

To: Accountability in Higher Education and Access through Demand-driven Workforce Pell (AHEAD) Committee

From: Tamar Hoffman and Zoe Kemmerling (Legal Aid Negotiators)

Re: Ensuring credits transfer to more than one institution

Date: December 10, 2025

Below, we propose an update to the Department's proposed language establishing a process for governors' approval of Workforce Pell programs to require that credits transfer to at least one other institution of higher education.

Background

The One Big Beautiful Bill Act (OBBBA) specifies that Workforce Pell programs must ensure students, "upon completion of the program and enrollment in such a related certificate or degree program, will receive academic credit for the Workforce Pell program that will be accepted toward meeting such certificate or degree program requirements."

In specifying that Workforce Pell-funded credits must be accepted towards completion of a related certificate or degree program, Congress intended that Workforce Pell provide a stepping stone to broader employment and earnings opportunities via credentials that are commonly accepted in their relevant fields. To realize this intent, a Workforce Pell program should provide usable credits ("be stackable") not merely for continued learning at the same institution, but at at least one outside institution. With no competitor for the student's Workforce Pell credits, the student's choice will be limited and the Department risks funding programs that do not provide true value but merely a way to funnel more federal dollars into the offeror institution.

Recommendation

We recommend revising 34 CFR § 690.93(a)(4) to require academic credits from a Workforce Pell program to transfer to a program at at least one eligible institution other than the institution offering the Workforce Pell program.

We also recommend clarifying that the Workforce Pell credits must "stack" to a higher-level credential program, which is consistent with the intent described above.

Amended Language

§ 690.93 Components determined by Governors

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(4) Prepares students to pursue one or more certificate or degree programs at ~~more than one or more~~ eligible institutions (which ~~may include~~s the eligible institution providing the program), including by ensuring-

(i) That a student, upon completion of the program and enrollment in such a related certificate or degree program ~~of a higher credential level~~, will receive academic credit for the program that will be accepted toward meeting such certificate or degree program requirements; and

(ii) The academic credit described in paragraph (i) will be acceptable toward meeting such certificate or degree program requirements.