

10 Professional Judgment

Authority to exercise professional judgment is found in Section 479 (A) (a) of the Higher Education Act of 1965, as amended. The law recognizes that the Financial Aid Office may need to make necessary adjustments to the cost of attendance and/or to the expected family contribution to allow for treatment of individual students with special circumstances.

The Higher Education Act provides that discretionary judgments may be employed and Sec. 479 (A) (a) states:

Nothing in [Title IV] shall be interpreted as limiting the authority of the student financial aid administrator, on the basis of adequate documentation, to make necessary adjustments to the cost of attendance and expected family contribution (or both) to allow for treatment of individual students with special circumstances. In addition, nothing in this title shall be interpreted as limiting the authority of the financial aid administrator to use supplementary information about the financial status or personal circumstances of eligible applicants in selecting recipients and determining the amounts of awards under [the Federal Pell Grant, Federal Supplemental Educational Opportunity Grant, Federal Work-Study, Federal Perkins Loan, Federal Direct Student Loan Programs.]

Areas where professional judgment can be exercised:

- Expected family contribution/need analysis (674.13(g); 675013(g); 676.13(g))
- Cost of attendance: 674.11(f); 675.11(f); 676.11(f)
- Independent Student Status: 411 F(12) (B) (Vii); 480 (d) (2) (G)
- Duration of Pell Eligibility (484 (c) (1) (c))
- Satisfactory Academic Progress (484 (c) (3))

Documentation: Documentation used in exercising professional judgment may include, but not necessarily limited to:

- Information found in the student's financial aid file(s)
- Supplementary information furnished by the parent(s) and/or by the student
Information on file in other university offices
- Information provided by non-university offices or agencies
- Information from university faculty and staff members

Decisions on using Professional Judgment:

Approval or disapproval in regards to exercising professional judgment will be limited to specific positions within the Financial Aid Office: Compliance Coordinator and Senior Management Team.

Professional judgment decisions for significant financial change of circumstances other than (1) separation or divorce, (2) loss of employment, (3) loss of untaxed income or

benefits, (4) death of a parent or spouse, or (5) loss of employment for an entering aid applicant will be decided by the Senior Management Team.

All cases pertaining to the use of professional judgment will be reviewed and considered on an individual student basis. The senior management team member making the decision will take into account the circumstances that may affect the relative financial strength of a family. The administrator considering the request is expected to assess the family's situation both objectively and subjectively in order to render a professional judgment about the financial support that the family can reasonably provide toward the applicant's expenses.

Documentation in the student's file will normally include the following:

- Description of circumstances
- Sources of information
- Citation to policies, if applicable
- Approval or Disapproval, Date of decision and Signature of Administrator making the decision

Right to appeal:

Appeals are limited to procedural grounds only. Appeals are directed to the Director of Financial Aid or designee for review. Decisions of staff members other than the director will be reviewed first by the director or designee.

11.1 Special Circumstances

When applying for financial aid, student aid regulations require students and parents to provide information concerning the most recent tax year. Unforeseen circumstances can sometimes alter the financial picture of the family's ability to meet educational expenses. The Special Circumstances form provides the framework for the senior management team to consider changes to previously reported information on the FAFSA. If application is approved, we will use only available funding from the federal aid programs, to include loans, grants, and in some cases, federal work study. There are no UNIVERSITY-BASED FUNDS associated with your appeal.

Please note that budgetary restrictions and other program guidelines limit our ability to cover all of your educational expenses. In many instances, we may not be able to provide any FEDERAL grant funding whatsoever. As such, we cannot guarantee the amount of your award (if approved) will be sufficient to meet your unmet educational expenses. Please note that this is a one-time only (if approved) for the academic year. Application for appeal is limited to one for the academic year.

You must provide adequate documentation and a notarized letter carefully explaining your reason for your special circumstances. **By law, the financial aid administrator must have compelling reasons to use professional judgment to make adjustments because of special circumstances. The law also provides the financial aid administrator with the final decision as to whether the special circumstances appeal is approved; the decision cannot be appealed to the U.S. Department of Education.

Examples of Appeals:

- Tuition expenses at an elementary or secondary school;
- Medical or dental expenses not covered by insurance;
- Unusually high child care costs;
- Retired during the current year;
- Job loss or unemployment, or student's or parent's income has decreased significantly since completing the FAFSA;
- The student or parent no longer receive untaxed benefits as reported on the FAFSA;
- The student or his/parents separated or divorced after filing the FAFSA;
- Homelessness;
- Dislocated worker;
- Students from families who transfer funds from regular IRA accounts to Roth IRA Accounts, and
- Death of a parent/spouse who contributed to your educational expenses.
- Other

The above list is not an exhaustive example of appeals which may be considered

Documentation required (in above order listed):

- Provide a letter from the school with current year's expenses;
- Provide a copy of the insurance policy and proof of out-of pocket expenses;
- Provide a notarized letter from the child care provider;
- Provide a letter from the personnel office, a copy of final pay stub, documentation of severance pay. Please also provide documentation of monthly income sources for retirement income, including social security benefits;
- Provide a letter from the personnel office and a copy of the final pay stub received, a copy of unemployment received, and a statement of current and future anticipated earnings, including non-taxable earnings;
- Provide a copy of letter from appropriate agency indicating the date the benefits ended. Also provide the date through which the benefit was

received and the amount received year-to date- at the termination of the benefit. Provide a copy of most recent pay stub;

- Provide a copy of spouse's tax return (if filing separately), all W-2s; a letter indicating the date of separation and indicating the parent providing primary financial support. A statement indicating the monthly support be given or received should also be submitted;
- Provide a letter from the local homelessness shelter and/or agency; or provide at least three notarized statements from unrelated individuals who can attest to your status;
- Provide copies of 2 prior years Federal Income Tax Returns and supporting schedules, and
- Provide documentation from banking institution(s).
- Copy of death certificate, Notarized statement attesting to the Deceased and prior financial contribution to educational expenses
- Submit current IRS income tax returns and a Verification worksheet (related documents may be requested that support your request for appeal)
- Any other relevant document deemed appropriate by the management team.