



COLORADO
Department of
Higher Education

Federal Student Aid

An OFFICE of the U.S. DEPARTMENT of EDUCATION

Support Guide for Unusual Circumstances





FAFSA® Simplification Act

On Dec. 27, 2020, Congress passed the Consolidated Appropriations Act, which included provisions that amended the Fostering Undergraduate Talent by Unlocking Resources for Education (FUTURE) Act and included the FAFSA Simplification Act—a sweeping redesign of the processes and systems used to award federal student aid. The FAFSA Simplification Act also provides guidance for institutions to assist students with unusual circumstances in applying for student financial aid when they cannot provide parental information on their Free Application for Federal Student Aid (FAFSA®) form.

Q. What are unusual circumstances?

Beginning with the 2023-24 Award Year, institutions of higher education will have additional flexibility to assist students with unusual circumstances by adjusting their federal student aid eligibility to reflect their unique situation more accurately. These adjustments may include updating the student's dependency status (commonly known as a dependency override) and the information the student must provide on their FAFSA form.

Students with unusual circumstances are defined as:

- A student for whom a financial aid administrator makes a documented determination of independence by reason of unusual circumstances and in which the student is unable to contact a parent or where contact with parents poses a risk to such student, which includes circumstances of:
 - Human trafficking, as described in the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);
 - Legally granted refugee or asylum status;
 - Parental abandonment or estrangement; or
 - Student or parental incarceration.



Other students will continue to qualify as independent on their FAFSA form and not be required to provide parental information if they:

- Were an orphan at the age of 13 or older;
- Were a ward of the court;
- Are or were in foster care;
- Were an emancipated minor or in a legal guardianship as determined by a court in the student's state of legal residence; or
- Are an unaccompanied homeless youth or unaccompanied, at risk of homelessness, and self-supporting.

Q. What's new?

Starting with the 2024-25 Award Year, both first-time and renewal applicants who indicate on their FAFSA form that they have an unusual circumstance will be granted provisional independent status. They will be able to complete the form without providing parental information. They will also receive an estimate of their federal student aid eligibility, which will be subject to a final determination by the institution they attend.

If a student's institution approves their unusual circumstances, their independent status will carry over when they renew their FAFSA form in future award years, and they will be considered independent for as long as they remain at the same institution and their circumstances remain unchanged.

Q. What will stay the same?

If a student pursues an adjustment for unusual circumstances and is not determined to be an independent student by their institution, the student will only be eligible for Direct Unsubsidized Loans unless they subsequently complete the FAFSA form as a dependent student by providing parental information.

Institutions may use a previous determination from a financial aid administrator at another school as acceptable documentation of a student's unusual circumstances. If a student had an adjustment for unusual circumstances approved by another institution (for the same or prior award year), the student should notify the financial aid office at their new institution.



Q. What happens after the student submits their application?

Once they've submitted the FAFSA form, students will also need to provide supporting documentation of their circumstances directly to the institution they will attend. While students should contact their institution's financial aid office if they have questions based upon their circumstance, institutions are now required to provide students with an overview of their review process, examples of supporting documentation, and estimated timelines for their request to be reviewed.

Examples of supporting documentation may include:

- A documented interview between the student and the financial aid administrator;
- Submission of a court order or official Federal or State documentation that the student's parents are or legal guardian is incarcerated;
- 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; or
 - A public or private agency, facility, or program servicing the victims of abuse, neglect, assault, or violence;
- A documented phone call or written statement from an attorney, guardian ad litem, or court-appointed special advocate (or similar) that confirms the circumstances and their relationship to the student;
- A documented phone call or written statement from a representative at an institution of higher education that confirms the circumstances and their relationship to the student; or
- Utility bills, health insurance, or other documents that demonstrate a separation from parents or legal guardians.



Additional Resources:



1 FSA Partner Emails - Subscribe to receive ongoing email updates from Federal Student Aid: outreach.fsapartners.ed.gov



2 Financial Aid Toolkit - Find outreach tools to help guide others through the FAFSA simplification changes: financialaidtoolkit.ed.gov/bfbf



3 FSA Training Center - Gain access to on-demand training courses, tools, and videos for financial aid professionals: fsatraining.ed.gov



4 Knowledge Center - Obtain official policy guidance and access to other FSA administrative websites for financial aid professionals: fsapartners.ed.gov/knowledge-center



5 Customer Service Center - Connect with FSA service centers to assist students, parents, and borrowers: fsapartners.ed.gov/help-center/fsa-customer-service-center