



NASFAA

PRISON EDUCATION PROGRAM

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NASFAA Prison Education Program Learning Series

Dependency Status

Award Years 2025-26 and Later

What do “Dependent” and “Independent” mean in the context of federal financial aid, the FAFSA, and students in Prison Education Programs (PEPs)?

Students applying for federal financial aid may need their parent(s) to complete a portion of the FAFSA. A student whose FAFSA requires parent input is called a *dependent*. An *independent* student does not need parental input on the FAFSA.

There are several factors that determine whether a student is dependent or independent; while age is the primary consideration, it is not the only circumstance that determines the need for parent participation. Any of the situations below can result in a declaration of independence in the context of federal financial aid. Be aware that the notes on the FAFSA contain more detailed information about these criteria, and they should be reviewed carefully.

Age. If the student is 24 years old by December 31 of the award year, that student is independent.

- For award year 2026-27, which begins July 1, 2026, and ends June 30, 2027, a student born on or before December 31, 2002, is independent.

Marital Status. If the student is married, and not separated, divorced, or widowed, the student is considered independent.

Educational Level. If the student will be enrolled in a master’s or doctoral program at the beginning of the award year, the student is considered independent.

Military Service. If the student is serving on active duty for purposes other than training, the student is considered independent. In addition, if the student is currently a veteran of the U.S. armed forces and was released under a condition other than dishonorable, the student is considered independent.

Family. If the student has children or other individuals (excluding a spouse) who live with them *and* who receive more than half of their support from the student for the award year, they are considered independent.

Personal Status. If, at any time since the student turned 13, they were an orphan, a ward of the court, or in foster care, they are considered independent. In addition, if the student is or was a legally emancipated minor in their state of residence, they qualify as independent. These statuses may require official documentation. Independent status is also possible for a student who is or was in a legal guardianship with someone other than a parent or step-parent.

Homelessness. If the student is unaccompanied and either homeless or self-supporting and at risk of homelessness, they can work with their financial aid representative to pursue a designation of independence. Students who are incarcerated are not considered to be homeless or at risk of homelessness.

Are there other ways to be declared independent?

Yes, there are other ways that a student who does not meet any of the above criteria may be considered independent. When completing the FAFSA, the student will be presented with a section titled “*Student Unusual Circumstances*.” This section asks the student whether unusual circumstances prevent them from contacting their parents or whether contacting their parents poses a risk for them.

An answer of “yes” to this question means the student will be placed in a “provisionally independent” status, and will need to provide additional information to the college or university’s financial aid office to determine whether they can be officially deemed independent.

What are unusual circumstances?

Unusual circumstances refer to the conditions that justify an aid administrator making an adjustment to a student’s dependency status based on a unique situation, commonly referred to as a “dependency override.” These are not broad circumstances affecting a group of students, but rather unexpected or atypical circumstances experienced by an individual student. Some examples include, but are not limited to:

- Parental abandonment, estrangement, or an abusive home environment;
- Incarceration of a student or parent when contact would create a risk to the student;
- Refugee or asylee status, or being a victim of human trafficking;
- Inability to contact or locate parents.

What is provisional independence?

Provisional independence is a temporary status for a student that requires a college or university financial aid administrator to contact the student and review evidence of the student’s unusual circumstance. That review results in the financial aid administrator making a professional judgment (PJ). The PJ process will determine whether the student’s request is sufficient to override their dependency status.

What is professional judgment?

Professional judgment (PJ) is the discretion granted by law to financial aid administrators to evaluate individual student circumstances. It may be used to:

- Override dependency status based on unusual circumstances; and/or
- Make adjustments to the need analysis, including data elements used to calculate the Student Aid Index (SAI) and components of the cost of attendance (COA).

The financial aid administrator decides if adjustments are warranted based on the student’s special situation.

The FAFSA Simplification Act, which was enacted into law as part of the Consolidated Appropriations Act, 2021, distinguishes between “unusual circumstances” and “special circumstances” as specific categories of PJ. This fact sheet only focuses on unusual circumstances.

Key Principles of Professional Judgment

All Decisions Must Be Made Case-By-Case. All PJ decisions must be made on an individual basis, not applied broadly to groups of students. Even when students have similar situations, each case must be evaluated independently.

It Must Be the Financial Aid Administrator's Own Decision. The financial aid administrator must independently review documentation and make their own determination. The rationale and any adjustments must be documented in the student's file.

Application Consideration. When evaluating a dependency override, the financial aid administrator should assess the student's relationship with their parents. In some cases, the nature of the relationship may make it unreasonable and/or inappropriate to require parental information or expect financial support.

How is the professional judgment of a dependency override documented?

Documentation that a school may require of a student requesting a dependency override may include, but is not limited to:

- A signed statement from the student;
- A documented interview between the student and the financial aid administrator;
- Letters from knowledgeable third parties (e.g., counselors, teachers, clergy, older relatives, social workers, etc.);
- Tax documents, utility bills, health insurance, or other documentation of resources that demonstrate a separation from parents or legal guardians;
- A documented determination of independence made by a financial aid administrator at another institution in the same or prior award year;
- A signed statement from parents; or
- Court documents.

Acceptable documentation may also include confirmation from:

- A state, county, or tribal welfare agency;
- An independent living case worker supporting current and former foster youth with transition to adulthood; or
- A public or private agency, facility, or program servicing victims of abuse, neglect, assault, or violence.

When deciding what documentation is needed, the financial aid administrator may consider whether the student can reasonably rely on parental support.

Requirements for Financial Aid Administrators

The FAFSA Simplification Act included several institutional requirements:

- An institution must not have a policy of automatically denying all professional judgment requests and must publicly disclose that students may pursue an adjustment based on special or unusual circumstances.
- The student is able to select if they have an unusual circumstance.
- The FAFSA Simplification Act also included the requirement that an institution follow up with a student who indicated on their FAFSA that unusual circumstances exist, notifying them of the procedures for requesting a dependency override using PJ.
- Institutions must review all requests for dependency overrides as quickly as practicable, but no later than sixty days after enrollment.

Additional guidance applies to specific student populations, including unaccompanied homeless youth or at-risk homeless youth, foster care youth, orphans, and wards of the court.

Processing and Communicating Decisions

When a student requests an adjustment for unusual circumstances, financial aid administrators must:

- Notify the student of the school's process, requirements, and timeline;
- Provide the student with a final determination of their dependency status and Title IV aid offer as soon as practicable after receiving all requested documentation;
- Retain all documentation, including documented interviews, for at least three years after the student's last term of enrollment; and
- Presume continued independence in future years unless circumstances change or conflicting information arises.

What happens after the PJ determination?

If an incarcerated student enrolled in a PEP requests an adjustment for unusual circumstances but **is not** determined to be independent by a financial aid administrator, the student will not be eligible for aid for that award year unless the student updates their FAFSA as a dependent student. In that case, the parent(s) must complete their portion of the FAFSA before federal financial aid can be processed. If the student **is** determined to be independent, their financial aid eligibility will be calculated without requiring parental input or information.

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