



Legislative Detailed Summary of Non-Pell/FM Changes from the FAFSA Simplification Act and FAFSA Simplification Act Technical Corrections Act

PROFESSIONAL JUDGMENT				
EFFECTIVE DATE	LEGISLATION	HEA CITATION	CHANGE	COMMENT
2023-24 award year	Consolidated Appropriations Act, 2021	479A	Institutions now prohibited from having a policy of denying all PJ requests	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	479A	<p>Adds examples of what may constitute adequate documentation of special or unusual circumstances for PJ.</p> <p>Includes:</p> <ul style="list-style-type: none"> • Documented interview between student and FAA • Supplementary information about financial status or personal circumstances of applicant as relates to special/unusual circumstances • For dependency override only, proof of student or parent incarceration, documented phone call or written statement confirming special circumstances with certain authorities, documents demonstrating separation from parents 	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	479A	<p>Adds examples of special circumstances that may be used for adjustments related to Pell grant eligibility only.</p> <p>Includes:</p> <ul style="list-style-type: none"> • Recent unemployment of student or family member • Student or family member is a dislocated worker • Change in housing status resulting in student being a homeless youth • Unusual amount of losses claimed on tax return • Receipt of untaxed foreign income for which taxpayer received a foreign tax credit 	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.

PROFESSIONAL JUDGMENT				
EFFECTIVE DATE	LEGISLATION	HEA CITATION	CHANGE	COMMENT
2023-24 award year	Consolidated Appropriations Act, 2021	479A	<p>Adds to existing examples of special circumstances for using PJ to adjust COA and SAI.</p> <p>Includes:</p> <ul style="list-style-type: none"> • The existence of additional family members enrolled in college • Severe disability of student, student's parent, student's spouse, or student's dependent • Unusual amount of losses claimed on tax return 	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	479A	<p>Adds that FAA authority to determine independent status based on unusual circumstances must be based on instances in which the student is unable to contact a parent or where contact with parents poses a risk to the student.</p> <p>Gives examples of unusual circumstances that would qualify students for dependency override, such as:</p> <ul style="list-style-type: none"> • Human trafficking • Being legally granted refugee or asylum status • Parental abandonment or estrangement • Student or parental incarceration 	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	479A	<p>Adds ability for students to indicate request for treatment as provisional independent student on the FAFSA for purposes of provisional determination of financial aid eligibility.</p> <p>FAAs must notify students who request provisional independent student status of institutional process for dependency override.</p> <p>Student must still complete the dependency override process in accordance with changes to the law regarding dependency overrides and in accordance with institutional procedures.</p>	<p>Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.</p> <p>ED will not implement systems changes until 2024-25 award year</p>

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2023-24 award year	Consolidated Appropriations Act, 2021	479A	FAAs now required to presume any student who received a dependency override in a preceding award year to be independent for each subsequent award year at the same institution unless the student informs the institution that their circumstances have changed or the institution has conflicting information about the student's independence.	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	479A	Institutions now required to publicize that students have the opportunity to pursue PJ adjustments.	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	479A	Codifies previous ED guidance that during qualifying emergency FAAs can set income to zero with documentation of unemployment benefits and that ED must adjust program review selection model to account for rises in PJ during emergencies.	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.

COST OF ATTENDANCE				
EFFECTIVE DATE	LEGISLATION	HEA CITATION	CHANGE	COMMENT
7/1/2024	Consolidated Appropriations Act, 2021	478(a)(2)	ED now authorized to regulate all cost of attendance components except tuition and fees.	ED was previously prohibited from regulating COA. Effective date changed from 2023-24 to 2024-25 award year by Consolidated Appropriations Act, 2022.
2023-24 award year	Consolidated Appropriations Act, 2021	472	Costs for materials or supplies required of all students in the same course of study moved from tuition and fees component to books, course materials, supplies, and equipment component.	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	472	Books and supplies component renamed books, course materials, supplies, and equipment. Books, course materials, supplies, and equipment no longer included with transportation and miscellaneous personal expenses components. Allowance for rental or purchase of a computer no longer limited to students enrolled at least 1/2 time.	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	472	Transportation COA component separated from books, supplies, and miscellaneous personal expenses COA components. Definition for transportation component added: "may include transportation between campus, residences, and place of work, as determined by the institution."	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	472	Miscellaneous personal expenses now separated from books, supplies, and transportation expenses COA components.	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.

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2023-24 award year	Consolidated Appropriations Act, 2021	472	<p>Room & board renamed living expenses.</p> <p>Board COA component renamed food, and must provide for three meals per day.</p> <p>Room COA component renamed housing.</p> <p>Institutions must calculate an on campus housing component calculation for students with dependents and a separate one for students without dependents.</p> <p>Both of these on-campus housing expense determinations must be based on the greater of average or median amount assessed to these groups of students.</p> <p>New housing category is added for students living off campus, and housing expense amount for students living off campus is defined as "a standard allowance for rent or other housing costs."</p> <p>Housing allowance cannot be zero for students living at home with parents.</p>	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	472	<p>Removes option for institutions to include loan fees for students receiving non-federal (conventional) loans as a COA component.</p> <p>Consolidated Appropriations Act of 2021 removed option for institutions to choose to use either actual or average federal loan fees and required the use of actual fees only</p> <p>Technical corrections in the Consolidated Appropriations Act of 2022 restores institutions' ability to choose to use average or actual federal loan fees, but still does not permit non-federal loan fees to be included.</p>	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.

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2023-24 award year	Consolidated Appropriations Act, 2021	472	Cost of first professional credential is now a required COA component.	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	472	For incarcerated students, books, course materials, supplies, equipment, and cost of obtaining a first professional credential are now required COA elements.	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.
2023-24 award year	Consolidated Appropriations Act, 2021	472	Institutions now required to make a list of all COA elements publicly available on any portion of its website describing tuition and fees.	Per technical corrections to the FAFSA Simplification Act, implementation authorized for and planned for 2023-24 award year.

STUDENT ELIGIBILITY				
EFFECTIVE DATE	LEGISLATION	HEA CITATION	CHANGE	COMMENT
6/11/2021	Consolidated Appropriations Act, 2021	483(s)	Repeals ban on Title IV eligibility for students who fail to register with the Selective Service System.	Early implementation was authorized at ED's discretion and became effective June 11, 2021 for the 2021-22, 2022-23, and 2023-24 award years: (GEN-21-04) Early Implementation of the FAFSA Simplification Act's Removal of Selective Service and Drug Conviction Requirements for Title IV Eligibility)
03/15/2022	Consolidated Appropriations Act, 2022	n/a	Conforming amendment made to the Public Health Service Act to repeal ban on health professions student loan eligibility for students who fail to register with the Selective Service System.	
6/17/2021	Consolidated Appropriations Act, 2021	484(r)	Repeals ban on Title IV eligibility for students with prior drug-related convictions.	Early implementation was authorized at ED's discretion and became effective June 11, 2021 for the 2021-22, 2022-23, and 2023-24 award years: (GEN-21-04) Early Implementation of the FAFSA Simplification Act's Removal of Selective Service and Drug Conviction Requirements for Title IV Eligibility)
6/17/2021	Consolidated Appropriations Act, 2021	455(q)	Repeals the Subsidized Usage Limit Applies (SULA) restriction, which limits students from receiving subsidized loans for more than 150% of the published program length.	Early implementation was authorized at ED's discretion and became effective June 11, 2011 for all loans since the SULA restriction was enacted in 2013: (DL-21-04) 150% Direct Subsidized Loan Limit: Electronic Announcement #25 – Guidance and Operational Information for the Repeal of 150% Subsidized Usage Limit

MISCELLANEOUS CHANGES				
EFFECTIVE DATE	LEGISLATION	HEA CITATION	CHANGE	COMMENT
7/1/2024	Consolidated Appropriations Act, 2021	480(j)	<p>Adds items not considered to be other financial aid in determining amount of need:</p> <ul style="list-style-type: none"> • Payments/services received from Social Security Administration related to foster care • Emergency financial aid provided for unexpected expenses that are a component of the COA and that were not otherwise considered when the determination of the student's need is made. <p>Removes special combat pay from exemption from treatment as other financial aid.</p>	Effective date changed from 2023-24 to 2024-25 award year by Consolidated Appropriations Act, 2022.
7/1/2024	Consolidated Appropriations Act, 2021	479B	WIOA added to programs that cannot be taken into account in determining eligibility for benefits under any federal, state, or local program that uses federal dollars.	Effective date changed from 2023-24 to 2024-25 award year by Consolidated Appropriations Act, 2022.
7/1/2024	Consolidated Appropriations Act, 2021	479C	Instructs ED to develop guidance on implementing existing statutory requirement that excludes certain types of income received by Native American students from the SAI calculation, without adding a FAFSA question.	Effective date changed from 2023-24 to 2024-25 award year by Consolidated Appropriations Act, 2022.
7/1/2024	Consolidated Appropriations Act, 2021	483	<p>ED required to streamline and simplify the verification process and to consider the burden of verification on low income students as well as to review the effectiveness of verification in preventing overpayments.</p> <p>ED also must publish annual report on applicants selected for verification, whether they received federal aid disbursements and the extent to which their SAI changed upon verification.</p>	Effective date changed from 2023-24 to 2024-25 award year by Consolidated Appropriations Act, 2022.

MISCELLANEOUS CHANGES				
EFFECTIVE DATE	LEGISLATION	HEA CITATION	CHANGE	COMMENT
7/1/2024	Consolidated Appropriations Act, 2021	483(c)(3)	ED may enter into data sharing agreements with federal or state agencies to conduct outreach regarding means-tested benefits.	Effective date changed from 2023-24 to 2024-25 award year by Consolidated Appropriations Act, 2022.
7/1/2024	Consolidated Appropriations Act, 2021	483(a)(2)(D)(i)	Applicant/parent (where applicable) must authorize ED to disclose to state higher ed agencies, institutions, and scholarship organizations designated by ED all FAFSA data (including income data provided to ED by IRS.)	Effective date changed from 2023-24 to 2024-25 award year by Consolidated Appropriations Act, 2022.
7/1/2024	Consolidated Appropriations Act, 2021	483(a)(2)(D)(ii)	Applicants may choose to authorize ED to disclose FAFSA data (excluding income data provided to ED by IRS) to agencies that handle means-tested benefits applications.	Effective date changed from 2023-24 to 2024-25 award year by Consolidated Appropriations Act, 2022.
7/1/2024	Consolidated Appropriations Act, 2021	483(a)(3)(C)	<p>Institutions may use FAFSA data (excluding income data provided to ED by IRS) for research that does not release any individually identifiable information on any applicant, to promote college attendance, persistence, and completion.</p> <p>Institutions may not share FAFSA data with any other entity without express written consent of the student.</p>	Effective date changed from 2023-24 to 2024-25 award year by Consolidated Appropriations Act, 2022.