

Reimagining and Improving Student Education (RISE) Negotiated Rulemaking

Issue Paper: Loan Limit Provisions and Definitions

Issue: William D. Ford Federal Direct Loan (Direct Loan) Program Amendments

Regulatory citation: 34 CFR §685.102

The Department proposes updating regulatory citations and revising the text to define the term *professional student*, as defined under § 668.2.

Issue #1: The proposed definition of “Professional Student” introduces a fixed list of degree types that qualify as “professional degrees,” suggesting that it is exhaustive. However, this approach diverges from the current regulatory language in 34 CFR § 668.2, which defines “professional degree” using functional criteria and a non-exhaustive list of *examples*. The proposed language risks excluding students in rigorous, licensure-dependent programs not explicitly named, despite meeting the established criteria.

Issue #2: Additionally, the proposed definition fails to account for graduate programs that have historically qualified as health professions under the existing loan limit exemptions. According to the *2024-2025 Federal Student Aid Handbook*, these include Doctoral Degrees in Clinical Psychology and Graduate Programs in Public Health and Health Administration. Omitting these programs from the new definition risks reducing access to necessary funding for students pursuing careers in critical health professions. These students undergo extensive post-baccalaureate training, clinical or supervised practice, and often require professional licensure, which meets the functional criteria of professional education. Yet, by excluding them from the enumerated list, the proposed regulatory definition imposes disadvantages and financial inequities on a cohort that has previously been recognized for its professional rigor and public service impact.

Recommendation: To ensure consistency with the statutory framework under *Pub. L. 119-21* and the existing regulatory definition in 34 CFR § 668.2, the definition of “Professional Student” should be revised to reflect that the listed professional degrees are illustrative and not exhaustive, as is explicitly stated in and drawn directly from 34 CFR § 668.2: “Examples of a professional degree include but are not limited to.” This language should be preserved to maintain regulatory continuity and avoid exclusions of critical health professions.

Proposed Amendatory Text: Matter in *blue bold italicized* reflects new language added to align with the existing definition in 34 CFR § 668.2. Matter in ~~redline strikethrough~~ represents deleted language in the original text.

§ 685. 102 Definitions.

Revise paragraph (a) to read as follows:

(a)^{***}

Professional student: A student enrolled in a program of study that awards a professional degree upon completion of the program;

(1) A professional degree is a degree that signifies both completion of the academic requirements for beginning practice in a given profession and a level of professional skill beyond that normally required for a bachelor's degree, where professional licensure is also generally required. ~~and~~ *Examples of a professional degree* includes ~~but are not limited to~~ the following degrees Pharmacy (Pharm.D.), Dentistry (D.D.S. or D.M.D.), Veterinary Medicine (D.V.M.), Chiropractic (D.C. or D.C.M.), Law (L.L.B. or J.D.), Medicine (M.D.), Optometry (O.D.), Osteopathic Medicine (D.O.), Podiatry (D.P.M., D.P., or Pod.D.), Theology (M.Div., or M.H.L.), and any other degrees designated by the Secretary through rulemaking, as required by 20 U.S.C. 1098a and 5 U.S.C. 553. other degrees designated as professional degrees by the Secretary in a notice published in the FEDERAL REGISTER, with updates to that list published as needed.