

The FAFSA Fairness Act

- The FAFSA Fairness Act would amend the Higher Education Act of 1965 (20 U.S.C. 1090) to increase access to federal student aid for students with uniquely difficult personal and financial circumstances, including students who:
 - have left home due to an abusive family environment;
 - are unable to locate their parents;
 - have parents who are incarcerated; or
 - meet other conditions determined by the institution to which they are applying that prevent them from accessing parental financial information.
- Students with special circumstances like these are currently unable to complete the Free Application for Federal Student Aid (FAFSA). Instead, they must contact the institutions to which they are applying to undergo an arduous “dependency override” process before the institutions will prepare financial aid packages for them. The “dependency override” process can vary between institutions, and some students abandon the override process because of its perceived complexity and difficulty.
 - Under the change proposed by the FAFSA Fairness Act, students would complete the override process only at the institutions at which they intend to enroll, instead of at every institution to which they apply.
- Under this bill, students who do not have contact with their parents or who meet other special criteria established by educational institutions would complete the FAFSA as a “provisional independent.” Students identified as “provisional independents” would be able to submit data to the institutions to which they are applying, and these institutions would calculate a provisional financial aid packages and provide them to students before the students initiate the dependency override process. By enabling students to know the financial aid for which they would qualify at each of the education institutions to which they are applying, this bill would help students to make informed choices about institutions in which they choose to enroll and ensure they are incentivized to complete the federal aid override process.
 - Under the legislation, any aid package presented to a student who is a “provisional independent” would continue to be subject to a dependency override process and would not be binding.

This legislation *would*:

- Provide more equitable access to federal student aid for students with uniquely challenging financial circumstances by breaking down barriers that prevent some students from accessing aid.
- Shift the timing of the existing dependency override process while ensuring that aid administrators can continue to exercise their professional judgment when determining the eligibility of students with special circumstances for financial aid.

This legislation *would not*:

- Strip financial aid administrators of any flexibility or the responsibility to exercise professional judgment.
- Limit the availability of financial aid options, counseling, or support services for any students.
- Increase workloads for aid officers.
- Affect the availability of counseling or support options for any student.

Supported by the National Association of College Admissions Counselors, Young Invincibles, American Association of Community Colleges, American Association of State

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