



Association for Career and Technical Education
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December 11, 2017

The Honorable Virginia Foxx
Chairwoman
Committee on Education and the Workforce
U.S. House of Representatives
Washington, DC 20515

The Honorable Robert Scott
Ranking Member
Committee on Education and the Workforce
U.S. House of Representatives
Washington, DC 20515

Dear Chairwoman Foxx and Ranking Member Scott:

On behalf of the Association for Career and Technical Education (ACTE), the nation's largest not-for-profit organization dedicated to the advancement of education that prepares youth and adults for successful careers, I write to provide comments on the H.R. 4508, the Promoting Real Opportunity, Success, and Prosperity through Education Reform (PROSPER) Act. For many students, postsecondary career and technical education (CTE) programs provide affordable pathways to the middle class. Through the reauthorization of the Higher Education Act (HEA), Congress can promote career education and training by reducing barriers to access postsecondary education for non-traditional and working students, ensuring effective program quality and integrity measures, and supporting CTE teacher preparation programs. While we are encouraged by the PROSPER Act's focus on career preparation overall, we remain concerned that the bill does not adequately address issues around access and quality that are critical to ensuring all students are truly prepared for success in the 21st century economy.

Supporting CTE programs' and students' access to federal financial aid is one of our top priorities for HEA reauthorization. We have long encouraged Congress to adopt a definition for an institution of higher education that ensures that the full range of public CTE institutions—including community colleges, postsecondary vocational institutions and area technical schools—are recognized alongside four-year colleges and universities. We are pleased that the definition consolidates postsecondary vocational institutions into the primary definition and reduces the chances of these institutions being overlooked as critical components of the nation's higher education system. However, we are concerned that other changes made throughout the definition, particularly the removal of references to an institution's profit status, could create negative ripple effects across federal education and workforce programs. Many programs use this critical definition to distribute important aid to public and non-profit private institutions to meet national priorities, and changes to the definition could open up funding inappropriately.

We look forward to working with the committee to further refine the definition, and its applications across federal programs.

All students, including non-traditional students, should be able to choose the postsecondary course of study and financial aid option that best aligns with their career goals. To this end, we have advocated for expanding federal financial aid to provide students with greater access to short-term education and training programs. While changes made in the PROSPER Act to allow students to use financial aid for programs under 600 clock hours in length are a step in the right direction, we encourage the committee adopt the provisions of the Jumpstart Our Businesses by Supporting Students (JOBS) Act. This bipartisan measure would expand Pell eligibility to students enrolled in short-term education programs that lead to a recognized postsecondary credential and are least 150 clock hours of instruction time over a period of at least 8 weeks, but also ensure that programs are providing real value to students through quality control provisions, such as those embedded in career pathways. Similarly, the Career and Technical Education Opportunity act can serve a model for ensuring that student borrowers are able to pursue short-term training that is aligned with local and regional workforce demands.

We are also pleased to see that the “ability-to-benefit” (ATB) provision is included in the bill. The continuation of ATB is a top priority for our members, and to students without high school diplomas who will benefit from having access to financial aid support for postsecondary education and training. Additionally, the PROSPER Act makes important strides in updating financial aid programs by giving institutions greater flexibility to use innovative practices, including competency-based education and distance learning, to better serve working students.

However, there are several other changes to the federal financial aid program that merit further thought and refinement to ensure equitable access for students and programs. For example, the proposal replaces the existing institutional cohort default rate with a new measure that would effectively tie program eligibility to student loan repayment. Because this is a new data point with no prior information available about its impact, we urge the committee to proceed with caution. It is important to consider how such metrics will be operationalized in smaller CTE programs with very few student borrowers, particularly shorter-term or low-cost programs. Moreover, we are concerned that the overall focus in the bill on consolidation of programs will result in less funding for student aid, and fewer resources for student borrowers.

Another area of great interest to our organization and to CTE programs around the country is the federal work-study program and the access it provides students to real-world work experiences. We believe that the proposed reforms to the Federal Work-Study (FWS) program included in the PROSPER Act will increase access to these experiential learning opportunities and allow students to gain valuable career skills. It is encouraging the bill provides for a more equitable funding formula, as well as a new set-aside for institutions that are effectively serving low-income students. Additionally, expanding the Job Location Development program will help connect more students with real-world career opportunities. To build on these reforms and ensure that academic and career success becomes the central focus of the program going

forward, postsecondary institutions should be encouraged to engage with a wide range of internal and external stakeholders to identify job opportunities. Instructors, administrators and career services staff should work collaboratively with local employers, workforce boards, labor organizations and other community stakeholders to identify and develop relevant FWS jobs. Additionally, postsecondary institutions should find opportunities for students to earn credit toward fulfilling work-based learning requirements through participation in FWS employment, when such employment is aligned with their educational program of study.

We are encouraged by continued focus on expanding apprenticeship programs and other work-based learning, and we are supportive of the goal of promoting work-based learning opportunities through the proposed apprenticeship grant program included in the PROSPER Act. However, the committee should further clarify the relationship between programs funded under this section and true Registered Apprenticeships, and ensure adequate quality control metrics when directing federal resources to earn-and-learn programs.

Despite the positive nature of new work-based learning provisions, we are extremely concerned by the plan to eliminate programs supporting teacher education and development in HEA Title II. There is a nationwide shortage of CTE teachers and a rapidly declining availability of CTE teacher preparation programs. The committee should adopt the provisions of the bipartisan Technical Education and Career Help Act, which would allow partnerships between school districts and postsecondary teacher preparation programs to access Teacher Quality Partnership grant funding. This would further support individuals pursuing careers in CTE with vital pedagogical and technical training, as well as ongoing mentorship and professional development opportunities. Moreover, the elimination of TEACH Grants, as well as public loan forgiveness programs that benefit educators, would remove valuable tools for incentivizing individuals to join the teaching profession and exacerbate the CTE teacher shortage.

We also echo the concerns of the broader higher education community about the proposed elimination of existing consumer protection safeguards. Specifically, we believe that the “90/10” rule, which limits the percentage of funding that proprietary institutions can receive through federal financial aid sources, should be maintained. Though we were critical of the Obama Administration’s early efforts to regulate on the gainful employment requirement—a proposal that would have imposed burdensome and costly reporting and disclosure requirements on non-profit postsecondary CTE institutions, such as community colleges and area technical schools—it is our position that modifying the regulatory framework, not eliminating the provision form statute altogether, could address our outstanding concerns with the rule. The U.S. Department of Education is currently engaged in negotiated rulemaking on this issue. The members of that panel should be given an opportunity to find a common-sense approach to holding programs accountable for student outcomes. Additionally, the proposed roll back of the state authorization rule would dismantle another program quality measure—making students vulnerable to disreputable institutions, and proposed accreditation changes could reduce important consumer safeguards.

Finally, we want to echo thoughts on the data collection and reporting sections of the bill raised by the Postsecondary Data Collaborative, particularly concerns about the fact that students not receiving Title IV aid will not be included in key metrics. While the requirement for program-level data is a big step in the right direction, failure to include all students provides an inaccurate picture of program performance that will harm consumers' abilities to make informed educational choices.

The committee should build upon the positive provisions of the PROSPER Act to develop a bipartisan HEA reauthorization measure that supports the needs of CTE students and educators. If you have any questions, please feel free to contact ACTE Legislative and Regulatory Affairs Manager Mitch Coppes (mcoppes@acteonline.org).

Sincerely,

A handwritten signature in black ink that reads "LeAnn Wilson". The signature is written in a cursive, flowing style.

LeAnn Wilson
Executive Director
ACTE