

TITLE 20 - EDUCATION**CHAPTER 28 - HIGHER EDUCATION RESOURCES AND STUDENT ASSISTANCE****SUBCHAPTER IV - STUDENT ASSISTANCE****Part E - Need Analysis****§ 1087II. Cost of attendance**

For the purpose of this subchapter and part C of subchapter I of chapter 34 of title 42, the term “cost of attendance” means—

- (1) tuition and fees normally assessed a student carrying the same academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study;
- (2) an allowance for books, supplies, transportation, and miscellaneous personal expenses, including a reasonable allowance for the documented rental or purchase of a personal computer, for a student attending the institution on at least a half-time basis, as determined by the institution;
- (3) an allowance (as determined by the institution) for room and board costs incurred by the student which—
 - (A) shall be an allowance determined by the institution for a student without dependents residing at home with parents;
 - (B) for students without dependents residing in institutionally owned or operated housing, shall be a standard allowance determined by the institution based on the amount normally assessed most of its residents for room and board; and
 - (C) for all other students shall be an allowance based on the expenses reasonably incurred by such students for room and board;
- (4) for less than half-time students (as determined by the institution), tuition and fees and an allowance for only—
 - (A) books, supplies, and transportation (as determined by the institution);
 - (B) dependent care expenses (determined in accordance with paragraph (8)); and
 - (C) room and board costs (determined in accordance with paragraph (3)), except that a student may receive an allowance for such costs under this subparagraph for not more than 3 semesters or the equivalent, of which not more than 2 semesters or the equivalent may be consecutive;
- (5) for a student engaged in a program of study by correspondence, only tuition and fees and, if required, books and supplies, travel, and room and board costs incurred specifically in fulfilling a required period of residential training;
- (6) for incarcerated students only tuition and fees and, if required, books and supplies;
- (7) for a student enrolled in an academic program in a program of study abroad approved for credit by the student’s home institution, reasonable costs associated with such study (as determined by the institution at which such student is enrolled);
- (8) for a student with one or more dependents, an allowance based on the estimated actual expenses incurred for such dependent care, based on the number and age of such dependents, except that—
 - (A) such allowance shall not exceed the reasonable cost in the community in which such student resides for the kind of care provided; and
 - (B) the period for which dependent care is required includes, but is not limited to, class-time, study-time, field work, internships, and commuting time;
- (9) for a student with a disability, an allowance (as determined by the institution) for those expenses related to the student’s disability, including special services, personal assistance, transportation, equipment, and supplies that are reasonably incurred and not provided for by other assisting agencies;
- (10) for a student receiving all or part of the student’s instruction by means of telecommunications technology, no distinction shall be made with respect to the mode of instruction in determining costs;

NB: This unofficial compilation of the U.S. Code is current as of Jan. 8, 2008 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

- (11) for a student engaged in a work experience under a cooperative education program, an allowance for reasonable costs associated with such employment (as determined by the institution);
- (12) for a student who receives a loan under this or any other Federal law, or, at the option of the institution, a conventional student loan incurred by the student to cover a student's cost of attendance at the institution, an allowance for the actual cost of any loan fee, origination fee, or insurance premium charged to such student or such parent on such loan, or the average cost of any such fee or premium charged by the Secretary, lender, or guaranty agency making or insuring such loan, as the case may be; and
- (13) at the option of the institution, for a student in a program requiring professional licensure or certification, the one-time cost of obtaining the first professional credentials (as determined by the institution).

(Pub. L. 89–329, title IV, § 472, 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. 103–208, § 2(g)(1), Dec. 20, 1993, 107 Stat. 2471; Pub. L. 105–244, title IV, § 471, Oct. 7, 1998, 112 Stat. 1729; Pub. L. 109–171, title VIII, § 8016, Feb. 8, 2006, 120 Stat. 172; Pub. L. 110–315, title IV, § 471(a), Aug. 14, 2008, 122 Stat. 3269.)

Amendment of Paragraph (3)

Pub. L. 110–315, title IV, § 471, Aug. 14, 2008, 122 Stat. 3269, provided that, effective July 1, 2010, paragraph (3) of this section is amended—

- (1) in subparagraph (B), by striking “and” after the semicolon;
- (2) by redesignating subparagraph (C) as subparagraph (D); and
- (3) by inserting after subparagraph (B), as amended by paragraph (1), the following:

“(C) for students who live in housing located on a military base or for which a basic allowance is provided under section 403 (b) of title 37, shall be an allowance based on the expenses reasonably incurred by such students for board but not for room; and”.

Amendments

2006—Par. (4). Pub. L. 109–171, § 8016(1), added par. (4) and struck out former par. (4), which read as follows: “for less than half-time students (as determined by the institution) tuition and fees and an allowance for only books, supplies, and transportation (as determined by the institution) and dependent care expenses (in accordance with paragraph (8));”.

Par. (13). Pub. L. 109–171, § 8016(2)–(4), added par. (13).

1998—Par. (2). Pub. L. 105–244, § 471(1), inserted “, including a reasonable allowance for the documented rental or purchase of a personal computer,” after “personal expenses”.

Par. (3)(A). Pub. L. 105–244, § 471(2)(A), substituted “determined by the institution” for “of not less than \$1,500”.

Par. (3)(C). Pub. L. 105–244, § 471(2)(B), struck out “, except that the amount may not be less than \$2,500” after “room and board”.

Par. (10). Pub. L. 105–244, § 471(3), substituted a semicolon for “, but this paragraph shall not be construed to permit including the cost of rental or purchase of equipment;”.

Par. (11). Pub. L. 105–244, § 471(4), substituted “engaged” for “placed”.

1993—Par. (12). Pub. L. 103–208 added par. (12).

1992—Pub. L. 102–325 amended section generally, revising and restating as pars. (1) to (11) provisions formerly contained in pars. (1) to (9).

Effective Date of 2008 Amendment

Pub. L. 110–315, title IV, § 471(b), Aug. 14, 2008, 122 Stat. 3269, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on July 1, 2010.”

NB: This unofficial compilation of the U.S. Code is current as of Jan. 8, 2008 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

Effective Date of 2006 Amendment

Amendment by Pub. L. 109–171 effective July 1, 2006, except as otherwise provided, see section 8001(c) of Pub. L. 109–171, set out as a note under section 1002 of this title.

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 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 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.