

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 1087hh, Pub. L. 89-329, title IV, §468, as added Pub. L. 96-374, title IV, §442(a), Oct. 3, 1980, 94 Stat. 1437, related to alternative source of funds, prior to the general revision of this part by Pub. L. 99-498.

A prior section 1087ii, Pub. L. 89-329, title IV, §469, as added Pub. L. 96-374, title IV, §442(a), Oct. 3, 1980, 94 Stat. 1439, related to recapture of current balance of student loan funds, prior to the general revision of this part by Pub. L. 99-498.

**§ 1087ii. Definitions****(a) Low-income communities**

For the purpose of this part, the term “low-income communities” means communities in which there is a high concentration of children eligible to be counted under section 6333(c) of this title.

**(b) High-risk children**

For the purposes of this part, the term “high-risk children” means individuals under the age of 21 who are low-income or at risk of abuse or neglect, have been abused or neglected, have serious emotional, mental, or behavioral disturbances, reside in placements outside their homes, or are involved in the juvenile justice system.

**(c) Infants, toddlers, children, and youth with disabilities**

For purposes of this part, the term “infants, toddlers, children, and youth with disabilities” means children with disabilities and infants and toddlers with disabilities as defined in sections 1401 and 1432 of this title, respectively, and the term “early intervention services” has the meaning given the term in section 1432 of this title.

(Pub. L. 89-329, title IV, §469, as added Pub. L. 102-325, title IV, §465(d), July 23, 1992, 106 Stat. 583; amended Pub. L. 103-382, title III, §391(e)(4), Oct. 20, 1994, 108 Stat. 4022; Pub. L. 108-446, title III, §305(c)(2), Dec. 3, 2004, 118 Stat. 2805; Pub. L. 111-39, title IV, §405(7), July 1, 2009, 123 Stat. 1947; Pub. L. 114-95, title IX, §9215(oo)(9), Dec. 10, 2015, 129 Stat. 2180.)

**Editorial Notes**

## AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95 substituted “eligible to be counted under section 6333(c) of this title” for “eligible to be counted under title I of the Elementary and Secondary Education Act of 1965”.

2009—Subsec. (c). Pub. L. 111-39 substituted “and the term ‘early intervention services’ has the meaning given the term in section 1432 of this title.” for “and the term ‘qualified professional provider of early intervention services’ has the meaning specified in section 1472(2) of this title.”

2004—Subsec. (c). Pub. L. 108-446 substituted “sections 1401 and 1432” for “sections 1401(a)(1) and 1472(1)”.

1994—Subsec. (a). Pub. L. 103-382 substituted “title I” for “chapter 1 of title I”.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

## 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.

## PART F—NEED ANALYSIS

**Editorial Notes**

## CODIFICATION

Part F of title IV of the Higher Education Act of 1965, Pub. L. 89-329, which comprises this part, was formerly classified to part E of this subchapter. See Codification note preceding section 1087a of this title.

## PRIOR PROVISIONS

A prior part F, consisting of part G of title IV of Pub. L. 89-329, was redesignated part G of this subchapter.

**§ 1087kk. Amount of need**

Except as otherwise provided therein, the amount of need of any student for financial assistance under this subchapter (except subparts<sup>1</sup> 1 or 2 of part A of this subchapter) is equal to—

- (1) the cost of attendance of such student, minus
- (2) the expected family contribution for such student, minus
- (3) estimated financial assistance not received under this subchapter (as defined in section 1087vv(j) of this title).

(Pub. L. 89-329, title IV, §471, as added Pub. L. 99-498, title IV, §406(a), Oct. 17, 1986, 100 Stat. 1454; amended Pub. L. 102-325, title IV, §471(a), July 23, 1992, 106 Stat. 585; Pub. L. 105-244, title IV, §480(a), Oct. 7, 1998, 112 Stat. 1732; Pub. L. 116-260, div. FF, title VII, §702(a)(1), Dec. 27, 2020, 134 Stat. 3138.)

## AMENDMENT OF SECTION

*Pub. L. 116-260, div. FF, title VII, §§701(b), 702(a)(1), Dec. 27, 2020, 134 Stat. 3137, 3138, provided that, effective July 1, 2023, except as otherwise expressly provided, and applicable with respect to award year 2023-2024 and each subsequent award year, as determined under this chapter, this section is amended to read as follows:*

*§ 1087kk. Amount of need*

*Except as otherwise provided therein, for award year 2023-2024 and each subsequent award year, the amount of need of any student for financial assistance under this subchapter (except subpart 1 or 2 of part A) is equal to—*

- (1) the cost of attendance of such student, minus*
- (2) the student aid index (as defined in section 1087mm of this title) for such student, minus*
- (3) other financial assistance not received under this subchapter (as defined in section 1087vv(i) of this title).*

*See 2020 Amendment note below.*

**Editorial Notes**

## AMENDMENTS

2020—Pub. L. 116-260 amended section generally. Prior to amendment, text read as follows: “Except as other-

<sup>1</sup> So in original. Probably should be “subpart”.