



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF POSTSECONDARY EDUCATION

THE ASSISTANT SECRETARY

DCL ID: GEN-10-14  
P-10-04

Subject: Implementation of two Federal Pell Grants in one award year

Summary: This letter provides guidance to institutions concerning the implementation of two Federal Pell Grants in one award year for the 2009-10 and 2010-11 award years.

Dear Colleague:

The Higher Education Opportunity Act amended the Higher Education Act of 1965 (HEA) to require that a student, who meets certain requirements, would receive up to two Federal Pell Grant Scheduled Awards in a single award year to accelerate toward completion of a degree or certificate. This provision was effective for the 2009-10 award year. Although final regulations governing this provision were not promulgated prior to the 2009-10 award year, institutions had to implement two Pell Grants in one award year in a legally supportable manner for the 2009-2010 award year.

On October 29, 2009, the Department published the final regulations that set out the requirements for institutions to award two Pell Grants in one award year to a student. These regulations were effective July 1, 2010, and apply to Pell Grants disbursed for the 2010-2011 and subsequent award years. Institutions also could choose to implement those regulations earlier than July 1, 2010. Institutions that participate in the Federal student aid programs must have the administrative capability to provide students with two Pell Grants in one award year under the HEA and the regulations. The Secretary understands that many institutions have faced, and continue to face, challenges in implementing these provisions.

### **2010 Crossover Payment Period**

Many institutions have expressed concerns about implementing the final regulations for the summer 2010 crossover payment period, a payment period that is in both the 2009-2010 and 2010-2011 award years, i.e., a payment period that includes June 30, 2010, and July 1, 2010. In the preamble of the regulations (74 FR 55904), we provided several options for institutions to implement the two-Pell-Grants-in-one-award-year regulations for the 2010 crossover payment period. An institution could designate--

- A student's payment period as being in the 2009-10 award year and not apply the regulations if the institution has not implemented the two-Pell-Grants-in-one-award-year regulations for the period prior to July 1, 2010;
- A student's payment period as being in the 2009-10 award year with regulations being applicable; or
- A student's payment period as being in the 2010-2011 award year, in which case the regulations must apply.

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For an institution that did not implement the regulatory requirements prior to July 1, 2010, the institution should have established a written policy that includes whether determinations are made across the board or on a case-by-case basis. If an institution that has not implemented the two-Pell-Grants-in-one-award-year regulations prior to July 1, 2010, failed to establish a written policy by July 1, 2010, it must apply these regulations to all 2010 crossover payment period disbursements, regardless of whether the disbursement is from the 2009-2010 or the 2010-2011 award year (does not affect the 2009-2010 payment periods prior to summer 2010).

**Examples of policies for implementing two Pell Grants in one award year in the 2010 crossover payment period**

- An institution that has not implemented the two-Pell-Grants-in-one-award-year regulations prior to July 1, 2010, may have a written policy that treats 2010 crossover payment periods as being in the 2009-2010 award year and not apply the two-Pell-Grants-in-one-award-year regulations.
- An institution that has not implemented the two-Pell-Grants-in-one-award-year regulations prior to July 1, 2010, may have a written policy that --
  - Treats 2010 crossover payment periods as being in the 2009-2010 award year and not apply the two-Pell-Grants-in-one-award-year regulations, but
  - Assign a student's payment period to the 2010-2011 award year if the student would receive a larger payment.
- An institution that has not implemented the two-Pell-Grants-in-one-award-year regulations prior to July 1, 2010, may have as its written policy that it would treat 2010 crossover payment periods as being in the 2010-2011 award year, unless the student would receive a higher payment by assigning the crossover payment period to the 2009-2010 award year. See 34 C.F.R. 690.64(b).
- An institution that has not implemented the two-Pell-Grants-in-one-award-year regulations prior to July 1, 2010, may have a written policy that it would make 2010 crossover payment period assignments on a case-by-case basis.

Thank you for your continuing cooperation in implementing these regulations. If you have any questions regarding two Federal Pell Grants in one award year, please contact Fred Sellers by phone at 202-502-7502 or by e-mail at [fred.sellers@ed.gov](mailto:fred.sellers@ed.gov).

Sincerely,



Eduardo M. Ochoa  
Assistant Secretary for  
Postsecondary Education