

## PROFESSIONAL JUDGEMENT

When there are unusual or special situations or circumstances that impact your federal student aid eligibility, federal regulations give the financial aid office discretion or professional judgment on a case-by-case basis and with adequate documentation to make adjustments to the data elements or dependency status on the Free Application for Federal Student Aid (FAFSA®) form that impact your Expected Family Contribution (EFC) to gain a more accurate assessment of your family's ability to contribute to your cost of education.

The FAFSA Simplification Act distinguishes between different categories of professional judgment by amending Section 479A of the Higher Education Act.

### SPECIAL CIRCUMSTANCES

Special Circumstances refer to financial situations (loss of job, etc.) that justify a Financial Aid Representative adjusting data elements in the Cost of Attendance or in the calculation of the EFC. The institution will consider all requests for Special Circumstance adjustments. If you have a situation that changes your family's ability to contribute to your cost of education, contact the Financial Aid Office at your institution to request a **Special Circumstance Request Form**.

Complete the Special Circumstance Request Form in its entirety and return it to the Financial Aid Office. Include with it as much documentation to demonstrate the need for the change as possible. Some examples of documentation may include an unemployment letter; a notice of layoff or termination; unusually high medical bills; or a reduction in hours or salary.

A Financial Aid Representative will contact you for an interview regarding the circumstances and to let you know if any other information is requested.

The Financial Aid Office will determine if the Special Circumstance was approved and notify you in writing. This determination will occur as soon as possible but no later than 60 days from the date of your request or prior to the end of the award year processing cycle, whichever comes first. Documentation of unemployment benefits should be submitted not more than 90 days from the date it was issued, however, the Financial Aid Representative may accept documents older than 90 days if there is no reason to believe there is conflicting information.

If an approved Special Circumstance results in a change in Federal Student Aid Eligibility, a new Financial Aid Award Offer Notification will be issued.

## UNUSUAL CIRCUMSTANCES

Unusual Circumstances refer to the conditions that justify a Financial Aid Representative making an adjustment to a student's dependency status based on a unique situation (e.g., human trafficking, refugee or asylee status, parental abandonment or incarceration, or parental abuse). Unusual Circumstances are more commonly referred to as Dependency Overrides. A dependency override for unusual circumstances is considered unique from a determination of independence for homeless youth or at-risk homelessness youth.

If you have an Unusual Circumstance that you believe may qualify you for a Dependency Override, contact the Financial Aid Office at your institution to request an **Unusual Circumstance Request Form**.

Complete the Unusual Circumstance Request Form in its entirety and return it to the Financial Aid Office. Include with it as much documentation to demonstrate the need for the change as possible. Some examples of documentation may include submission of a court order or official Federal or State documentation that your parents or legal guardians are incarcerated; a written statement from an attorney, a guardian ad litem, a court-appointed special advocate that confirms the circumstances and the person's relationship to the student; documentation from a third party with authority (such as a pastor, school guidance counselor, or law enforcement professional) that can attest to the circumstances; a police record or arrest record that documents domestic violence or other forms of abuse; or a death certificate or obituary in the event of a death of a parent.

Some circumstances individually or in combination with one another that DO NOT qualify as an Unusual Circumstance and DO NOT merit a dependency override are a parent refusing to contribute to a student's education; a parent unwilling to provide information on the FAFSA; a parent not claiming the student as a dependent for income tax purposes; or a student demonstrating self-sufficiency. However, one of these circumstances in combination with a qualifying Unusual Circumstance may be submitted as additional documentation.

A Financial Aid Representative will contact you for an interview regarding the circumstances and to let you know if any other information is requested.

The Financial Aid Office will determine if the Unusual Circumstance was approved and notify you in writing. This determination will occur as soon as possible but no later than 60 days from the date of your request.

If an approved Unusual Circumstance results in a change in Federal Student Aid Eligibility, a new Financial Aid Award Offer Notification will be issued.

The Financial Aid office will presume that any student who has obtained an adjustment for Unusual Circumstances and a final determination of independence to be independent for each subsequent award year at this institution unless you inform the institution that your circumstances have changed or if the institution has conflicting information about your independence.

The Financial Aid Office will at its discretion use a dependency override determination made by a financial aid administrator at another institution in the same or prior award year. It is your responsibility to notify the Financial Aid Office that another institution has made this adjustment and provide a contact at the prior institution. A Financial Aid Representative will contact the prior school and attempt to collect information about the prior decision.

### **UNACCOMPANIED HOMELESS YOUTH**

The FAFSA Simplification Act includes new requirements for the Financial Aid Office to accept or make determinations of a youth's status as unaccompanied and homeless, or as unaccompanied self-supporting, and at risk of homelessness. Youth who meet these definitions are included in the Act's definition of independent student and do not need parental information to complete the FAFSA.

The Higher Education Act (HEA) uses the McKinney-Vento Act's definition of homeless, which includes youth who lack a fixed, regular, and adequate nighttime residence; and unaccompanied, which includes youth not in the physical custody of a parent or guardian. This definition is broader than shelters or the streets; it includes staying with others temporarily due to loss of housing, economic hardship, or a similar reason, and staying in motels due to lack of adequate alternative accommodations. The HEA uses at-risk of homelessness to refer to students whose housing may cease to be fixed, regular, and adequate.

In determining independence due to homelessness, the Financial Aid Office will consider documentation from the following entities – provided through a documented phone call, written statement, or verifiable electronic data match – to be adequate:

- A local educational agency homeless liaison, as designated by the *McKinney-Vento Homeless Assistance Act* (42 U.S.C. 11432(g)(1)(J)(ii)), or a designee of the liaison;
- The director of an emergency or transitional shelter, street outreach program, homeless youth drop-in center, or other program serving individuals who are experiencing homelessness, or a designee of the director;
- The director of a Federal TRIO program or a Gaining Early Awareness and Readiness for Undergraduate program (GEAR UP) grant, or a designee of the director; or
- A financial aid administrator at another institution who documented the student's circumstance in the same or a prior award year.

In the absence of documentation from any of the individuals described above, the Financial Aid Office will make a case-by-case determination:

- Based upon a written statement from, or a documented interview with, the student that confirms that they are an unaccompanied homeless youth, or unaccompanied, at risk of homelessness, and self-supporting; and
- Made without regard to the reasons that the student is unaccompanied and/or homeless.

If you believe you meet the definition of unaccompanied and homeless, or as unaccompanied self-supporting, and at risk of homelessness, please complete The **Unaccompanied Homeless Youth Determination** and return it to the Financial Aid Office as soon as possible. Include documentation from one of the entities listed above if you have it.

The Financial Aid Office will contact you to conduct an interview (only in the absence of documentation from one of the entities indicated) and to assist you in completing or updating your FAFSA form.

If you have been determined to be an Unaccompanied homeless youth and this results in a change in Federal Student Aid Eligibility, a new Financial Aid Award Offer Notification will be issued.

## **FOSTER CARE YOUTH**

The institution does not require a student to present documentation to confirm the answer to the question on the FAFSA regarding Foster Care unless conflicting information appears to exist or unless it has reason to question the appropriateness of the answer.

If the institution requires that a student provide documentation that they were in foster care at age 13 or older, The Financial Aid Representative will consider any of the following documentation to be adequate in the absence of conflicting information:

- Submission of a court order or official State documentation that the student received Federal or State support in foster care;
- A documented phone call or a written statement from an attorney, guardian ad litem, or Court Appointed Special Advocate;
- Verification of the student's eligibility for an education and training voucher under the John H. Chafee Foster Care Program under section 477 of the *Social Security Act* (42 U.S.C. 677); or
- A documented phone call or written statement from a financial aid administrator who documented the student's circumstance in the same or a prior award year.

The Financial Aid Administrator will also consider a phone call, written statement, or verifiable electronic data match from one of the following sources to be adequate documentation:

- A State, county, or Tribal agency administering a program under part B or E of title IV of the *Social Security Act* (42 U.S.C. 621 et seq. and 670 et seq.);
- A State Medicaid agency; or
- A public or private foster care placing agency or foster care facility or placement.

### **DEPENDENT STUDENTS WITHOUT PARENTAL SUPPORT**

Dependent students whose parents refuse to support them are not eligible for a dependency override, but they may be able to receive a dependent level Direct Unsubsidized Loan only. For a student to be eligible for this provision the institution will document the following:

1. the student's parents' refusal to complete the FAFSA; or
2. the student's parents do not and will not provide any financial support to him or her.

If the parents refuse to sign and date a statement to this effect, documentation from a third party (the student is not sufficient), such as a teacher, counselor, cleric, or court should be submitted.

This situation does not on its own justify a dependency override.

If your parents will not provide support or complete the FAFSA, and you don't qualify for a Dependency Override, you may complete the **Dependent Student Without Parental Support Form**. If your parents will not complete the statement, you must get a teacher, counselor, or other authoritative source to complete the statement.

The Financial Aid Office will contact you to conduct an interview and to assist you in completing or updating your FAFSA form. If you fall into this category your FAFSA Application will be in a rejected status with no EFC. You will be awarded a Direct Unsubsidized Loan only up to the maximum you would normally be eligible for depending on your grade level (but not the amount a student can get when his or her parent is unable to get a Direct PLUS Loan). This will almost certainly result in you owing additional funds to cover your tuition and fees.