



ADMINISTRATIVE POLICY

General Provisions 3.10

Ability to Benefit

POLICY STATEMENT

The Consolidated Appropriations Act, 2012 (Public Law 112-74) modified the provisions for Federal student aid eligibility criteria for students who do not have a high school diploma or the recognized equivalent of a high school diploma. For students who "first enroll in a program of study on or after July 1, 2012," and who are not high school graduates or do not meet the other eligibility criteria listed above, Public Law 112-74 eliminates the following ability-to-benefit (ATB) alternatives:

- Passing an independently administered, Department of Education approved ATB test.
- Completing at least six credit hours, or the equivalent coursework (225 clock hours), that are applicable toward a degree or certificate offered by the postsecondary institution.
- Completing a State process approved by the Secretary of Education.

A student who attended an eligible program at a Title IV institution prior to July 1, 2012, may establish eligibility at the same Title IV institution or a different Title IV institution using all of the ATB alternatives listed above. So long as the student previously attended an eligible program at an eligible Title IV institution, it does not matter whether the student received Title IV, HEA student assistance prior to July 1, 2012.

Answer the following questions to determine if an otherwise eligible student who does not have a high school diploma or the recognized equivalent of a high school diploma, or who has not completed a homeschool program, can become eligible for Title IV, HEA student assistance under one of the ATB alternatives.

Question 1: Did or will the student attend an eligible program at any Title IV institution prior to July 1, 2012 IF YES – The student may use any of the ATB alternatives to become eligible for Title IV, HEA student assistance. IF NO - Continue to Question 2.

Question 2: Did the student, prior to July 1, 2012, officially register at a Title IV institution, and is the student scheduled to attend an eligible program? IF YES – The student may use any of the ATB alternatives to become eligible for Title IV, HEA student assistance. IF NO – The student may not use the ATB alternatives to become eligible for Title IV, HEA student assistance.

If either of the responses to the two questions is YES, and the student had previously met one of the ATB alternatives, the student is eligible for Title IV, HEA student assistance.

Public Law 112-74 did not change any of the provisions allowing an otherwise eligible student to receive Title IV, HEA student assistance if the student meets one of the following criteria:

- High School Diploma: The student has a high school diploma.
- Recognized Equivalent of a High School Diploma: The student has the recognized equivalent of a high school diploma, defined in the regulations at 34 CFR 600.2 as:
 - A General Educational Development Certificate (GED);

- A State certificate received by a student after the student has passed a State-authorized examination that the State recognizes as the equivalent of a high school diploma;
- An academic transcript of a student who has successfully completed at least a two-year program that is acceptable for full credit toward a bachelor's degree; or
- For a person who is seeking enrollment in an educational program that leads to at least an associate degree or its equivalent and who has not completed high school, but who excelled academically in high school, documentation that the student excelled academically in high school and has met the formalized, written policies of that postsecondary institution for admitting such students.
- Homeschool: The student has completed a secondary school education in a homeschool setting that is treated as a homeschool or private school under State law and has obtained a homeschool completion credential, or, if State law does not require a homeschool student to obtain a homeschool credential, the student has completed a secondary school education in a homeschool setting that qualifies as an exemption from compulsory school attendance requirements under State law.

REASON FOR POLICY

This section is required [34 CFR 668, Subpart J, 668.32\(e\)\(5\)](#)

PROCEDURES

NSC will request additional information from any applicant for Federal Student Aid who does not indicate on the FAFSA that he or she has earned a high school diploma or its equivalent or has completed a secondary school education in a homeschool setting that qualifies as an exemption from compulsory school attendance requirements under State law. The student will be required to complete an Ability to Benefit form indicating under which, if any, of the alternatives the student may become eligible for Title IV, HEA student assistance under one of the ATB alternatives. The form will also request the student certify his or her date of birth to ensure that ATB students are beyond the age of compulsory attendance.

FORMS/INSTRUCTIONS

Ability to Benefit form on the NSC Financial Aid website

CONTACTS

SUBJECT	CONTACT	PHONE	EMAIL
Primary Contact(s)	Anthony Morrone	702-992-2156	Anthony.Morrone@nsc.edu
Subject	Jenna Eastman	702-992-2155	Jenna.Eastman@nsc.edu

RELATED INFORMATION

GEN 12-09
Volume 1 of the 2012-13 Federal Student Aid Handbook.

HISTORY

Updated July 3, 2014