

Professional Judgment - Policy

Effective: Effective with the 2023-2024 award year

The U. S. Department of Education is expanding requirements regarding professional judgment authority and disclosure.

Valid for all campuses.

Federal law provides students with the right to request an adjustment from the institution to their financial aid awards due to special or unusual circumstances. The institution shall consider and evaluate all requests for adjustment on a case-by-case basis, and its determination will be final. Requests for adjustment must be made by students as soon as possible or when the institution is processing the student's financial aid package. The institution shall provide the student with the results of its review, and the details of any change to the student's financial aid package, within 60 days of the date that the institution receives all required documentation from the student. This policy shall be followed for all students who request an adjustment to their financial aid packages based on special or unusual circumstances.

Special Circumstances

Adjustments based on special circumstances allow the institution to adjust ISIR income information in cases where the student's or family's current income is materially less than the income used to determine the student's financial aid eligibility. A special circumstances adjustment may also be requested to modify cost of attendance components to account for additional expenses incurred by the student or family that are not reflected in the standard cost of attendance calculations.

Any request for consideration of an adjustment based on special circumstances must be made by the student, in writing, to the institution's financial aid department. The following information must be submitted to the institution by any student requesting an adjustment:

- A written request for an adjustment due to special circumstances
- The type of adjustment being requested (income adjustment or expenses adjustment)
- A detailed description of the circumstances involved
- Evidence documenting the reduction of income for adjustments based on income
- Evidence documenting the additional expenses for adjustments to the Cost of Attendance

In cases where the student has not submitted all documentation required by the institution, or in cases where the student has already been packaged for the maximum amount of financial aid offered by the institution, the student's request for adjustment shall be declined. In all other cases, the institution shall review the student's file, consider the special circumstances involved, and determine whether the documentation submitted by the student supports the request for adjustment.

If an adjustment to income is authorized by the institution, a correction to the student's ISIR information will be filed by the institution. The corrected ISIR will then be used to re-package the student's file for any additional financial aid eligibility. For adjustments to cost of attendance components based on additional expenses, the institution shall adjust the cost of attendance accordingly and shall re-package the student's file for any additional financial aid eligibility.

Professional Judgment - Policy

Unusual Circumstances

Adjustments based on unusual circumstances, commonly known as “dependency overrides”, allow the institution to treat as independent any student who, based on the criteria and definitions in the Higher Education Act, should otherwise be considered to be dependent for federal financial aid purposes. Unusual circumstances adjustments are extremely rare and, in accordance with U.S. Department of Education guidelines, shall only be considered if the student’s situation is unusual. An example of a qualifying circumstance would be one that might involve cases of human trafficking, asylum or refugee situations, parental abuse, abandonment, or incarceration. An example of a non-qualifying circumstance would include one in which the student is self-supporting and receives no financial assistance from the parents. While the latter may appear to be a situation in which adjustment is warranted, this example is not “unusual” and based on USDE guidance, would not qualify for an unusual circumstances adjustment.

Any request for consideration of an adjustment based on unusual circumstances must be made by the student, in writing, to the institutions’ financial aid department. The following information must be submitted to the institution by any student requesting an adjustment:

- A written request for an adjustment due to unusual circumstances
- A detailed description of the unusual circumstances involved
- A detailed description of the sources of financial support covering living costs
- Evidence documenting the unusual circumstances and sources of financial support (must include evidence from unrelated third-party individuals or organizations)

The institution shall decline any request for adjustment due to unusual circumstances if the student has not submitted all documentation required by the institution. In all other cases, the institution shall review the student’s file, consider the unusual circumstances involved, and determine whether the documentation submitted by the student supports the request for adjustment.

If an unusual circumstances adjustment (dependency override) is authorized by the institution, the institution shall complete such adjustment to the student’s FAFSA / ISIR as required. The corrected ISIR will then be used to re-package the student’s file for any additional financial aid eligibility. The student shall continue to be considered independent under the unusual circumstances adjustment for each subsequent award year at the institution unless the student has informed the institution that circumstances have changed, or if the institution determines that it has conflicting information regarding the student’s dependency status.

Acceptable Documentation

The following guidance, as published by the U.S. Department of Education’s Dear Colleague Letter GEN-22-15, outlines acceptable documentation for requests for adjustment. Acceptable documentation includes, but is not limited to:

Special Circumstances

- A documented interview between the student and the financial aid administrator
- Supplementary information, as necessary, about the financial status or personal circumstances of eligible applicants as it relates to the special circumstances

Professional Judgment - Policy

Unusual Circumstances

- A documented interview between the student and the financial aid administrator
- Submission of a court order or official Federal or State documentation that the students' parents or legal guardian are incarcerated
- A documented phone call or written statement from an attorney, guardian ad litem, a court-appointed special advocate (or similar), or a representative of a TRIO or GEAR UP program that confirms the circumstances and the person's relationship to the student
- A documented determination of independence made by a financial aid administrator at another institution in the same or a prior award year
- Utility bills, health insurance, or other documents that demonstrate a separation from parents or legal guardians.

Acceptable documentation may also include a documented phone call or written statement, which confirms the unusual circumstances with:

- A State, county, or Tribal welfare agency
- An independent living case worker who supports current and former foster youth with the transition to adulthood
- A public or private agency, facility, or program servicing the victims of abuse, neglect, assault, or violence

Authority to request and make Professional Judgements inside our Academy

The ability to request and to make adjustments to student's financial aid packages should be done by the head of financial aid/student services and must be reviewed and approved by the head and one of the owners.

Disclosure

The institution will disclose on its website that students may pursue an adjustment to their financial aid packages based on special or unusual circumstances. To address these situations, the institution is following a process defined in its Professional Judgment Policy to adjust a student's financial aid package based on special circumstances and/or unusual circumstances that were not considered in the initial calculation of the EFC. This policy will also be available for download from its website.