

2006—Par. (4). Pub. L. 109–171, § 8016(1), added par. (4) and struck out former par. (4), which read as follows: “for less than half-time students (as determined by the institution) tuition and fees and an allowance for only books, supplies, and transportation (as determined by the institution) and dependent care expenses (in accordance with paragraph (8));”.

Par. (13). Pub. L. 109–171, § 8016(2)–(4), added par. (13).

1998—Par. (2). Pub. L. 105–244, § 471(1), inserted “, including a reasonable allowance for the documented rental or purchase of a personal computer,” after “personal expenses”.

Par. (3)(A). Pub. L. 105–244, § 471(2)(A), substituted “determined by the institution” for “of not less than \$1,500”.

Par. (3)(C). Pub. L. 105–244, § 471(2)(B), struck out “, except that the amount may not be less than \$2,500” after “room and board”.

Par. (10). Pub. L. 105–244, § 471(3), substituted a semicolon for “, but this paragraph shall not be construed to permit including the cost of rental or purchase of equipment;”.

Par. (11). Pub. L. 105–244, § 471(4), substituted “engaged” for “placed”.

1993—Par. (12). Pub. L. 103–208 added par. (12).

1992—Pub. L. 102–325 amended section generally, revising and restating as pars. (1) to (11) provisions formerly contained in pars. (1) to (9).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117–103 effective as if included in title VII of div. FF of Pub. L. 116–260 and subject to the effective date of section 701(b) of title VII (July 1, 2024), see section 103(d) of div. R of Pub. L. 117–103, set out as a note under section 1070a of this title.

##### EFFECTIVE DATE OF 2020 AMENDMENT

Amendment by Pub. L. 116–260 effective July 1, 2024, except as otherwise expressly provided, and applicable with respect to award year 2024–2025 and each subsequent award year, as determined under this chapter, see section 701(b) of Pub. L. 116–260, set out as a note under section 1001 of this title. Implementation of amendment by Pub. L. 116–260 allowed on or after July 1, 2023, see section 102(c)(1)(A)(i) of Pub. L. 117–103, set out as an On-Time Effective Date Permitted note under section 1070a of this title.

##### EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110–315, title IV, § 471(b), Aug. 14, 2008, 122 Stat. 3269, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on July 1, 2010.”

##### EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109–171 effective July 1, 2006, except as otherwise provided, see section 8001(c) of Pub. L. 109–171, set out as a note under section 1002 of this title.

##### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105–244 effective Oct. 7, 1998, see section 480A of Pub. L. 105–244, set out as a note under section 1087kk of this title.

##### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103–208 effective as if included in the Higher Education Amendments of 1992, Pub. L. 102–325, except as otherwise provided, see section 5(a) of Pub. L. 103–208, set out as a note under section 1051 of this title.

##### EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102–325 applicable with respect to determinations of need under this part for award years beginning on or after July 1, 1993, see sec-

tion 471(b) of Pub. L. 102–325, set out as a note under section 1087kk of this title.

#### § 1087mm. Special rules for student aid index

##### (a) In general

For the purpose of this chapter, the term “student aid index” means, with respect to a student, an index that reflects an evaluation of a student’s approximate financial resources to contribute toward the student’s postsecondary education for the academic year, as determined in accordance with this part.

##### (b) Special rule for students eligible for the total maximum Pell Grant

The Secretary shall consider an applicant to automatically have a student aid index equal to zero if the applicant is eligible for the total maximum Federal Pell Grant under section 1070a(b)(1)(A) of this title, except that, if the applicant has a calculated student aid index of less than zero the Secretary shall consider the negative number as the student aid index for the applicant.

##### (c) Special rule for nonfilers

Notwithstanding subsection (b), for an applicant (or, as applicable, an applicant and spouse, or an applicant’s parents) who is not required to file a Federal tax return for the second preceding tax year, the Secretary shall for the purposes of this subchapter consider the student aid index as equal to – \$1,500 for the applicant.

(Pub. L. 89–329, title IV, § 473, as added Pub. L. 99–498, title IV, § 406(a), Oct. 17, 1986, 100 Stat. 1455; amended Pub. L. 102–325, title IV, § 471(a), July 23, 1992, 106 Stat. 586; Pub. L. 105–244, title IV, § 480(b), Oct. 7, 1998, 112 Stat. 1732; Pub. L. 111–39, title IV, § 406(a)(1), July 1, 2009, 123 Stat. 1948; Pub. L. 115–141, div. H, title III, § 317, Mar. 23, 2018, 132 Stat. 753; Pub. L. 116–260, div. FF, title VII, § 702(b), Dec. 27, 2020, 134 Stat. 3138.)

#### Editorial Notes

##### AMENDMENTS

2020—Pub. L. 116–260 amended section generally. Prior to amendment, section provided definition of family contribution with respect to any student for the purpose of this subchapter, other than subpart 2 of part A, and provided special rule related to family contribution.

2018—Subsec. (b)(2). Pub. L. 115–141, § 317(1)(A), inserted “(in the case of a student who meets the requirement of subparagraph (B)(i)), or academic year 2018–2019 (in the case of a student who meets the requirement of subparagraph (B)(ii)),” after “academic year 2009–2010” in introductory provisions.

Subsec. (b)(2)(B). Pub. L. 115–141, § 317(1)(B), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “whose parent or guardian was a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; and”.

Subsec. (b)(3). Pub. L. 115–141, § 317(2), designated existing provisions as subpar. (A), inserted heading, substituted “subparagraphs (A), (B)(i), and (C) of paragraph (2)” for “paragraph (2)”, and added subpar. (B).

Subsec. (b)(4), (5). Pub. L. 115–141, § 317(3), added pars. (4) and (5).

2009—Pub. L. 111–39 designated existing provisions as subsec. (a), inserted heading, substituted “For the purpose of this subchapter, other than subpart 2 of part A, and except as provided in subsection (b),” for “For the

purpose of this subchapter, except subpart 2 of part A,”, and added subsec. (b).

1998—Pub. L. 105-244 substituted “subpart 2” for “subpart 4”.

1992—Pub. L. 102-325 amended section generally. Prior to amendment, section read as follows: “For the purpose of this subchapter, except subparts 1 and 3 of part A, the term ‘family contribution’ with respect to any student means the amount which the student and his or her family may be reasonably expected to contribute toward his or her postsecondary education for the academic year for which the determination is made, as determined in accordance with this part.”

#### **Statutory Notes and Related Subsidiaries**

##### **EFFECTIVE DATE OF 2020 AMENDMENT**

Amendment by Pub. L. 116-260 effective July 1, 2024, except as otherwise expressly provided, and applicable with respect to award year 2024-2025 and each subsequent award year, as determined under this chapter, see section 701(b) of Pub. L. 116-260, set out as a note under section 1001 of this title. Implementation of amendment by Pub. L. 116-260 allowed on or after July 1, 2023, see section 102(c)(1)(A)(i) of Pub. L. 117-103, set out as an On-Time Effective Date Permitted note under section 1070a of this title.

##### **EFFECTIVE DATE OF 2009 AMENDMENT**

Pub. L. 111-39, title IV, § 406(b), July 1, 2009, 123 Stat. 1950, provided that: “The amendments made by—

“(1) paragraph (1) of subsection (a) [amending this section] shall take effect on July 1, 2009; and

“(2) paragraph (4) of such subsection [amending section 1087ss of this title] shall be effective as if enacted as part of the amendments in section 602(a) of the College Cost Reduction and Access Act (Public Law 110-84), and shall take effect on July 1, 2009.”

##### **EFFECTIVE DATE OF 1998 AMENDMENT**

Amendment by Pub. L. 105-244 effective Oct. 7, 1998, see section 480A of Pub. L. 105-244, set out as a note under section 1087kk of this title.

##### **EFFECTIVE DATE OF 1992 AMENDMENT**

Amendment by Pub. L. 102-325 applicable with respect to determinations of need under this part for award years beginning on or after July 1, 1993, see section 471(b) of Pub. L. 102-325, set out as a note under section 1087kk of this title.

#### **§ 1087nn. Determination of student aid index**

The student aid index—

(1) for a dependent student shall be determined in accordance with section 1087oo of this title;

(2) for a single independent student or a married independent student without dependents (other than a spouse) shall be determined in accordance with section 1087pp of this title; and

(3) for an independent student with dependents other than a spouse shall be determined in accordance with section 1087qq of this title.

(Pub. L. 89-329, title IV, § 474, as added Pub. L. 99-498, title IV, § 406(a), Oct. 17, 1986, 100 Stat. 1456; amended Pub. L. 100-369, § 7(c), July 18, 1988, 102 Stat. 837; Pub. L. 102-325, title IV, § 471(a), July 23, 1992, 106 Stat. 587; Pub. L. 105-244, title IV, § 472, Oct. 7, 1998, 112 Stat. 1729; Pub. L. 116-260, div. FF, title VII, § 702(c), Dec. 27, 2020, 134 Stat. 3141.)

#### **Editorial Notes**

##### **AMENDMENTS**

2020—Pub. L. 116-260 amended section generally. Prior to amendment, section related to determination of ex-

pected family contribution and the data elements to be considered.

1998—Subsec. (b)(3). Pub. L. 105-244 inserted “, excluding the student’s parents,” after “family of the student”.

1992—Pub. L. 102-325 substituted “Determination of expected family contribution; data elements” for “Data elements used in determining expected family contribution” in section catchline and amended text generally, adding subsec. (a), designating existing provisions as subsec. (b) and inserting heading, adding the age of the older parent, in the case of a dependent student, and the student as a data element and striking out consideration of any unusual medical and dental expenses and consideration of the number of dependent children other than the student enrolled in a private elementary or secondary institution and the unreimbursed tuition paid as data elements.

1988—Par. (8). Pub. L. 100-369 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”, which for purposes of codification was translated as “title 26” thus requiring no change in text.

#### **Statutory Notes and Related Subsidiaries**

##### **EFFECTIVE DATE OF 2020 AMENDMENT**

Amendment by Pub. L. 116-260 effective July 1, 2024, except as otherwise expressly provided, and applicable with respect to award year 2024-2025 and each subsequent award year, as determined under this chapter, see section 701(b) of Pub. L. 116-260, set out as a note under section 1001 of this title.

##### **EFFECTIVE DATE OF 1998 AMENDMENT**

Amendment by Pub. L. 105-244, effective Oct. 7, 1998, and applicable with respect to determinations of need under this part for academic years beginning on or after July 1, 2000, see section 480A of Pub. L. 105-244, set out as a note under section 1087kk of this title.

##### **EFFECTIVE DATE OF 1992 AMENDMENT**

Amendment by Pub. L. 102-325 applicable with respect to determinations of need under this part for award years beginning on or after July 1, 1993, see section 471(b) of Pub. L. 102-325, set out as a note under section 1087kk of this title.

#### **§ 1087oo. Student aid index for dependent students**

##### **(a) Computation of student aid index**

###### **(1) In general**

Except as provided in paragraph (2), for each dependent student, the student aid index is equal to the sum of—

(A) the assessment of the parents’ adjusted available income (determined in accordance with subsection (b));

(B) the assessment of the student’s available income (determined in accordance with subsection (g)); and

(C) the student’s available assets (determined in accordance with subsection (h)).

###### **(2) Exception**

If the sum determined under paragraph (1) with respect to a dependent student is less than \$1,500, the student aid index for the dependent student shall be \$1,500.

##### **(b) Assessment of parents’ adjusted available income**

The assessment of parents’ adjusted available income is equal to the amount determined by—

(1) computing adjusted available income by adding—