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Title 34 — Education

Subtitle B — Regulations of the Offices of the Department of Education

Chapter VI — Office of Postsecondary Education, Department of Education

Part 668 — Student Assistance General Provisions

Subpart J — Approval of Independently Administered Tests; Specification of Passing Score; Approval of State Process

Source: 75 FR 66960, Oct. 29, 2010, unless otherwise noted.

Authority: 20 U.S.C. 1001-1003, 1070g, 1085, 1088, 1091, 1092, 1094, 1099c, 1099c-1, 1221e-3, and 1231a, unless otherwise noted.

§ 668.157 Eligible career pathway program.

- (a) An institution demonstrates to the Secretary that a student is enrolled in an eligible career pathway program by documenting that—
 - (1) The student has enrolled in or is receiving all three of the following elements simultaneously—
 - (i) An eligible postsecondary program as defined in § 668.8;
 - (ii) Adult education and literacy activities under the Workforce Innovation and Opportunity Act as described in 34 CFR 463.30 that assist adults in attaining a secondary school diploma or its recognized equivalent and in the transition to postsecondary education and training; and
 - (iii) Workforce preparation activities as described in 34 CFR 463.34;
 - (2) The program aligns with the skill needs of industries in the State or regional labor market in which the institution is located, based on research the institution has conducted, including—
 - (i) Government reports identifying in-demand occupations in the State or regional labor market;
 - (ii) Surveys, interviews, meetings, or other information obtained by the institution regarding the hiring needs of employers in the State or regional labor market; and
 - (iii) Documentation that demonstrates direct engagement with industry;
 - (3) The skill needs described in paragraph (a)(2) of this section align with the specific coursework and postsecondary credential provided by the postsecondary program or other required training;
 - (4) The program provides academic and career counseling services that assist students in pursuing their credential and obtaining jobs aligned with skill needs described in paragraph (a)(2) of this section, and identifies the individuals providing the career counseling services;
 - (5) The appropriate education is offered, concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster through an agreement, memorandum of understanding, or some other evidence of alignment of postsecondary and adult education providers that ensures the education is aligned with the students' career objectives; and
 - (6) The program is designed to lead to a valid high school diploma as defined in § 668.16(p) or its recognized equivalent.

- (b) For a postsecondary institution that offered an eligible career pathway program prior to July 1, 2024, the institution must—
 - (1) Apply to the Secretary to have one of its career pathway programs determined to be eligible for title IV, HEA program purposes by a date as specified by the Secretary; and
 - (2) Affirm that any career pathway program offered by the institution meets the documentation standards in paragraph (a) of this section.
- (c) For a postsecondary institution that does not offer an eligible career pathway program prior to July 1, 2024, the institution must—
 - (1) Apply to the Secretary to have its program determined to be an initial eligible career pathway program; and
 - (2) Affirm that any subsequent career pathway program offered by the institution, initiated only after the approval of the initial eligible career pathway program, will meet the documentation standards outlined in paragraph (a) of this section.
- (d) The Secretary provides an institution with the opportunity to appeal an adverse eligibility decision under paragraphs (b) and (c) of this section.
- (e) The Secretary maintains the authority to require the approval of additional eligible career pathway programs offered by a postsecondary institution beyond the requirements outlined in paragraphs (b) and (c) of this section for any reason, including but not limited to—
 - (1) A rapid increase, as determined by the Secretary, of eligible career pathway programs at the institution; or
 - (2) The Secretary determines that other eligible career pathway programs at the postsecondary institution do not meet the documentation standards outlined in this section.

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