

tion] and the amendment made by subsection (a) shall take effect on July 1, 1994.”

### § 1089. Master calendar

#### (a) Secretary required to comply with schedule

To assure adequate notification and timely delivery of student aid funds under this subchapter, the Secretary shall adhere to the following calendar dates in the year preceding the award year:

(1) Development and distribution of Federal and multiple data entry forms—

(A) by February 1: first meeting of the technical committee on forms design of the Department;

(B) by March 1: proposed modifications, updates, and notices pursuant to sections 1087rr and 1090(a)(5)<sup>1</sup> of this title published in the Federal Register;

(C) by June 1: final modifications, updates, and notices pursuant to sections 1087rr and 1090(a)(5)<sup>1</sup> of this title published in the Federal Register;

(D) by August 15: application for Federal student assistance and multiple data entry data elements and instructions approved;

(E) by August 30: final approved forms delivered to servicers and printers;

(F) by October 1: Federal and multiple data entry forms and instructions printed; and

(G) by November 1: Federal and multiple data entry forms, instructions, and training materials distributed.

(2) Allocations of campus-based and Pell Grant funds—

(A) by August 1: distribution of institutional application for campus-based funds (FISAP) to institutions;

(B) by October 1: final date for submission of FISAP by institutions to the Department;

(C) by November 15: edited FISAP and computer printout received by institutions;

(D) by December 1: appeals procedures received by institutions;

(E) by December 15: edits returned by institutions to the Department;

(F) by February 1: tentative award levels received by institutions and final Pell Grant payment schedule;

(G) by February 15: closing date for receipt of institutional appeals by the Department;

(H) by March 1: appeals process completed;

(I) by April 1: final award notifications sent to institutions; and

(J) by June 1: Pell Grant authorization levels sent to institutions.

(3) The Secretary shall, to the extent practicable, notify eligible institutions, guaranty agencies, lenders, interested software providers, and, upon request, other interested parties, by December 1 prior to the start of an award year of minimal hardware and software requirements necessary to administer programs under this subchapter.

(4) The Secretary shall attempt to conduct training activities for financial aid administrators and others in an expeditious and time-

ly manner prior to the start of an award year in order to ensure that all participants are informed of all administrative requirements.

#### (b) Timing for reallocations

With respect to any funds reallocated under section 1070b-3(d), 1087-52(d), or 1087bb(i) of this title, the Secretary shall reallocate such funds at any time during the course of the year that will best meet the purpose of the programs under subpart 3 of part A, part C, and part E, respectively. However, such reallocation shall occur at least once each year, not later than September 30 of that year.

#### (c) Delay of effective date of late publications

(1) Except as provided in paragraph (2), any regulatory changes initiated by the Secretary affecting the programs under this subchapter that have not been published in final form by November 1 prior to the start of the award year shall not become effective until the beginning of the second award year after such November 1 date.

(2)(A) The Secretary may designate any regulatory provision that affects the programs under this subchapter and is published in final form after November 1 as one that an entity subject to the provision may, in the entity's discretion, choose to implement prior to the effective date described in paragraph (1). The Secretary may specify in the designation when, and under what conditions, an entity may implement the provision prior to that effective date. The Secretary shall publish any designation under this subparagraph in the Federal Register.

(B) If an entity chooses to implement a regulatory provision prior to the effective date described in paragraph (1), as permitted by subparagraph (A), the provision shall be effective with respect to that entity in accordance with the terms of the Secretary's designation.

#### (d) Notice to Congress

The Secretary shall notify the authorizing committees when a deadline included in the calendar described in subsection (a) is not met. Nothing in this section shall be interpreted to penalize institutions or deny them the specified times allotted to enable them to return information to the Secretary based on the failure of the Secretary to adhere to the dates specified in this section.

#### (e) Compliance calendar

Prior to the beginning of each award year, the Secretary shall provide to institutions of higher education a list of all the reports and disclosures required under this chapter. The list shall include—

(1) the date each report or disclosure is required to be completed and to be submitted, made available, or disseminated;

(2) the required recipients of each report or disclosure;

(3) any required method for transmittal or dissemination of each report or disclosure;

(4) a description of the content of each report or disclosure sufficient to allow the institution to identify the appropriate individuals to be assigned the responsibility for such report or disclosure;

<sup>1</sup> See References in Text note below.

(5) references to the statutory authority, applicable regulations, and current guidance issued by the Secretary regarding each report or disclosure; and

(6) any other information which is pertinent to the content or distribution of the report or disclosure.

(Pub. L. 89-329, title IV, § 482, as added Pub. L. 99-498, title IV, § 407(a), Oct. 17, 1986, 100 Stat. 1477; amended Pub. L. 100-50, § 15(2), June 3, 1987, 101 Stat. 355; Pub. L. 102-325, title IV, § 482, July 23, 1992, 106 Stat. 612; Pub. L. 103-208, § 2(h)(7), Dec. 20, 1993, 107 Stat. 2476; Pub. L. 104-66, title I, § 1042(b), Dec. 21, 1995, 109 Stat. 715; Pub. L. 105-244, title IV, § 481, Oct. 7, 1998, 112 Stat. 1732; Pub. L. 110-315, title I, § 103(b)(9), title IV, § 482(a), Aug. 14, 2008, 122 Stat. 3089, 3271; Pub. L. 111-39, title IV, § 407(b)(2), July 1, 2009, 123 Stat. 1950.)

### Editorial Notes

#### REFERENCES IN TEXT

Section 1090 of this title, referred to in subsec. (a)(1)(B), (C), was generally amended by Pub. L. 116-260, div. FF, title VII, § 702(m)(1), Dec. 27, 2020, 134 Stat. 3168. For a similar provision to former subsec. (a)(5), see subsec. (a)(6) of section 1090 of this title.

#### PRIOR PROVISIONS

A prior section 1089, Pub. L. 89-329, title IV, § 482, as added Pub. L. 96-374, title IV, § 451(a), Oct. 3, 1980, 94 Stat. 1445; amended Pub. L. 97-35, title V, § 533(a)(1), (2), (b), Aug. 13, 1981, 95 Stat. 453; Pub. L. 99-272, title XVI, § 16031, Apr. 7, 1986, 100 Stat. 354, related to analysis of student's need for financial assistance, prior to the general revision of this part by Pub. L. 99-498.

Another prior section 1089, Pub. L. 89-329, title IV, § 499, formerly § 469, as added Pub. L. 90-575, title I, § 151, Oct. 16, 1968, 82 Stat. 1032; amended Pub. L. 91-230, title IV, § 401(h)(4), Apr. 13, 1970, 84 Stat. 174; renumbered Pub. L. 92-318, title I, § 137(b), June 23, 1972, 86 Stat. 272, related to the Advisory Council on Financial Aid to Students, prior to the general revision of this part by Pub. L. 96-374.

#### AMENDMENTS

2009—Subsec. (b). Pub. L. 111-39 substituted “section 1070b-3(d), 1087-52(d), or 1087bb(i) of this title” for “section 1070b-3(e), 1087-52(e), or 1087bb(j) of this title”.

2008—Subsec. (a)(1)(B), (C). Pub. L. 110-315, § 482(a)(1), added subpars. (B) and (C) and struck out former subpars. (B) and (C) which read as follows:

“(B) by March 1: proposed modifications and updates pursuant to section 1087rr of this title published in the Federal Register;

“(C) by June 1: final modifications and updates pursuant to section 1087rr of this title published in the Federal Register;”.

Subsec. (d). Pub. L. 110-315, § 103(b)(9), substituted “authorizing committees” for “Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives”.

Subsec. (e). Pub. L. 110-315, § 482(a)(2), added subsec. (e).

1998—Subsec. (a)(3), (4). Pub. L. 105-244, § 481(a), added pars. (3) and (4).

Subsec. (c). Pub. L. 105-244, § 481(b), amended heading and text of subsec. (c) generally. Prior to amendment, text read as follows: “Any regulatory changes initiated by the Secretary affecting the programs pursuant to this subchapter that have not been published in final form by December 1 prior to the start of the award year shall not become effective until the beginning of the second award year after such December 1 date. For

award year 1994-95, this subsection shall not require a delay in the effectiveness of regulatory changes affecting parts B, G, and H of this subchapter that are published in final form by May 1, 1994.”

1995—Subsec. (d). Pub. L. 104-66, in first sentence substituted “a deadline included in the calendar described in subsection (a) is not met” for “the items specified in the calendar have been completed and provide all relevant forms, rules, and instructions with such notice” and after first sentence struck out “When a deadline included in the calendar is not met, the Secretary, within 7 days, shall submit to the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives a written report, including proper documentation, as to why the deadline was not adhered to and a detailed plan for ensuring that subsequent dates are met.”

1993—Subsec. (c). Pub. L. 103-208 inserted at end “For award year 1994-95, this subsection shall not require a delay in the effectiveness of regulatory changes affecting parts B, G, and H of this subchapter that are published in final form by May 1, 1994.”

1992—Subsec. (a)(1)(B), (C). Pub. L. 102-325, § 482(b)(1), substituted “section 1087rr” for “sections 1070a-5 and 1087rr”.

Subsec. (b). Pub. L. 102-325, § 482(b)(2), substituted “subpart 3” for “subpart 2”.

Subsec. (c). Pub. L. 102-325, § 482(a), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “Any additional regulatory changes initiated by the Secretary affecting the general administration of the programs pursuant to this subchapter that have not been published in final form by December 1 prior to the start of the award year shall not become effective until the beginning of the second award year after the December 1 date.”

1987—Subsec. (b). Pub. L. 100-50 inserted reference to section 1087bb(j) of this title and part E of this subchapter.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-39 effective as if enacted on the date of enactment of Pub. L. 110-315 (Aug. 14, 2008), see section 3 of Pub. L. 111-39, set out as a note under section 1001 of this title.

#### EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-315, title IV, § 482(b), Aug. 14, 2008, 122 Stat. 3272, provided that: “The amendment made by subsection (a)(1) [amending this section] shall take effect on July 1, 2010.”

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 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 1987 AMENDMENT

Amendment by Pub. L. 100-50 effective as if enacted as part of the Higher Education Amendments of 1986, Pub. L. 99-498, see section 27 of Pub. L. 100-50, set out as a note under section 1001 of this title.

#### INAPPLICABILITY OF MASTER CALENDAR AND NEGOTIATED RULEMAKING REQUIREMENTS

Pub. L. 112-141, div. F, title III, § 100302(b), July 6, 2012, 126 Stat. 980, provided that: “Sections 482(c) and

492 of the Higher Education Act of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to the amendment made by subsection (a) [amending section 1087e of this title], or to any regulations promulgated under such amendment.”

Pub. L. 112-74, div. F, title III, §309(h), Dec. 23, 2011, 125 Stat. 1103, provided that: “Sections 482(c) and 492 of the HEA (20 U.S.C. 1089(c), 1098a) shall not apply to the amendments made by this section [amending sections 1001, 1070a, 1078, 1087-1, 1087ss, and 1091 of this title and enacting provisions set out as notes under sections 1001, 1078, and 1091 of this title], or to any regulations promulgated under those amendments.”

Pub. L. 112-25, title V, §504, Aug. 2, 2011, 125 Stat. 267, provided that: “Sections 482(c) and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to the amendments made by this title [amending sections 1070a and 1087e of this title], or to any regulations promulgated under those amendments.”

Pub. L. 112-10, div. B, title VIII, §1860(c), Apr. 15, 2011, 125 Stat. 170, provided that: “Sections 482(c) and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to the amendments made by subsection (a)(2) [amending section 1070a of this title], or to any regulations promulgated under those amendments.”

Pub. L. 111-39, title IV, §409, July 1, 2009, 123 Stat. 1953, provided that: “Sections 482 and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089, 1098a) shall not apply to the amendments made by this title [see Tables for classification], or to any regulations promulgated under those amendments.”

Pub. L. 110-315, title IV, §402(b), Aug. 14, 2008, 122 Stat. 3191, provided that: “Sections 482 and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089, 1098a) shall not apply to the amendments made by subsection (a) [amending section 1070a-1 of this title], or to any regulations promulgated under those amendments.”

Pub. L. 110-227, §11, May 7, 2008, 122 Stat. 752, as amended by Pub. L. 110-315, title IV, §402(c)(1), Aug. 14, 2008, 122 Stat. 3191, provided that: “Sections 482 and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089, 1098a) shall not apply to amendments made by this Act [see Tables for classification], or to any regulations promulgated under such amendments.”

[Pub. L. 110-315, title IV, §402(c)(2), Aug. 14, 2008, 122 Stat. 3191, provided that: “The amendment made by paragraph (1) [amending section 11 of Pub. L. 110-227, set out above] shall take effect as if enacted as part of the Ensuring Continued Access to Student Loans Act of 2008 [Pub. L. 110-227].”]

#### ESTABLISHMENT OF SEPARATE SYSTEMS OF NEED ANALYSIS FOR ACADEMIC YEARS 1983-1984 THROUGH 1987-1988

Pub. L. 97-301, §4, Oct. 13, 1982, 96 Stat. 1400, as amended by Pub. L. 98-79, §4(a), Aug. 15, 1983, 97 Stat. 480; Pub. L. 98-511, title VII, §707(3), Oct. 19, 1984, 98 Stat. 2407; Pub. L. 99-498, title IV, §408(a)(1), Oct. 17, 1986, 100 Stat. 1495, which required Secretary of Education to establish or approve separate systems of need analysis for the academic years 1983-1984, 1984-1985, 1985-1986, 1986-1987, and 1987-1988 for the programs authorized under subpart 2 [now 3] of part A [20 U.S.C. 1070b et seq.], part C [20 U.S.C. 1087-51 et seq.], and part E [20 U.S.C. 1087aa et seq.] of title IV of the Higher Education Act of 1965, was repealed by Pub. L. 99-498, title IV, §408(b), Oct. 17, 1986, 100 Stat. 1495, eff. with respect to any academic year beginning on or after July 1, 1988.

#### DETERMINATION OF INDEPENDENT STUDENT STATUS FOR ACADEMIC YEARS 1982-1983 THROUGH 1987-1988

Pub. L. 97-301, §6, Oct. 13, 1982, 96 Stat. 1400, as amended by Pub. L. 98-79, §4(a), Aug. 15, 1983, 97 Stat. 481; Pub. L. 98-516, title VII, §707(3), Oct. 19, 1984, 98 Stat. 2407; Pub. L. 99-498, title IV, §408(a)(1), Oct. 17, 1986, 100 Stat. 1495, which provided that notwithstanding any rule or regulation, the criteria for the determination of independent student status, prescribed

under subsec. (c)(2) of this section, in effect for academic year 1982-1983, was to be the criteria for such determinations for each of the academic years 1983-1984, 1984-1985, 1985-1986, 1986-1987, and 1987-1988, was repealed by Pub. L. 99-498, title IV, §408(b), Oct. 17, 1986, 100 Stat. 1495, eff. with respect to any academic year beginning on or after July 1, 1988.

### § 1090. Free Application for Federal Student Aid

#### (a) Simplified application for Federal student financial aid

##### (1) In general

Each individual seeking to apply for Federal financial aid under this subchapter for award year 2024-2025 and any subsequent award year shall file a free application with the Secretary, known as the “Free Application for Federal Student Aid”, to determine eligibility for such aid, as described in paragraph (2), and in accordance with section 1087ss of this title.

##### (2) Free application

###### (A) In general

The Secretary shall make available, for the purposes of paragraph (1), a free application to determine the eligibility of a student for Federal financial aid under this subchapter.

###### (B) Information required by the applicant

###### (i) In general

The applicant, and, if necessary, the parents or spouse of the applicant, shall provide the Secretary with the applicable information described in clause (ii) in order to be eligible for Federal financial aid under this subchapter.

###### (ii) Information to be provided

The information described in this clause is the following:

(I) Name.

(II) Contact information, including address, phone number, email address, or other electronic address.

(III) Social security number.

(IV) Date of birth.

(V) Marital status.

(VI) Citizenship status, including alien registration number, if applicable.

(VII) Sex.

(VIII) Race or ethnicity, using categories developed in consultation with the Bureau of the Census and the Director of the Institute of Education Sciences that, to the greatest extent practicable, separately capture the racial groups specified in the American Community Survey of the Bureau of the Census.

(IX) State of legal residence and date of residency.

(X) The following information on secondary school completion:

(aa) Name and location of the high school from which the applicant received, or will receive prior to the period of enrollment for which aid is sought, a regular high school diploma;

(bb) name and location of the entity from which the applicant received, or