

116TH CONGRESS
1ST SESSION

S. 2123

To amend the Federal Pell Grant Program to support career training opportunities for young Americans.

IN THE SENATE OF THE UNITED STATES

JULY 16, 2019

Mr. HAWLEY introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Federal Pell Grant Program to support career training opportunities for young Americans.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Break the Higher Edu-
5 cation Monopoly Act of 2019”.

6 **SEC. 2. SUPPORTING CAREER TRAINING OPPORTUNITIES**

7 **FOR ALL YOUNG AMERICANS.**

8 Section 401 of the Higher Education Act of 1965 (20
9 U.S.C. 1070a) is amended by adding at the end the fol-
10 lowing:

1 “(k) ALTERNATIVE CERTIFICATION PROGRAM.—

2 “(1) IN GENERAL.—The Secretary shall devise
3 an alternative certification program to enable stu-
4 dents to use Federal Pell Grants to enroll in edu-
5 cational programs (either at eligible institutions or
6 institutions that are not eligible institutions) for
7 which students are not otherwise eligible to use Fed-
8 eral Pell Grants under this section.

9 “(2) DEFINITIONS.—In this subsection:

10 “(A) PROGRAM COMPLETION RATE.—The
11 term ‘program completion rate’ means the per-
12 centage of enrollees in a program who success-
13 fully complete the program requirements within
14 the standard program duration.

15 “(B) JOB PLACEMENT RATE.—The term
16 ‘job placement rate’ means the percentage of
17 graduates who have obtained full-time employ-
18 ment in the graduate’s field of study.

19 “(3) NO REQUIREMENT FOR ACCREDITATION
20 OR STATE AUTHORIZATION.—The alternative certifi-
21 cation program shall not require accreditation, State
22 authorization, minimum instructional hours, or min-
23 imum classroom time of educational programs for
24 which students may use Federal Pell Grants to en-
25 roll pursuant to this subsection.

1 “(4) CONTINUOUS OPERATION; DETERMINA-
2 TION OF ELIGIBILITY.—The Secretary shall—

3 “(A) only certify an educational program
4 under the alternative certification program
5 that—

6 “(i) has been in existence for not less
7 than 5 years; and

8 “(ii) has an annual cost of enrollment
9 for a year that is equal to or less than the
10 maximum Federal Pell Grant award appli-
11 cable to that year;

12 “(B) make an initial determination of edu-
13 cational program eligibility under the alter-
14 native certification program not later than 180
15 days after the date of application of the edu-
16 cational program; and

17 “(C) re-evaluate educational program eligi-
18 bility under the alternative certification pro-
19 gram not less often than once every 5 years.

20 “(5) INFORMATION TO ASSESS PROGRAM ELIGI-
21 BILITY.—

22 “(A) IN GENERAL.—Each educational pro-
23 gram applying for certification or re-certifi-
24 cation under the alternative certification pro-
25 gram, the Secretary of the Treasury, and the

1 Secretary of Labor shall submit to the Sec-
2 retary all data necessary for the Secretary to
3 assess educational program eligibility under the
4 alternative certification program.

5 “(B) PRIVACY.—The Secretary shall keep
6 all student data submitted under subparagraph
7 (A) private and confidential.

8 “(6) DETERMINATIONS OF PROGRAM ELIGI-
9 BILITY.—The Secretary shall make a determination
10 of educational program eligibility under the alter-
11 native certification program on the basis of student
12 outcomes in the educational program, including
13 based on each of the following:

14 “(A) Program completion rate.

15 “(B) Job placement rate within 90 days of
16 program completion.

17 “(C) Job placement rate within 12 months
18 of program completion.

19 “(D) Graduate median starting salary.

20 “(E) Graduate median salary 5 years after
21 program completion.

22 “(F) Graduate average starting salary.

23 “(G) Graduate average salary 5 years after
24 program completion.

1 “(7) DECERTIFICATION.—The Secretary may
2 decertify an educational program under the alter-
3 native certification program if the program meets
4 any of the following:

5 “(A) The program completion rate is less
6 than 70 percent.

7 “(B) The job placement rate within 90
8 days of program completion is less than 50 per-
9 cent.

10 “(C) The job placement rate within 12
11 months of program completion is less than 70
12 percent.

13 “(D) The graduate median starting salary
14 is less than 200 percent of the Federal poverty
15 level for a one-person household.

16 “(E) The graduate median salary 5 years
17 after program completion is less than 300 per-
18 cent of the Federal poverty level for a one-per-
19 son household.

20 “(8) RULE OF CONSTRUCTION.—Nothing in
21 this subsection shall be construed to extend eligi-
22 bility with respect to an educational program that is
23 certified under the alternative certification program

- 1 under this subsection to other programs under this
- 2 title.”.

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