



April 8, 2026

Alamo Colleges District

Dallas College

Lone Star College

Louisiana Community and  
Technical College System

Metropolitan Community  
College

Tarrant County College

Virginia Community College  
System

Wisconsin Technical College  
System

The Honorable Nicholas Kent  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Under Secretary Kent:

I am writing on behalf of Rebuilding America's Middle Class to provide comments on the Notice of Proposed Rulemaking (NPRM) resulting from the U.S. Department of Education's Accountability in Higher Education and Access through Demand-driven Workforce Pell (AHEAD) Negotiated Rulemaking Session. RAMC thanks the Department for their work on the implementation of Workforce Pell thus far and hopes that the following comments on the NPRM will help the Department in effectively implementing this important authority.

RAMC represents more than 75 community colleges and approximately 1 million students nationwide. Community colleges serve 45 percent of all first-time freshmen and 40 percent of our students are first-generation college students. Community colleges are open access, seek to make higher education accessible and affordable for everyone and match employers' need for a larger, more workforce. We know the importance of preparing more Americans to enter the workforce with the skills necessary to compete for in demand jobs.

#### **Directed Questions**

RAMC appreciates the Department's efforts to further refine the NPRM through directed questions. RAMC has outlined the direction it believes the Department should take on these directed questions to serve our colleges and students best:

- Though RAMC believes that the intention behind the directed question on *Components Determined by Governors (§690.93)* will be beneficial for States that share the same workforce needs, RAMC urges the Department to allow Governors to dictate this process, rather than constraining the ability of State agreements at the Federal level. First, by restricting the number of States that are able to participate in an agreement to offer Workforce Pell programs, the Department is limiting the innovation that can result from multilateral agreements. If more than two States share workforce needs, RAMC believes that restricting this collaboration to bilateral agreements makes it more difficult for States to share resources and insights that are beneficial for workforce programs. Second, even though the Department envisions multiple bilateral agreements for the same programs, the added bureaucracy from this construct will outweigh any benefits for students. Under the proposed regulation, Governors are already entrusted to play a major role in the broader approval process for Workforce Pell and are best positioned to understand the needs of their States. They will also be able to recognize if an agreement is too complex or burdensome and have no incentive to pursue such agreements. If multiple Governors recognize a shared workforce need across their

States, it would be detrimental for the Department to restrict participation to only two States, as doing so would stifle innovation. Overall, RAMC strongly urges that Governors, who understand their workforce needs and the agreements that would be most beneficial for their States and students, be given the ability to determine whether single agreements between States can span two or more States.

- Regarding the Department's inquiry on the *Value-Added Earnings: Interim Value-Added Earnings Metric (§690.95(a))* section, RAMC strongly believes that holding an eligible institution's workforce programs accountable to an interim earnings metric prior to the official calculation of the value-added earnings metric would create a barrier for institutions looking to implement Workforce Pell. Without an interim value-added earnings metric, Governors are still able to make determinations as to whether a program is high quality and should move forward as a Workforce Pell-eligible program due to the other elements in the approval process. RAMC believes that there should not be a measure that would deny eligibility for workforce programs prior to the official calculation of the value-added earnings metric. Indeed, the denial on such basis would be without any statutory authority. However, if the Department does want to make applicants for workforce programs aware of potential earnings outcomes, that calculation should be used as an advisory tool or framework only that could inform potential students of the earnings value of a program. We urge the Department not to use an interim earnings measure to disqualify programs from Workforce Pell eligibility.
- In response to the *Value-Added Earnings: Exclusion of Certain Students in the Completer Cohort (§690.95(a))* directed question, RAMC encourages the Department to exclude currently enrolled students from the calculation for the value-added earnings metric. First, individuals who are still enrolled in higher education likely have not reached their full earnings potential, which artificially lowers a cohort's earnings outcome. Moreover, this provision contradicts the benefits of workforce programs such as stackability. Many Workforce Pell programs provide students with a pathway to continue their education toward another certificate or degree. Including this provision discourages students and institutions from using Workforce Pell programs as a step in pursuing other credentialing opportunities. RAMC strongly urges the Department to exclude students enrolled in school from the value-added earnings calculation.

### **Other Issues in the Regulation**

RAMC also would like to take the opportunity to provide its input on other issues that we hope that the Department will address in the final rule:

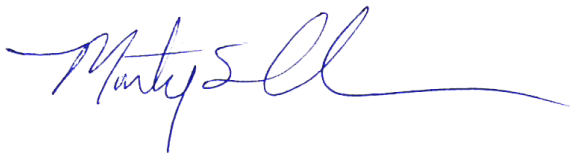
- In the *Limitations on Remedial Coursework That is Eligible for Title IV, HEA Program Assistance (§668.20(b) and (g))* section of the NPRM, the Department states that noncredit programs are not eligible for Workforce Pell if offered in credit hours, but that noncredit programs offered in clock hours could be deemed eligible. Though RAMC appreciates that noncredit programs would be eligible for Workforce Pell if counted in clock hours, RAMC urges the Department to reflect this language in the regulatory language rather than just in the preamble to avoid any future reinterpretations of the statutory authority provided in this area.
- Another area that RAMC is concerned about is in the *Components determined by Governors (§ 690.93(e) and (f))* section. In this section, the Department proposes that a workforce program's approval expires when an institution's Program Participation Agreement (PPA) expires. This would require Governors to re-approve previously eligible workforce programs whenever the institution's PPA expires. As a result, an institution could have been approved for a Workforce Pell program, only to have to go through the approval process again just a few months later when its PPA expires. RAMC believes that this rule is burdensome for a variety of reasons. The

first is that a PPA is at the institution level, not at the programmatic level, whereas Workforce Pell eligibility is determined on a program-by-program basis. Further, every institution's PPA is on a different timeline, which means that linking the Workforce Pell timeline to the PPA timeline is arbitrary and will add a layer of complexity. RAMC also strongly believes that the process to maintain Workforce Pell eligibility already has many guardrails that make this provision unnecessary. The process outlined in the NPRM ensures – through various requirements including those related to program completion, job placement and value-added earnings – that when a program is no longer high quality, it is no longer eligible for Workforce Pell. Overall, if this provision tying an institution's PPA to Workforce Pell eligibility is included in the final rule, it will make the approval process redundant and unnecessary. It will also likely delay the approval process, divert resources, and delay the effective implementation of Workforce Pell, especially with the scope and complexity that the regulatory proposal already places on Governors. Unnecessary delays or barriers to approving and maintaining approval for eligible workforce programs will translate into institutions not being nimble enough to respond to the needs of employers and provide training to ensure that students can secure employment.

- RAMC also has concerns about section §690.94(a), *Components Determined by the Secretary*. This section prescribes that the 70 percent job placement rate, after the 2027–2028 award year, is to be calculated as the percentage of students who are employed in the occupation for which the program prepares students or a comparable high-skill, high-wage, or in-demand occupation, as determined by the Governor. RAMC members see this requirement as difficult to implement, as the data do not uniformly exist to meet this test. Employers do not always code a certain job in the same way, which makes it difficult to get an accurate picture of what a comparable occupation would be. For example, a pharmacy technician may work for a grocery retailer and therefore be classified under grocery retail rather than as a pharmacy technician. Such discrepancies would require employers to submit significantly more data, making an already complex process even more burdensome. Further, the NPRM does not define what “comparable” means, which could lead to a lack of uniformity across States and programs, and will add a level of complexity for States in an already complex process. This metric should focus solely on job placement, without focusing on which profession a student entered into. We ask the Department to eliminate the requirement to calculate placement rates with this occupationally related or comparable requirement.
- Finally, on the *Regaining Eligibility (§690.97(a))* section, RAMC would encourage the Department to provide more guidance as to what constitutes a substantially similar program. Without added subregulatory guidance, it is difficult for institutions to know what substantially similar means when they are looking to proceed through the regaining eligibility process.

RAMC greatly appreciates the Department's consideration of these thoughts as it works to create regulations that implement Workforce Pell effectively. Thank you for your attention to our views.

Sincerely,



Monty Sullivan

Board President, Rebuilding America's Middle Class (RAMC)  
Former President, Louisiana Community and Technical College System