as a second language, for a student enrolled in an eligible workforce program, as defined under 34 CFR 690.92, that is offered in credit hours.

Rationale: Further clarification.

- Proposed Revision to Section 690.80(d)

§ 690.80 Recalculation of a Federal Pell Grant award.

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- (d) *Receipt of assistance from non-Federal grants.* If at any time during the award year the student receives assistance from non-Federal sources that equals or exceeds the student's cost of attendance as described in 34 CFR 690.5, the institution must either reduce the non-Federal assistance until it does not equal or exceed the student's cost of attendance for the award year or return all of the Federal Pell Grant funds that the student received for that award year.

Rationale: Further clarification.

- Proposed Revision to Section 690.92

§ 690.92 Eligible workforce program

An educational program is an eligible workforce program if the Secretary determines that it is an undergraduate program that—

...

- (h) Is offered by an institution that, during the five years preceding the date of the determination, has not been subject to any suspension, emergency action, or termination of programs action under Subpart G of this title that resulted in a final determination of wrongdoing, provided that the Secretary may waive this requirement in his or her discretion.

Rationale: This proposed revision is intended to clarify that there must be a final determination (not merely the initiation) of a proceeding. Also the revision is intended to create the opportunity for the Secretary to waive the requirement, keeping in mind that any institution seeking approval of an eligible workforce program would already have reestablished Title IV eligibility following the suspension, emergency action, or termination, and as such has already been evaluated by the state, accreditor, and Department.