

# PROFESSIONAL JUDGMENT

It is the intent of Five Branches University to provide assistance to those students who require a professional judgment ruling regarding their individual circumstances.

The Free Application for Federal Student Aid (FAFSA) does not provide families with a place to explain extenuating circumstances outside of the students control affecting their ability to pay for their education. The Federal Need Analysis Methodology (FM) is likewise a rigid formula, with no provisions for exceptions. To remedy this, Congress has delegated to the school's financial aid administrator the authority to compensate for special circumstances on case-by-case basis with adequate documentation.

Professional Judgment refers to the authority of a school's financial aid administrator to make adjustments to the data elements on the FAFSA. The school does not have the authority to change the need analysis formula itself or to make direct adjustments to the Expected Family Contribution (EFC). Instead, the school may make adjustments to the inputs to the formula. The changes to the inputs are dictated by the impact of the special circumstances on the family's income and assets. The standard formula is then applied to the new data elements, yielding a new EFC figure (Special Circumstance).

Special Circumstances refer to the financial situations (loss of a job, etc.) that justify an aid administrator adjusting data elements in the COA or in the EFC calculation.

Examples: These are just a few, but not limited to;

- EFC Adjustments
  - Financial changes between base year and current year
  - One time Disbursement of 401K or investment funds
  - Recent Unemployment of student/spouse
- Cost of Attendance Adjustments
  - Unusually High Medical and/or Dental expenses NOT covered by insurance
  - Elementary or Secondary school expenses (Private School Tuition)
  - Half Time Enrollment of a dependent students parent in College
  - Unusually high dependent care costs

The decision of the financial aid administrator is final. There is no appeal. By law, neither the school's president nor the US Department of Education can override the financial aid administrator's decision.

## Process

1. Complete the Professional Judgment form
2. PJ's will be reviewed within 1-2 weeks and a decision will be sent to your Five Branches University email.
3. Any necessary corrections will then be made to your FAFSA application and may take another week to process.

All professional judgment cases will be reviewed by the financial aid office as long as all appropriate forms have been submitted. Please be sure to submit all documentation as soon as possible since the process does take some time.

## Additional Expenses Appeal

Please provide a detailed statement that includes all of the following:

1. The reason you are requesting a professional judgment.
2. Extenuating circumstances that qualify you to request a professional judgment.
3. Dates that the extenuating circumstance occurred including the date or expected date the extenuating circumstance ended.
4. Any additional information that would substantiate your extenuating circumstance.

Examples of special circumstances under PJ may include but are not limited to:

- Special needs educational expenses;
- Medical and dental expenses not covered by insurance;
- Unusually high dependent care costs;
- At least half-time enrollment of a dependent student's parent as a regular student in a degree, certificate, or other program leading to recognized educational credentials at an institution participating in the Title IV programs.

Acceptable documentation may include:

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

- Utility bills, health insurance, tuition statements, dependent care costs, or other documents showing additional financial burden

Financial aid administrators may, but are not required to, take the Income Protection Allowance (IPA) into account as a best practice when making adjustments to COA data elements. If increased expenses are still within the IPA for basic living expenses normally incurred by a family, then your request may be denied once all the documentation is reviewed.

## **Determination Time frame**

All professional Judgment (PJ) reviews will take 1-2 weeks to review before a decision is reached. You will be notified if any additional documentation is needed and where your PJ is at in the Process.

Financial Aid will review all requests as quickly as practicable, but no later than 10 days after the student enrolls, or from the date the request is made, whichever is later.

Failure to submit the requested documentation will result in your appeal being rescinded. If you wish to reopen your request, you must submit a new appeal.

## **Legislative Authority**

The authority to conduct professional judgment reviews is granted by sections 479A and 480(d)(7) of the Higher Education Act of 1965. Section 479A is concerned with the authority to adjust data elements of the FAFSA application and the authority to refuse to certify a student loan. Section 480(d)(7) is concerned with the authority to override a student's dependency status. It is worth noting that the term unusual circumstances is used only in connection with dependency overrides. In the section dealing with adjustments to data elements, the term special circumstances is used instead, with the word unusual only being used in connection with "unusually high child care costs". The word unusual means uncommon or rare. Although the word special is sometimes used as a synonym for unusual, it also includes qualities that readily distinguish an item from among others of the same category. An item need not be rare in order to be special. (Note also the use of the word other in Section 480(d)(7) of the Higher Education Act, as in "other unusual circumstances", is an indication that the six automatic methods of achieving independent student status are exemplars of unusual circumstances. This means that even with dependency overrides, the word unusual does not require extreme extenuating circumstances.) Congress's choice of language appears to have been quite deliberate, to allow for conditions that distinguish a student from among a class of students but which are not necessarily rare.