

Frequently Asked Questions: Professional Development Program Payback Requirements

The Professional Development Program Data Collection System (PDPDCS) system tracks participant information and payback obligation data for grant awards and participants funded in FY 2009 and forward. For grants awarded prior to FY 2009, please contact the Help Desk at 1-888-884-7110 for information regarding your service payback obligation status.

Introduction to FAQs for the OIE Professional Development Program Work-Related Service Payback Requirements

The Professional Development Program (PDP) provides grants to eligible entities to—

1. Increase the number of qualified Indian individuals in professions that serve Indian people;
2. Provide training to qualified Indian individuals to become teachers and administrators; and
3. Improve the skills of qualified Indian individuals who serve in the education field.

Grant awards are made to Institutions of Higher Education (IHEs) through a competitive grant process. Awards can also be made to consortiums of IHEs with State or Local Education Agencies, Indian Tribes or organizations, or Bureau-funded schools. As a condition of participating in the PDP, participants and institutions are required to comply with the service payback obligation rules and requirements outlined in the program regulations at [34 CFR § 263.1-12](#). The PDP was reauthorized in 2015 under the Every Student Succeeds Act (ESSA) which can be found on the Department of Education (ED) website (<https://www2.ed.gov/documents/essa-act-of-1965.pdf>). These program regulations guide the service payback obligation tracking requirements, which places the burden on OIE for ensuring that participants comply with their service obligation. While OIE developed the following guidance document in response to questions frequently asked by grantees and participants, it does not cover all aspects of the regulations and should not be used alone. 34 CFR § 263.1-12.

FAQ #16 was revised to reflect the amended qualifying employment requirements for participants funded by FY 2018 grants and later.

General Information

1. Who is required to perform the service payback?

All individuals that receive funds from the PDP are required to complete a service payback obligation or repay all or a pro-rated part of the assistance received under the program as a cash repayment. For each academic month participants receive assistance, they must maintain full-time employment for the equivalent length of time or repay the Federal government for the portion of assistance they received that has not been repaid through service.

2. Does the work or repayment requirement apply to all categories of financial aid or PDP funding, or just certain kinds of financial aid or PDP funding?

The payback obligation applies to all PDP funding assistance provided directly to the participant. This includes all disbursements or credits intended to cover the cost of attendance, including tuition and fees allowances for books, supplies, transportation, miscellaneous personal expenses, allowances for room and board, stipends, dependent allowances, and travel in conjunction with training assignments. The participant's service payback obligation is based on the period of time for which the individual received financial assistance rather than on the amount of the assistance.

3. When a participant receives partial funding, what are the work or repayment requirements?

The service obligation for individual participants is calculated based solely on the number of academic months of training for which the participant received financial assistance. The amount of financial assistance disbursed, whether such financial assistance is used to cover part or all of a student's costs incurred during an academic year, has no effect on an individual participant's work-related or cash repayment commitments.

4. Are the payback agreements legally binding?

Yes. IHEs are responsible for the accuracy of the information in the payback agreement which is a legally binding document ([34 CFR § 263.1-12.](#)). As of September 4, 2013, all PDP grants must use the [standard payback agreement](#) when a new participant is recruited.

Service Payback Obligation

5. How do participants fulfill their service payback obligation?

Participants are required to submit to the OIE, within 30 days of completion or exit of their training program, notice of intent to fulfill their service payback obligation through work-related payback, or cash repayment. This notice will be submitted through the PDPDCS. If the participant proposes a work-related payback, the participant will submit one or more employment records into the PDPDCS that documents how the work-related service is related to the training received and how it benefits Indian people. Participants will enter their employment information, including all contact information for their employer, via the PDPDCS.

6. How is the length of the service payback obligation calculated?

The total amount of time to be served through employment as work-related service payback is equivalent to the total period of time training was funded. This time period is calculated by months of training received. If a participant receives grant funded training for a portion of a month, then his or her service payback obligation will be calculated to round up to the next full month. For example, if a participant receives funding for a semester that totals 3.5 months, the length of service payback obligation is calculated to be a total of 4 academic months. The service payback obligation total is based upon the accumulated total months of training for which the participant received financial assistance, not the amount of funding received.

7. Can participants fulfill their service payback while still enrolled in their grant-funded training program?

No. Participants must have completed/exited their training program before they can begin to fulfill their service payback obligation through employment.

8. If a participant is dismissed or drops out of a program for an academic or non-academic reason, will he or she be required to fulfill the work-related payback or cash repayment requirement?

Yes. The regulations apply to participants who are dismissed or drop out of a program in the same manner that they apply to all other PDP grant recipients.

9. When does the service payback obligation begin?

For all participants who complete their training under the PDP, the service payback obligation begins within six months from the date of completion of the training. For participants who do not complete their training under the program, payback shall begin within six months from the date the participant leaves the PD program, unless he or she continues as a full-time student without interruption, in a program leading to a degree in an accredited institution of higher education. Participants are required to report to the OIE within 30 days of completing or leaving their program their intent to complete work-related service payback, cash repayment, or continue with their education.

10. How long do participants have to complete their service payback obligations?

The period of time within which a participant should complete their work-related service payback is calculated by adding the number of months of training received while in the program plus 12 months. For example, if a participant received 12 months of training he/she should plan to complete his/her service payback within 24 months from the date the individual completed his/her training or exited the PDP.

11. What is full-time employment?

Full-time employment means a full-time position, as defined by the individual's employer or by the agencies served by the individual.

12. Must participants work on a full-time basis to satisfy their obligations?

No. Participants may fulfill the work-related service payback through full- or part-time employment. If a participant works part-time, he or she still must work the full-time equivalent of total months for which assistance was received. Participants who accept part-time employment should contact the PDPDCS Help Desk for assistance entering part-time employment.

The OIE evaluates the creditability of part-time and substitute teaching toward service payback. Each part-time or substitute teaching position must meet the following criteria: 1) the participant is under contract with a school to perform teaching on an as needed basis, 2) the participant actually taught during the previous six (6) month period, 3) the participant reported employment worked for the previous period, 4) the work is performed for a full day, and 5) the work history demonstrates a legitimate effort to complete service payback.

Each case is evaluated on its own merit and reevaluated every six (6) months until payback is completed. To be creditable for service payback, employment must be verified by an authorized school official, principal, or immediate supervisor, and identify employment dates and location of

assignment.

13. What is the legal basis for ED, to require IHEs to provide Social Security numbers (SSNs) to the PDPDCS?

In order to ensure that participants comply with their payback requirement ([34 CFR § 263.1-12.](#)), ED requires IHEs to provide the PDPDCS the SSNs of students who PDP funds. This is authorized under 34 CFR § 99.31, which states that an IHE may disclose personally identifiable information from records of a student without the student's consent if the disclosure is in connection with financial aid of the student and is necessary to enforce the terms and conditions of the aid.

Repayment Requirements

14. What are the consequences of a participant's failure to satisfy the service payback obligation?

Participants who do not submit employment verification within the required timeframe or do not submit enough employment verification to satisfy their service obligation will automatically be referred for cash payback to fulfill their payback requirement. All participants referred to the Accounts Receivable and Banking Management Group (ARBMG) for cash payback will incur non-refundable administration fees to cover the cost of the cash payback referral. The amount referred for cash payback will begin to accrue interest charges at the federal interest rate published on the date of referral.

15. When does a participant enter repayment status?

Any participant who fails to meet the service payback obligation through eligible employment enters repayment status on the first day of the calendar month after the earliest of the following dates:

- (1) the date the participant informs the grantee or the OIE that he or she does not plan to fulfill the service payback obligation through work-related service under the agreement; or
- (2) twelve months after the date the participant's fails to begin or maintain and report employment. The PDPDCS must receive employment verification at 6 month intervals until the service payback obligation has been met.

16. What is considered a qualifying job for the purposes of completing my service payback obligation?

Because the regulations that apply to the Professional Development Program were amended, the answer depends on the year in which your grant project was funded, as shown in the table below:

Grant Award Year¹	Qualifying Employment Requirements	How to determine if working at the school you want will be considered qualifying employment:
FY 2017 and earlier	Participants qualify for work-related payback if the work they are performing is in their field of study under the Professional Development program and	Visit the NCES school search website to determine if the school in question includes a population of 5% or more Native American students. Schools with less than 5 percent of American Indian/Alaska Native

	benefits Indian people. Employment in a school that has a significant Indian student population qualifies as work that benefits Indian people.	enrollment may be considered eligible employment for service payback and should be reviewed by OIE (ESSA 6122, 34 CFR § 263.8.).
FY 2018 and later	Participants qualify for work-related payback if the work they are performing is in their field of study under the Professional Development program and that benefits Indian students in an LEA that serves a high proportion of Indian students. An “LEA that serves a high proportion of Indian students” means 1) An LEA, including a BIE-funded school, that serves a high proportion of Indian students in the LEA as compared to other LEAs in the State; or 2) An LEA, including a BIE-funded school, that serves a high proportion of Indian students in the school in which the participant works compared to other LEAs in the State, even if the LEA as a whole in which the participant works does not have a high proportion of Indian students compared to other LEAs in the State.	See the list of Native populations in each LEA, by State, available at: ESEA-Title-VI-State-LEA-Average-AIAN 2021-22.pdf (ed.gov) and https://oese.ed.gov/files/2021/07/CCD-State-LEA-Average-AIAN 2021-22.pdf (34 CFR § 263 Subpart A)

17. Under what circumstances may repayment of the PDP funds be deferred?

OIE may review a participant’s payback deferment request and approve a deferment under the following conditions:

- 1) Educational Deferment. ([34 CFR § 263.9](#)) If a participant leaves the PDP, but plans to continue his or her education as a full-time student, the participant has 30 days in which to apply for a deferment. Documentation must be provided to the PDPDCS and OIE and include the name and location of the institution of higher education, a copy of the letter of admission from the institution, the degree being sought, and the projected date of completion. Participants who are approved for a deferral are required to report academic progress after every grading period, showing verification of enrollment and status.
- 2) Military Deferment. ([34 CFR § 263.9](#)) If a participant exits the PDP because he or she is called or ordered to active duty status in connection with a war, military operation, or national emergency for more than 30 days as a member of a reserve component of the Armed Forces named in 10 U.S.C. 10101, or as a member of the National Guard on full-time National Guard duty, as defined in 10 U.S.C. 101(d)(5), the Secretary may defer the payback requirement until the participant has completed his or her military service, for a period not to exceed 36 months. Documentation must be provided to the PDPDCS and OIE and include:

(a) A written statement from the participant's commanding or personnel officer certifying— (i) That the participant is on active duty in the Armed Forces of the United States; (ii) The date on which the participant's service began; and (iii) The date on which the participant's service is expected to end; **or**

(b)(i) A true certified copy of the participant's official military orders; and (ii) A copy of the participant's military identification.

18. How do participants request an educational deferral for their payback obligation?

Requests for educational deferments must be made through the PDPDCS within 30 days of leaving the PDP or within 30 days of the earlier of receiving the call to military service or completing or exiting the PDP.

Participants must provide the following information ([34 CFR § 263.9\(a\)](#)) for an educational deferment:

- (a) The name of the accredited institution the student will be attending;
- (b) A copy of the letter of admission from the institution;
- (c) The degree being sought; and
- (d) The projected date of completion.

Participants must provide the following information for a military deferment:

(a) A written statement from the participant's commanding or personnel officer certifying— (i) That the participant is on active duty in the Armed Forces of the United States; (ii) The date on which the participant's service began; and (iii) The date on which the participant's service is expected to end; **or**

(b)(i) A true certified copy of the participant's official military orders; and (ii) A copy of the participant's military identification.

After approval by the Secretary for deferment of the payback provision on the basis of continuing as a full-time student, participants are required to submit to the Secretary a status report from an academic advisor or other authorized representative of the IHE, showing verification of enrollment and status, after every grading period.

Operational

19. What is a grantee's obligation with respect to participant repayment agreements?

An IHE receiving a PDP grant must ensure that any participant receiving funding from the grant signs and dates a standard payback agreement upon recruitment and prior to the initial disbursement of any grant funds on his or her behalf, including the payment or crediting of tuition ([34 CFR § 263.11](#)). The institution must fully disclose to the participant the terms and conditions of the repayment requirement in the application for funding under the PD grant.

Along with the payback agreement, all program participants must also complete a Certificate of Eligibility for Federal Assistance form ([ED Form 80-0016](#)) which the grantee will maintain on file.

20. Which entity is responsible for receiving and maintaining information and tracking the service payback obligation of the participants via the PDPDCS?

The OIE is responsible for ensuring that program participants fulfill their payback obligations. OIE has established the PDPDCS to track and verify service payback fulfillment for all PDP grant participants. The PDPDCS is monitored by OIE staff.

21. When will participants have access to their payback information?

Once a participant record is submitted by the grantee at the time of recruitment, a participant is given access to the database so he or she can monitor their payback information while in the program. Grantees are required to update the participant payback information in the PDPDCS at the end of each semester. Participants will have real-time information regarding their future service obligation and the amount of funds received.

22. How will the service payback obligations of participants be monitored?

The PDPDCS was established to monitor the fulfillment of service payback obligations required of students who received PDP grant funds. PDPDCS will track participant service payback for grants awarded in federal fiscal year 2009 and forward. PDPDCS staff is available to answer questions and provide technical support for the online system, by which all grantee's and participants input information regarding their involvement in OIE PDP grants. The PDPDCS is monitored by OIE staff.

23. Who collects the funds repaid by a participant if he or she does not fulfill the service payback obligation through eligible employment?

If a participant does not comply with the service payback requirement he or she will be referred to ARBMG for a cash payback. ED is responsible for collecting any funds to be repaid; however, the actual collection may be conducted by ED, the U.S. Department of Treasury, a private collection agency, or the Internal Revenue Service.

PDPDCS HELP DESK CONTACT INFORMATION

E-mail: paybackobligations@ed.gov

Help Desk, toll-free: 1-888-884-7110

Hours: Monday – Friday, 8 a.m. – 8 p.m. Washington, DC time

