

cate any efforts under way on February 8, 2006, that meet the requirements of this section.

**(c) Access to information**

**(1) Secretary's responsibility**

The Secretary shall ensure the availability of the information provided, by the guaranty agencies in accordance with this section, to students, parents, and other interested individuals, through Internet web links or other methods prescribed by the Secretary.

**(2) Guaranty agency responsibility**

The guaranty agencies shall ensure that the information required by this section is available without charge in printed format for students and parents requesting such information.

**(3) Publicity**

Not later than 270 days after February 8, 2006, the Secretary and guaranty agencies shall publicize the availability of the information required by this section, with special emphasis on ensuring that populations that are traditionally underrepresented in postsecondary education are made aware of the availability of such information.

(Pub. L. 89-329, title IV, §485D, as added Pub. L. 109-171, title VIII, §8023, Feb. 8, 2006, 120 Stat. 179.)

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section effective July 1, 2006, except as otherwise provided, see section 8001(c) of Pub. L. 109-171, set out as an Effective Date of 2006 Amendment note under section 1002 of this title.

**§ 1092f. Early awareness and outreach of financial aid eligibility**

**(a) In general**

The Secretary shall implement early outreach activities in order to provide prospective students and their families with information about financial aid and estimates of financial aid. Such early outreach activities shall include the activities described in subsections (b), (c), and (d).

**(b) Pell Grant early awareness estimates**

**(1) In general**

The Secretary shall produce a consumer-tested method of estimating student eligibility for Federal Pell Grants under section 1070a(b) of this title utilizing the variables of family size and adjusted gross income, presented in electronic format. There shall be a method for students to indicate whether they are, or will be in—

- (A) a single-parent household;
- (B) a household with two parents; or
- (C) a household with no children or dependents.

**(2) Consumer testing**

**(A) In general**

The method of estimating eligibility described in paragraph (1) shall be consumer tested with prospective first-generation stu-

dents and families as well as low-income individuals and families.

**(B) Updates**

For award year 2024-2025 and each fourth succeeding award year thereafter, the design of the method of estimating eligibility shall be updated based on additional consumer testing with the populations described in subparagraph (A).

**(3) Distribution**

The method of estimating eligibility described in paragraph (1) shall be—

(A) made publicly and prominently available on the Department's website; and

(B) actively shared by the Secretary with—

(i) institutions of higher education participating in programs under this subchapter;

(ii) all middle and secondary schools eligible for funds under part A of title I of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6311 et seq.];

(iii) local educational agencies and middle schools and high schools that serve students not less than 25 percent of whom meet a measure of poverty as described in section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6313(a)(5)]; and

(iv) agencies responsible for administering means-tested Federal benefit programs, as defined in section 1087ss(b)(4)(H) of this title.

**(4) Electronic estimator on FAFSA**

In accordance with subsection (d)(5) of section 1090 of this title, the Secretary shall maintain an electronic method for applicants to enter income and family size, and level of education sought information to calculate a non-binding estimate (which may include a range, ceiling, or minimum) of the applicant's Federal financial aid available under this subchapter and shall place such calculator on a prominent location on the FAFSA website and in a manner that encourages students to fill out the FAFSA.

**(c) Early awareness plans**

The Secretary shall establish and implement early awareness and outreach plans to provide early information about the availability of Federal financial aid and estimates of prospective students' eligibility for Federal financial aid as well as to promote the attainment of postsecondary education specifically among prospective first-generation students and families as well as low-income individuals and families, as follows:

**(1) Outreach plans for low-income families**

**(A) In general**

The Secretary shall develop plans for each population described in this subparagraph to disseminate information about the availability of Federal financial aid under this subchapter, in addition to and in coordination with the distribution of the method of estimating eligibility under subsection (b), to—

(i) all middle schools and secondary schools eligible for funds under part A of title I of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6311 et seq.];

(ii) local educational agencies and middle schools and high schools that serve students not less than 25 percent of whom meet a measure of poverty as described in section 1113(a)(5) of the Elementary and Secondary Education Act [20 U.S.C. 6313(a)(5)];

(iii) households receiving assistance under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); and

(iv) agencies responsible for administering means-tested Federal benefit programs, as defined in section 1087ss(b)(4)(H) of this title.

**(B) Content of plans**

The plans described in paragraph (A) shall—

(i) provide students and their families with information on—

(I) the availability of the College Scorecard or any similar successor website;

(II) the electronic estimates of financial aid available under subsection (b);

(III) Federal financial aid available to students, including eligibility criteria for the Federal financial aid and an explanation of the Federal financial aid programs (including applicable Federal educational tax credits); and

(IV) resources that can inform students of financial aid that may be available from state-based financial aid, state-based college savings programs, and scholarships and other non-governmental sources;

(ii) describe how the dissemination of information will be conducted by the Secretary.

**(C) Reporting and updates**

The Secretary shall post the information about the plans under subparagraph (A) and associated goals publicly on the Department's website. On an annual basis, the Secretary shall report qualitative and quantitative outcomes regarding the implementation of the plans under subparagraph (A). The Secretary shall review and update such plans not less often than every 4 award years with the goal of progressively increasing the impact of the activities under this paragraph.

**(D) Partnership**

The Secretary may partner with States, State systems of higher education, institutions of higher education, or college access organizations to carry out this paragraph.

**(2) Interagency coordination plans**

**(A) In general**

The Secretary shall develop interagency coordination plans in order to inform more

students and families, including low-income individuals or families and recipients of means-tested Federal benefits, about the availability of Federal financial aid under this subchapter through participation in existing Federal programs or tax benefits that serve low-income individuals or families, in coordination with the following Secretaries:

(i) The Secretary of the Treasury.

(ii) The Secretary of Labor.

(iii) The Secretary of Health and Human Services.

(iv) The Secretary of Agriculture.

(v) The Secretary of Housing and Urban Development.

(vi) The Secretary of Commerce.

(vii) The Secretary of Veterans Affairs.

(viii) The Secretary of the Interior.

**(B) Process, activities, and goals**

Each interagency coordination plan under subparagraph (A) shall—

(i) identify opportunities in which low-income individuals and families could be informed of the availability of Federal financial aid under this subchapter through access to other Federal programs that serve low-income individuals and families;

(ii) identify methods to effectively inform low-income individuals and families of the availability of Federal financial aid for postsecondary education under this subchapter and assist such individuals in completing the Free Application for Federal Student Aid;

(iii) develop early awareness and FAFSA completion activities that align with the opportunities and methods identified under clauses (i) and (ii);

(iv) establish goals regarding the effects of the activities to be implemented under clause (iii); and

(v) provide information on how students and families can maintain access to Federal programs that serve low-income individuals and families operated by the agencies identified under subsection (A) while attending an institution of higher education.

**(C) Plan with Secretary of the Treasury**

The interagency coordination plan under subparagraph (A)(i) between the Secretary and the Secretary of the Treasury shall further include specific methods to increase the application for Federal financial aid under this subchapter from individuals who file Federal tax returns, including collaboration with tax preparation entities or other third parties, as appropriate.

**(D) Reporting and updates**

The Secretary shall post the information about the interagency coordination plans under this paragraph and associated goals publicly on the Department's website. The plans shall have the goal of progressively increasing the impact of the activities under this paragraph by increasing the number of low-income applicants for, and recipients of, Federal financial aid. The plans shall be updated not less than once every 4 years.

**(3) Nationwide participation in early awareness plans**

**(A) In general**

The Secretary shall solicit voluntary public commitments from entities, such as States, State systems of higher education, institutions of higher education, and other interested organizations, to carry out early awareness plans, which shall include goals, to—

- (i) notify prospective and existing students who are low-income individuals and families about their eligibility for Federal aid under this subchapter, as well as State-based financial aid, if applicable, on an annual basis;
- (ii) increase the number of prospective and current students who are low-income individuals and families filing the Free Application for Federal Student Aid; and
- (iii) increase the number of prospective and current students who are low-income individuals and families enrolling in post-secondary education.

**(B) Reporting and updates**

Each entity that makes a voluntary public commitment to carry out an early awareness plan may submit quantitative and qualitative data based on the entity's progress toward the goals of the plan annually prior to a date selected by the Secretary.

**(C) Early awareness champions**

Based on data submitted by entities, the Secretary shall select and designate entities submitting public commitments, plans, and goals, as Early Awareness Champions on an annual basis. Those entities designated as Early Awareness Champions shall provide one or more case studies regarding the activities the entity undertook under this paragraph which shall be made public by the Secretary on the Department of Education website to promote best practices.

**(d) Public awareness campaign**

**(1) In general**

The Secretary shall develop and implement a public awareness campaign designed using current and relevant independent research regarding strategies and media platforms found to be most effective in communicating with low-income populations in order to increase national awareness regarding the availability of Federal Pell Grants and financial aid under this subchapter and, at the option of the Secretary, potential availability of state need-based financial aid.

**(2) Coordination**

The public awareness campaign described in paragraph (1) shall leverage the activities in subsections (b) and (c) to highlight eligibility among low-income populations. In developing and implementing the campaign, the Secretary may work in coordination with States, institutions of higher education, early intervention and outreach programs under this subchapter, other Federal agencies, agencies responsible for administering means-tested Fed-

eral benefit programs (as defined in section 1087ss(b)(4)(H) of this title), organizations involved in college access and student financial aid, secondary schools, local educational agencies, public libraries, community centers, businesses, employers, workforce investment boards, and organizations that provide services to individuals who are or were homeless, in foster care, or are disconnected youth.

**(3) Reporting**

The Secretary shall report on the success of the public awareness campaign described in paragraph (1) annually regarding the extent to which the public and target populations were reached using data commonly used to evaluate advertising and outreach campaigns and data regarding whether the campaign produced any increase in applicants for Federal aid under this subchapter publicly on the Department of Education website.

(Pub. L. 89-329, title IV, § 485E, as added Pub. L. 110-315, title IV, § 490, Aug. 14, 2008, 122 Stat. 3305; amended Pub. L. 111-152, title II, § 2101(b)(5), Mar. 30, 2010, 124 Stat. 1073; Pub. L. 116-260, div. FF, title VII, § 702(o), Dec. 27, 2020, 134 Stat. 3186; Pub. L. 117-103, div. R, § 102(b)(5), Mar. 15, 2022, 136 Stat. 819.)

**Editorial Notes**

REFERENCES IN TEXT

The Elementary and Secondary Education Act of 1965, referred to in subsecs. (b)(3)(B)(ii) and (c)(1)(A)(i), is Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27. Part A of title I of the Act is classified generally to part A (§ 6311 et seq.) of subchapter I of chapter 70 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of this title and Tables.

The Food and Nutrition Act of 2008, referred to in subsec. (c)(1)(A)(iii), is Pub. L. 88-525, Aug. 31, 1964, 78 Stat. 703, which is classified generally to chapter 51 (§ 2011 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of Title 7 and Tables.

AMENDMENTS

2022—Subsec. (b)(2)(B). Pub. L. 117-103 substituted “award year 2024-2025” for “award year 2023-2024”.

2020—Pub. L. 116-260 amended section generally. Prior to amendment, section related to early awareness of financial aid eligibility.

2010—Subsec. (b)(1)(A). Pub. L. 111-152 substituted “of such students’ potential eligibility for the Federal Pell Grant amount, determined under section 1070a(b)(2)(A) of this title, for which the student would be eligible” for “of such students’ potential eligibility for a maximum Federal Pell Grant under subpart 1 of part A”.

**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 2010 AMENDMENT

Amendment by Pub. L. 111-152 effective July 1, 2010, see section 2101(c) of Pub. L. 111-152, set out as a note under section 1070a of this title.

**§ 1093. Distance education demonstration programs**

**(a) Purpose**

It is the purpose of this section—

(1) to allow demonstration programs that are strictly monitored by the Department of Education to test the quality and viability of expanded distance education programs currently restricted under this chapter;

(2) to provide for increased student access to higher education through distance education programs; and

(3) to help determine—

(A) the most effective means of delivering quality education via distance education course offerings;

(B) the specific statutory and regulatory requirements which should be altered to provide greater access to high quality distance education programs; and

(C) the appropriate level of Federal assistance for students enrolled in distance education programs.

**(b) Demonstration programs authorized**

**(1) In general**

In accordance with the provisions of subsection (d), the Secretary is authorized to select institutions of higher education, systems of such institutions, or consortia of such institutions for voluntary participation in a Distance Education Demonstration Program that provides participating institutions with the ability to offer distance education programs that do not meet all or a portion of the sections or regulations described in paragraph (2).

**(2) Waivers**

The Secretary is authorized to waive for any institution of higher education, system of institutions of higher education, or consortium participating in a Distance Education Demonstration Program, the requirements of section 1087ll(5)<sup>1</sup> of this title as the section relates to computer costs, sections 1088(a) and 1088(b) of this title as such sections relate to requirements for a minimum number of weeks of instruction, sections 1002(a)(3)(A), 1002(a)(3)(B), and 1091(l)(1) of this title, or one or more of the regulations prescribed under this part or part F which inhibit the operation of quality distance education programs.

**(3) Eligible applicants**

**(A) Eligible institutions**

Except as provided in subparagraphs (B), (C), and (D), only an institution of higher education that is eligible to participate in programs under this subchapter shall be eligible to participate in the demonstration program authorized under this section.

**(B) Prohibition**

An institution of higher education described in section 1002(a)(1)(C) of this title shall not be eligible to participate in the demonstration program authorized under this section.

**(C) Special rule**

Subject to subparagraph (B), an institution of higher education that meets the re-

quirements of subsection (a) of section 1002 of this title, other than the requirement of paragraph (3)(A) or (3)(B) of such subsection, and that provides a 2-year or 4-year program of instruction for which the institution awards an associate or baccalaureate degree, shall be eligible to participate in the demonstration program authorized under this section.

**(D) Requirement**

Notwithstanding any other provision of this paragraph, Western Governors University shall be considered eligible to participate in the demonstration program authorized under this section. In addition to the waivers described in paragraph (2), the Secretary may waive the provisions of subchapter I and this part and part H of this subchapter for such university that the Secretary determines to be appropriate because of the unique characteristics of such university. In carrying out the preceding sentence, the Secretary shall ensure that adequate program integrity and accountability measures apply to such university's participation in the demonstration program authorized under this section.

**(c) Application**

**(1) In general**

Each institution, system, or consortium of institutions desiring to participate in a demonstration program under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

**(2) Contents**

Each application shall include—

(A) a description of the institution, system, or consortium's consultation with a recognized accrediting agency or association with respect to quality assurances for the distance education programs to be offered;

(B) a description of the statutory and regulatory requirements described in subsection (b)(2) or, if applicable, subsection (b)(3)(D) for which a waiver is sought and the reasons for which the waiver is sought;

(C) a description of the distance education programs to be offered;

(D) a description of the students to whom distance education programs will be offered;

(E) an assurance that the institution, system, or consortium will offer full cooperation with the ongoing evaluations of the demonstration program provided for in this section; and

(F) such other information as the Secretary may require.

**(d) Selection**

**(1) In general**

For the first year of the demonstration program authorized under this section, the Secretary is authorized to select for participation in the program not more than 15 institutions, systems of institutions, or consortia of institutions. For the third year of the demonstration program authorized under this section, the Secretary may select not more than 35 in-

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