

Section: Student Dependency Status

Objectives

- Describe what makes a student independent for federal student aid purposes
- Review what happens on the FAFSA when a student does not have access to parental information
- Explain which parent's information should be provided on a dependent student's FAFSA

Materials

- PowerPoint Presentation
- *FAFSA on the Web Worksheet*
- "Am I Dependent or Independent?" fact sheet
- "Who Is My 'Parent' When I Fill Out the FAFSA?" fact sheet

Trainer Tips

This module consists of two sections: an informational lecture about the FAFSA dependency status questions, and a series of case studies that encourage trainee participation. Some things to keep in mind:

- Despite the fact that the foster care, legal guardianship, emancipated minor, and homelessness questions were on the 2009-10 FAFSA, you will probably find that some of your attendees are unaware of them. For that reason, it's important to point them out and see whether people have questions about them.
- The case studies in the section about whose information to report in the Parent sections of the FAFSA will be sure to generate additional examples from trainees. Encourage them to answer each others' questions as these examples are raised.
- Throughout this document, we use the abbreviation "FAA" to mean "financial aid administrator."

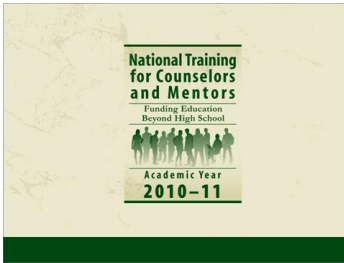
You can read more about dependency status, special circumstances, who is a parent, and/or dependency overrides at the following places:

- *FAFSA on the Web* (www.fafsa.ed.gov)
- *Federal Student Aid Handbook: Application and Verification Guide*, Chapter 2, pp 24-32 in 2009-10 edition (available at www.ifap.ed.gov)
- *The Counselors and Mentors Handbook on Federal Student Aid*, Parts 2 and 3 (www.fsa4counselors.ed.gov)
- "Am I Dependent or Independent" fact sheet (www.studentaid.ed.gov/pubs)

- “Who Is My ‘Parent’ When I Fill Out the FAFSA?” fact sheet (www.studentaid.ed.gov/pubs)
- Higher Education Act of 1965, Section 480(d)(7)
- Dear Colleague Letter GEN-08-12 (www.ifap.ed.gov)

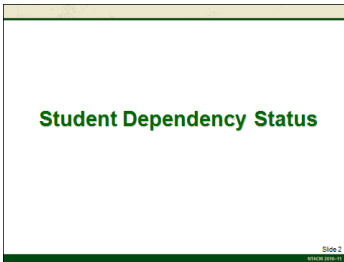
Section: Student Dependency Status

SLIDE 1



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SLIDE 2



Student Dependency Status

- In this module, we'll talk about the difference between a dependent student and an independent student when it comes to filling out the Free Application for Federal Student Aid, or FAFSA.
- The federal student aid programs are based on the tenet that paying for college is the family's responsibility. If a student is considered dependent on his or her parent(s), he or she must include the parent's information on the FAFSA so that the financial strength of the family can be determined.
- Remember, the independent status criteria are in the law; a student cannot "declare" himself or herself independent.
- The FAFSA asks several questions that determine dependency status. Let's go through them, and along the way I'll point out the criteria that are relatively new – those criteria were added to the 2009-10 FAFSA and continue forward for 2010-11.
- We have provided a fact sheet called "Am I Dependent or Independent?" You can copy it and give it to students who are unsure about their status. Meanwhile, you can follow along on the fact sheet as we go through the questions.

SLIDE 3

What Makes a Student Independent?

- Born before 1/1/87 (for 2010-11 year)
- Married
- Graduate or professional student

Slide 3
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What Makes a Student Independent?

Note to Instructor: In the PowerPoint, we have shortened the questions for the sake of fitting them on the slides; the full questions are included in the “Am I Dependent or Independent?” fact sheet as well as below.

Dependency status questions:

- Were you born before January 1, 1987?
- As of today, are you married?
- At the beginning of the 2010-11 school year, will you be working on a master’s or doctorate program (such as an MA, MBA, MD, JD, PhD, EdD, graduate certificate, etc.)?

If you’ve been working with students on filling out FAFSAs for a while now, these questions will look very familiar.

SLIDE 4

What Makes a Student Independent?

- Active duty military for purposes other than training
- Veteran

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What Makes a Student Independent?

Dependency status questions:

- Are you currently serving on active duty in the U.S. Armed Forces for purposes other than training?
- Are you a veteran of the U.S. Armed Forces?

The active duty criterion first appeared on the 2007-08 FAFSA.

SLIDE 5

What Makes a Student Independent?

- Children
- Dependents other than children or spouse

Slide 5
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What Makes a Student Independent?

Dependency status questions:

- Do you have children who will receive more than half of their support from you between July 1, 2010 and June 30, 2011?
- Do you have dependents (other than your children or spouse) who live with you and who receive more than half of their support from you, now and through June 30, 2011?

SLIDE 6

What Makes a Student Independent?

- Orphan, foster care, dependent/ward of the court
- Emancipated minor
- Legal guardianship

Slide 6
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If a student is pregnant and the child will be born by July 1, 2010, and will receive more than half its support from the mother, then she may answer “Yes.” A student who will become a father and will support the child also may answer the question “Yes.”

What Makes a Student Independent?

Dependency status questions:

- At any time since you turned age 13, were both your parents deceased, were you in foster care, or were you a dependent or ward of the court?
- Are you or were you an emancipated minor as determined by a court in your state of legal residence?
- Are you or were you in legal guardianship as determined by a court in your state of legal residence?

These questions are a combination of older and newer criteria.

The new items, added last year to the 2009-10 FAFSA, are:

- Foster care:
 - Applicant qualifies if he or she was in foster care at any time since turning 13
- Emancipated minor and legal guardianship:
 - The court order must be in effect on the date the student signs the FAFSA, or must have been in effect immediately prior to the student becoming an adult
 - “Adult” is defined by each state
 - Court order must be issued in the student’s state of legal residence

SLIDE 7

What Makes a Student Independent?

- Homeless or at risk of becoming homeless
 - As determined by agency specified in FAFSA instructions
 - Or by financial aid administrator

Slide 7

What Makes a Student Independent?

Dependency status questions:

- At any time on or after July 1, 2009, did your high school or school district homeless liaison determine that you were an unaccompanied youth who was homeless?
- At any time on or after July 1, 2009, did the director of an emergency shelter or transitional housing program funded by the U.S. Department of Housing and Urban Development determine that you were an unaccompanied youth who was homeless?
- At any time on or after July 1, 2009, did the director of a runaway or homeless youth basic center or transitional living program determine that you were an unaccompanied youth who was homeless or were self-supporting and at risk of being homeless?
- The FAFSA instructions contain definitions for the terms “homeless,” “unaccompanied,” and “youth.” Applicants should read the instructions carefully if they think these criteria might apply to them.
- If a student does not have a determination from one of the officials specified in these questions, but believes he or she is an unaccompanied youth who is homeless or at risk of being homeless, the student should contact the financial aid office at the school he or she plans to attend.

SLIDE 8

Dependency Overrides

- Financial aid administrator has authority to make a dependent student independent
- Student must present evidence of situation

Slide 8

Dependency Overrides

An FAA has the authority to make an otherwise dependent student independent if he or she believes the student’s situation warrants an override. The student must show that he or she is in an unusual situation, referred to as “special circumstances.” The

SLIDE 9

Dependency Overrides

- Special circumstances:
 - Abuse at home
 - Abandonment by parents
- NOT special circumstances:
 - Parents don't claim student on taxes
 - Student does not live with parents and supports self
 - Parents don't want to help pay for college
 - Parents refuse to provide information for FAFSA

Slide 9

SLIDE 10

Dependency Overrides

Documentation from Third Party:

- Teacher
- Social worker
- Member of clergy
- Court
- Law enforcement

Slide 10

SLIDE 11

**Completion of FAFSA
Without Parental
Information**

Slide 11

FAA makes decisions on case-by-case basis with adequate documentation.

Dependency Overrides

Here are examples of special circumstances that might warrant a dependency override.

It's important to understand that a student can't just move out of the house and become independent.

Dependency Overrides

Documentation From a Third Party

- FAA will ask student for some documentation to support his or her claim of special circumstances. The documentation might take the form of a written statement from a third party who knows the situation.
- FAA's decision is final and cannot be appealed to U.S. Department of Education

Completion of FAFSA Without Parental Information

- Sometimes a dependent student is unable to provide his or her parent(s) information on the FAFSA, because the parent(s) refuses to complete the FAFSA, or because the student is no longer in touch with his or her parents.
- Let's talk about some scenarios that might come up, and what the student should do.

SLIDE 12

No Access to Parental Information

- FOTW asks whether student will provide parental data
- If no, student indicates he or she meets special circumstances criteria
- Student can submit FAFSA without parent information
- FAFSA will have reject code
 - Student needs to work with school to complete application

Slide 12

No Access to Parental Information

- FOTW allows the student to indicate whether he or she meets criteria such as having left home due to abuse, or having incarcerated parents
- Starting July 1, 2009, FOTW also allows certain homeless applicants to follow a similar process
 - Those who are 22 or 23, and thus don't count as "homeless youth" but also don't count as independent for FAFSA purposes
- FAFSA is processed but no EFC is calculated
- Student needs to contact the financial aid office
 - Will request additional information regarding his or her situation in order to determine whether a dependency override is appropriate

SLIDE 13

Parents Refuse to Provide Information

- Student indicates situation on FOTW, choosing option that he or she is applying only for an unsubsidized loan
- Student submits FAFSA without parental information
- EFC not calculated
- Student must contact school regarding documentation and decision

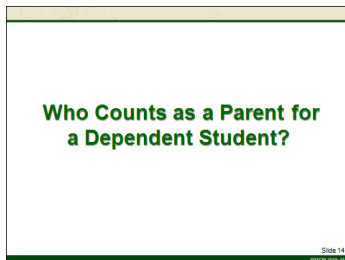
Slide 13

Parents Refuse to Complete FAFSA

- Another new feature of FOTW as of 7/1/09
 - Process is available for students who wish to apply for an unsubsidized Stafford loan because parents are not supporting them and are refusing to complete the FAFSA
- Appropriate for students
 - Who do not qualify for a dependency override;
 - Whose parents have stopped providing financial support;
 - Whose parents will not support the student during college;**AND**
 - Whose parents refuse to provide their information on the FAFSA

- Financial aid administrator at school may use professional judgment to award ONLY an Unsubsidized Stafford Loan
- Documentation
 - Parent(s) needs to submit a signed and dated statement stating the parent(s) has stopped supporting the student, will not support the student in the future; and refuses to provide information for the FAFSA
 - If the parent(s) refuses to provide the statement, the FAA must obtain documentation from a third party, such as a teacher, counselor, clergy, or court describing the student's relationship with his or her parents
 - It is not enough for the student alone to state that this is the situation; documentation must come from the parent or third party

SLIDE 14

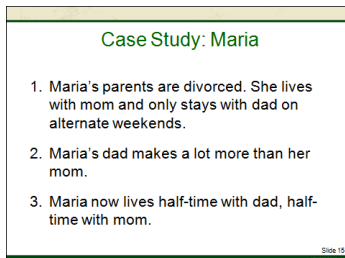


Who Counts as a Parent for a Dependent Student?

Note to Instructor: Refer trainees to “Who Is My ‘Parent’” fact sheet so they can find the answers to the case study questions.

If you are working with a lot of counselors who are new to the FAFSA, you might want to briefly go through the fact sheet first. Otherwise, just dive in with the questions and let them raise their hands to answer. Make sure everyone understands WHY each answer is correct (point them to the appropriate spot on the fact sheet, and discuss further if necessary).

SLIDE 15



Case Study: Maria (Divorced Parents)

➔ Read the text of each numbered scenario, and then discuss the answer to that question before moving on to the next one.

1. (Q) Maria's parents are divorced and she lives with her mom and only stays with her dad on alternate weekends. Whose information is put into the parent sections of the FAFSA?
(A) Mom's info – Maria lives most of the time with Mom.

2. (Q) Maria's dad makes much more than her mom does – does that mean she should put his information on the FAFSA instead of her mom's?

(A) No – because Maria lives with Mom more than with Dad.

3. (Q) Maria's custody situation changes; she now lives exactly half the year with her mom and half with her dad. Whose info goes on her FAFSA?

(A) It is likely that Dad provides more financial support for Maria than Mom does, since Dad makes more. But this one can be debated. It really comes down to Maria analyzing her situation to determine which parent provides more support.

SLIDE 16

Case Study: Maria

4. Maria's mom gets remarried. Does stepdad's information go on her FAFSA?
5. Maria's stepdad has his own kids. Should Maria leave his information off her FAFSA?

Slide 16

Case Study: Maria (Divorced Parents) (cont'd)

4. (Q) Maria's mom gets remarried. Does her stepfather's information go on her FAFSA along with her mom's?

(A) Yes – the FAFSA is a snapshot of the family's financial strength at the time the FAFSA is filed – not just the student's biological parent.

5. (Q) Maria's stepfather has kids of his own to help through college. Does that mean Maria should leave his information off her FAFSA?

(A) No – but remember, those children will be taken into account as part of the household if they live with mom and stepdad, so that will impact Maria's financial need.

SLIDE 17

Case Study: Shawn

1. Shawn's mom passed away, and he doesn't get along with dad. Shawn lives with older sister and her husband.
2. Shawn's dad is now incarcerated. Should Shawn take a paper FAFSA on a visit for signature?

Slide 17

Case Study: Shawn (Other Parental Figures)

➔ *As with Maria's numbered scenarios, read a scenario, discuss it, and then move on to the next numbered item.*

1. (Q) Shawn's mom passed away several years ago, and he doesn't get along that great with his dad. So he moved out of his dad's house and lives across town with his older sister

and her husband. Should Shawn list his sister's information on his FAFSA?

(A) No; Shawn's sister is not his parent unless she adopts him.

2. (Q) Shawn's dad is now incarcerated. Is his dad's info required on the FAFSA?

(A) Shawn's dad is his parent, and therefore his information is required on his FAFSA unless Shawn's FAA performs a dependency override. Shawn can indicate on the FAFSA that he has a special circumstance (as we discussed on slides 8 and 9), and he will not be required to provide his dad's information in order to submit his initial application. However, the FAFSA will not be complete until Shawn's FAA determines whether to perform a dependency override. If the FAA performs an override, Shawn's FAFSA will be processed without his dad's information. If the FAA decides the override is not appropriate, Shawn will need to get his dad's information and signature.

SLIDE 18

Case Study: Carlos

1. Carlos lives with his grandmother to take pressure off his mom.
2. Carlos's grandmother has been declared his legal guardian.

Slide 18

Case Study: Carlos (Other Parental Figures)

1. (Q) Carlos' mom is busy with his three younger siblings, so Carlos lives with his grandmother to take the pressure off his mom. Should he list his grandmother's information on his FAFSA?

(A) No; Carlos's grandmother is not his parent unless she has adopted him. If she hasn't, then Carlos needs to use his mom's information.

2. (Q) Carlos's grandmother has now been declared his legal guardian by a court in his state of legal residence. Should he list her information on his FAFSA?

(A) Because Carlos is in a legal guardianship as declared by a court in his state of residence, he is now independent and

doesn't have to report either his grandmother's or his mother's information.

SLIDE 19



SLIDE 20



Wrap Up

Ask for any additional questions and wrap up the session.