

plete classification of this Act to the Code, see Short Title of 1968 Act note set out under section 10101 of Title 34 and Tables.

#### 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 expected family contribution; data elements

##### (a) General rule for determination of expected family contribution

The expected family contribution—

(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.

##### (b) Data elements

The following data elements are considered in determining the expected family contribution:

(1) the available income of (A) the student and the student’s spouse, or (B) the student and the student’s parents, in the case of a dependent student;

(2) the number of dependents in the family of the student;

(3) the number of dependents in the family of the student, excluding the student’s parents, who are enrolled or accepted for enrollment, on at least a half-time basis, in a degree, certificate, or other program leading to a recognized educational credential at an institution of higher education that is an eligible institution in accordance with the provisions of section 1094 of this title and for whom the family may reasonably be expected to contribute to their postsecondary education;

(4) the net assets of (A) the student and the student’s spouse, and (B) the student and the student’s parents, in the case of a dependent student;

(5) the marital status of the student;

(6) the age of the older parent, in the case of a dependent student, and the student; and

(7) the additional expenses incurred (A) in the case of a dependent student, when both parents of the student are employed or when the family is headed by a single parent who is employed, or (B) in the case of an independent student, when the student is married and the student’s spouse is employed, or when the employed student qualifies as a surviving spouse or as a head of a household under section 2 of title 26.

(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.)

##### AMENDMENT OF SECTION

*Pub. L. 116-260, div. FF, title VII, §§701(b), 702(c), Dec. 27, 2020, 134 Stat. 3137, 3141; Pub. L. 117-103, div. R, §102(a), Mar. 15, 2022, 136 Stat.*

819, provided that, 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, this section is amended to read as follows:

§ 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.

See 2020 Amendment note below.

**Editorial Notes**

AMENDMENTS

2020—Pub. L. 116–260 amended section generally. Prior to amendment, section related to determination of expected 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. Family contribution for dependent students**

**(a) Computation of expected family contribution**

For each dependent student, the expected family contribution is equal to the sum of—

(1) the parents’ contribution from adjusted available income (determined in accordance with subsection (b));

(2) the student contribution from available income (determined in accordance with subsection (g)); and

(3) the student contribution from assets (determined in accordance with subsection (h)).

**(b) Parents’ contribution from adjusted available income**

The parents’ contribution from adjusted available income is equal to the amount determined by—

(1) computing adjusted available income by adding—

(A) the parents’ available income (determined in accordance with subsection (c)); and

(B) the parents’ contribution from assets (determined in accordance with subsection (d));

(2) assessing such adjusted available income in accordance with the assessment schedule set forth in subsection (e); and

(3) dividing the assessment resulting under paragraph (2) by the number of the family members, excluding the student’s parents, who are enrolled or accepted for enrollment, on at least a half-time basis, in a degree, certificate, or other program leading to a recognized educational credential at an institution of higher education that is an eligible institution in accordance with the provisions of section 1094 of this title during the award period for which assistance under this subchapter is requested;

except that the amount determined under this subsection shall not be less than zero.

**(c) Parents’ available income**

**(1) In general**

The parents’ available income is determined by deducting from total income (as defined in section 1087vv of this title)—

(A) Federal income taxes;

(B) an allowance for State and other taxes, determined in accordance with paragraph (2);

(C) an allowance for social security taxes, determined in accordance with paragraph (3);

(D) an income protection allowance, determined in accordance with paragraph (4);

(E) an employment expense allowance, determined in accordance with paragraph (5); and

(F) the amount of any tax credit taken by the parents under section 25A of title 26.

**(2) Allowance for State and other taxes**

The allowance for State and other taxes is equal to an amount determined by multiplying total income (as defined in section 1087vv of this title) by a percentage determined according to the following table (or a successor table prescribed by the Secretary under section 1087rr of this title):