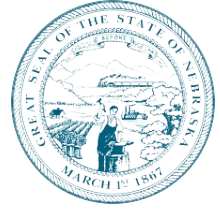


# STATE OF NEBRASKA

## OFFICE OF THE GOVERNOR



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## Monitoring and Compliance Policies

### Workforce Pell Grant Program

*Pursuant to 34 CFR § 690.93*

Effective Date: May 20, 2026

#### I. Purpose

These Written Policies and Procedures govern the State of Nebraska's process for monitoring and renewing Workforce Pell Grant Programs seeking eligibility under the federal Workforce Pell Grant program. They establish the standards institutions must meet to obtain and maintain Governor approval, the reporting requirements that ensure program accountability, and the procedures for addressing loss of eligibility and reinstatement. These policies are issued by the Office of the Governor in coordination with the Nebraska Department of Labor (NDOL) (which serves as the Governor's designee for program administration) and in consultation with the Nebraska Workforce Development Board.

#### II. Quarterly Reporting Requirements (After Approval)

Once a program is approved, institutions must submit performance information pursuant to 34 CFR § 690.94(b). Institutions will be required to use NDOL's performance reporting tool. Quarterly reports are due by the last day of the month following the end of each quarter. Each quarterly report must contain data from the previous quarter only and is not cumulative. Institutions that had no program activity during a quarter must still submit a report indicating no activity for that period.

NDOL's performance reporting tool is provided as an .xlsx file. The following data must be reported for all students enrolled in or exiting Workforce Pell programs during reporting periods.

1. **Social Security Numbers (SSNs).** SSNs must be provided for all students.
2. **Start date.** Training program start dates must be provided for all students.
  - a. Start dates must be provided in MM/DD/YYYY format and cannot be future dates.
3. **Status.** Training program status must be provided for all students (selection options: enrolled, completed, withdrew, transferred).
  - a. If status is not selected, status will default to enrolled.
4. **Exit date.** Training program exit dates must be provided for all students (selection options: completed, withdrew, transferred).

- a. Exit dates must be provided in MM/DD/YYYY format and cannot be future dates or earlier than start dates.
5. **Credential status.** Credential status must be provided for all students (selection options: yes, no, unknown).

In addition, the institution must provide:

- Published tuition and fees for the program for the upcoming award year, reported to the U.S. Ed Secretary through a process determined by the Secretary.

### III. Renewal and Continued Approval

Eligible Institutions must notify NDOL of their request for continued renewal at least 90 days prior to the expiration of the Program Participation Agreement (PPA) Under 34 CFR § 690.93(e) and (f), Governor approval expires when the eligible institution's PPA with the U.S. Department of Education expires. Before PPA expiration, the Governor must provide the Secretary a certification of continued approval through a process determined by the Secretary. If the Governor does not provide that certification before PPA expiration, the program's eligibility will lapse.

### IV. Withdrawal of Approval

NDOL will periodically review approved programs to determine whether continued eligibility is met. If NDOL determines that a program no longer meets the eligibility criteria, an appealable determination will be issued. Once the determination is final, NDOL will forward the determination to the Governor with a recommendation for withdrawal of approval.

The Governor may withdraw approval of a program at any time if the program no longer meets the edibility criteria. If approval is withdrawn, the Governor will notify the U.S. Department of Education, the U.S. Department of Labor, and the institution within 15 calendar days of the final decision.

### V. Value-Added Earnings Compliance

Under 34 CFR § 690.95, a program's published tuition and fees cannot exceed its value-added earnings — a figure calculated and published each year by the U.S. Secretary of Education. The following procedures ensure institutions remain in compliance.

#### A. Annual Publication and Notice to Institutions

No later than three months before the start of each award year, the U.S. Secretary of Education publishes value-added earnings figures for each approved program. Institutions are responsible for ensuring that their published tuition and fees remain at or below those figures for all students who first enroll during that award year.

#### B. Annual Tuition and Fees Reporting

As part of annual reporting, each approved institution must report its published tuition and fees for the upcoming award year to the Secretary through the process determined by the Secretary. Upon request

from the Secretary, institutions must provide documentation confirming their tuition and fees do not exceed value-added earnings.

### **C. Zero or Negative Value-Added Earnings**

If the Secretary calculates a value-added earnings figure of zero or negative for a program, that program is no longer eligible for Federal Pell Grant funds, consistent with the loss-of-eligibility procedures in Section VI.

### **D. Cost-to-Wage Review Before Initial Approval**

Before certifying any new program, the Governor will confirm that the program's cost to students has been considered in relation to the anticipated wages for the relevant occupation, consistent with 34 CFR § 690.93(d)(9). This consideration is required at initial approval; ongoing compliance with tuition limits is governed by the Secretary's annual value-added earnings calculations.

## **VI. Loss of Eligibility**

Under 34 CFR § 690.96, a program may lose its Workforce Pell Grant eligibility under three circumstances:

### **A. Withdrawal or Non-Renewal of Governor Approval**

A program becomes ineligible at the end of the payment period that begins after either: (1) the Governor withdraws approval under Section IV. of these Policies; or (2) the Governor fails to provide continued approval certification before the institution's PPA expires under Section III. The Governor will notify the institution and the U.S. Departments of Education and Labor within 15 calendar days of the final decision.

### **B. Failure to Meet Completion or Job Placement Rates**

If the U.S. Secretary of Education determines that a program has failed to meet completion rate or job placement rate requirements, the program becomes ineligible at the end of the payment period that begins after that determination. The Secretary will not make this determination while the program's eligibility, approval, or reported rates are in an appeal status or awaiting the Governor's final approval determination. The applicable job placement rate standard is determined by award year, as follows:

(1) Award Years 2026–27 through 2028–29 (Interim Standard, per 34 CFR § 690.94(a)(2)(i)): The Governor certifies a 70 percent job placement rate using administrative data, including wage records. "Placed" means the student was employed in any occupation during the second quarter after exiting the program (whether or not the student completed the program).

(2) Award Year 2029–30 and Each Year Thereafter (Permanent Standard, per 34 CFR § 690.94(a)(2)(ii)): The Governor certifies a 70 percent job placement rate based on program completers (not all exiters). "Placed" means the completer was employed during the second quarter after successfully completing the program in: (a) the occupation(s) for which the program prepares students, as identified through a comparable high-skill, high-wage, or in-demand occupation, as determined by the Governor using available administrative data, including wage records.

### **C. Tuition Exceeds Value-Added Earnings**

If a program's tuition and fees exceed the value-added earnings calculated by the Secretary, the program becomes ineligible at the beginning of the following award year. The Secretary will also assess a liability for Pell Grant funds disbursed during the award year for which the value-added earnings were calculated and collect that amount from the institution.

### **D. Institution Suspension, Emergency Action, or Termination**

Under 34 CFR § 690.92(g), a program is ineligible to become or remain a Workforce Pell eligible workforce program if it is offered by an institution that, during the five years preceding the date of the eligibility determination, has been subject to any suspension, emergency action, or termination of programs by the U.S. Secretary of Education.

As part of initial program review, NDOL as the Governor's designee will verify, using publicly available U.S. Department of Education records, whether the submitting institution has been subject to any such action within the prior five years. No approval may be granted, and no certification may be submitted to the Secretary, for a program offered by an institution that fails this screen. Similarly, if an institution becomes subject to suspension, emergency action, or termination after a program has been approved, that program's eligibility will be treated as lapsed consistent with 34 CFR § 690.96.

## **VII. Regaining Eligibility**

Under 34 CFR § 690.97, a program that has lost eligibility may seek to regain it. The process depends on why eligibility was lost.

### **A. Two-Year Bar for Completion or Placement Rate Failures**

If a program loses eligibility because it failed to meet completion or job placement rate requirements — or because the institution voluntarily discontinued a failing program — the institution may not re-apply for that program (or a substantially similar program with the same four-digit CIP code and identical SOC codes) for two years from the earlier of: (1) the date the program loses eligibility; or (2) the date the institution voluntarily discontinued the program. After the two-year period, institutions may submit a new application and must demonstrate the program now meets all eligibility requirements, consistent with the loss-of-eligibility procedures in Section VI.

### **B. Regaining Eligibility After Loss of Governor Approval**

If a program loses eligibility because Governor approval was withdrawn, it may become eligible again after: (1) the Governor provides a new certification of approval to the Secretary; and (2) the U.S. Secretary of Education determines the program meets all eligibility criteria.

### **C. Reinstatement After Tuition Exceeds Value-Added Earnings**

If a program loses eligibility because tuition exceeded value-added earnings, the institution may seek reinstatement through a process determined by the Secretary by: (1) providing the Secretary a new certification of Governor approval confirming the program still meets all eligibility criteria; (2) submitting documentation of the program's current tuition and fees along with an attestation that tuition has been reduced and will remain at or below the program's recalculated value-added earnings; and (3)

requesting a recalculation of the program's value-added earnings to determine whether the updated tuition and fees apply to the next award year.

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### VIII. Adoption and Effective Date

These Written Policies and Procedures are adopted under 34 CFR § 690.93 and take effect on the date signed below.



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Jim Pillen, Governor  
State of Nebraska

Date: 5/20/24



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Katie Thurber, Commissioner  
Nebraska Department of Labor  
Authorized Designee

Date: 5/20/26