Summary of Kaine/Portman Short-Term Pell Amendment to S. 1260

Senators Tim Kaine (D-VA) and Rob Portman (R-OH) have filed an amendment (see p. 30 of linked PDF) to the United States Innovation and Competition Act (S. 1260) that would extend Pell Grant eligibility to students in qualifying short-term workforce education programs. The amendment is similar in structure to the senators’ Jumpstart our Businesses by Supporting Students (JOBS) Act (S. 864), but negotiations led to additional eligibility requirements. Like the JOBS act, the amendment would authorize a job training federal Pell Grant program to extend Pell eligibility to credit and non-credit programs between 150 and 600 clock hours in length. Pell Grant eligibility is currently limited to programs 600 hours or longer. The Dept. of Education (ED), would have one year from enactment to publish an eligibility application for short-term programs.

Key JOBS Act provisions maintained in the amendment include requirements that a program be listed on the Workforce Innovation and Opportunity Act (WIOA) eligible trainer provider list and that non-credit programs be articulated into a credit program at the institution.

Differences between the JOBS Act as introduced and the amendment include:

- Like the JOBS act, training programs must lead to jobs in high-skill, high-wage, and in-demand industries or occupations. These industries and occupations would be determined by the state or local workforce board, a Perkins Act comprehensive local needs assessment, or the Perkins Act state plan. The JOBS Act left this determination to an industry sector partnership.
- Credentials conferred by the program must be stackable and portable among several employers and geographical areas. The JOBS Act is more locally focused. The implications of this requirement on potential program eligibility are unclear.
- Program completers must have a median earnings increase of at least 20% of their total post-program earnings. The earnings increase is measured by comparing the earnings of program completers within 6 months of completing the program to the earnings of all program enrollees within six months prior to starting the program.
- The amendment adds several required disclosures to prospective students, who must acknowledge in writing that they have received the information. These include:
  - tuition and fees
  - net tuition (tuition minus any grant aid received)
  - program completion rate
  - job placement rate not less than 6 months and 1 year after completion
  - program completers’ earnings not less than 6 months after completing the program
  - non-completers’ earnings (no timeframe indicated)
  - a ratio of the student’s net tuition to program completers’ median earnings (presumably to give students an indication on their expected return on investment)
  - program completers’ pass rate on licensure exams
- A program must be in operation for at least 1 year before it can become Pell-eligible.
- Programs offered entirely online or via correspondence are not eligible (except in an emergency that forces them to go online).
- Programs must be provided at least 50% directly by the institution.
• The Secretary of Education has 120 days to approve a program (compared to 60 in the JOBS Act).
  o This approval is initially for two years, after which a program may apply for a 3-year renewal.
  o The secretary may deny renewal or revoke approval of programs that do not meet the eligibility requirements at any time.
  o The secretary shall prohibit a revoked program from being offered again (or a program that is substantially similar) for 5 years. It is unclear whether this is limited to programs offered by the same institution that offered the terminated program.
• Students may not receive a Job Training Pell Grant and a regular Pell Grant simultaneously.
• Students who do not qualify for a minimum Pell Grant because of the size of their calculated award would still qualify for a grant.
• Institutions are subject to new and extensive reporting requirements. They must report to ED:
  o The number and demographics of students who: enroll in, complete, and do not complete the program. The demographics reported on must include:
    ▪ Sex
    ▪ Race and Ethnicity
    ▪ Students with disabilities
    ▪ Income quintile
    ▪ Recipients of Dept. of Defense or veterans’ tuition assistance (e.g. GI Bill)
    ▪ First-time or transfer student status
    ▪ Parent or guardian of 1 or more dependents
    ▪ Status as a confined or incarcerated individual
  o Required program tuition and fees
  o Earnings of completers and non-completers, disaggregated by the above categories
  o For program completers, disaggregated by the above categories:
    ▪ Completion, job-placement, and licensure and certification exam passage rates
    ▪ The percentage who continue enrollment at the institution or transfer to another institution within one year after the program
    ▪ The percentage that complete a subsequent degree or certificate within 6 years