

# THE FAFSA SIMPLIFICATION ACT:

**The Impacts on Youth With Experience  
in Foster Care and Unaccompanied  
Homeless Youth**

**\*The information provided in this resource does not, and is not intended to, constitute legal advice; instead, all information, content, and materials are for general informational purposes only.**

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## ACRONYMS USED IN THIS PUBLICATION

<b>AGI</b>	Adjusted Gross Income
<b>COA</b>	Cost of Attendance
<b>ED</b>	U.S. Department of Education
<b>EFC</b>	Expected Family Contribution
<b>FAA</b>	Financial Aid Administrator
<b>FAFSA</b>	Free Application for Federal Student Aid
<b>FSA</b>	FAFSA Simplification Act
<b>HEA</b>	Higher Education Act
<b>IHE</b>	Institutions of Higher Education
<b>SAI</b>	Student Aid Index

# I. INTRODUCTION

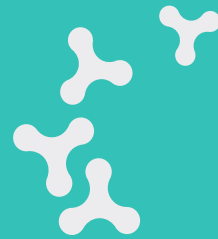


Once fully implemented, the FAFSA Simplification Act (FSA) will represent a significant overhaul of how students access federal financial aid through the Free Application for Federal Student Aid (FAFSA). This overhaul includes changes that expand eligibility for aid and make navigating and completing the FAFSA much more user friendly. The FSA also makes changes to how youth with experience in foster care and unaccompanied homeless youth establish and maintain their eligibility as independent students that will make the process less burdensome. The FSA changes should result in many more individuals: 1) having comprehensible information about financial aid so that they can plan for their futures, and 2) accessing financial aid because of expanded eligibility and the streamlining of information required to establish eligibility.

This publication will summarize some of the key changes made by the FSA that will have the most impact on youth with experience in foster care and homeless unaccompanied youth and young adults. It will also include a discussion of the changes that have general applicability as well as changes specifically targeted at these two groups of individuals.<sup>1</sup>

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<sup>1</sup> We are grateful to Debbie Raucher from John Burton Advocates for Youth and Barbara Duffield and Jillian Sitjar from Schoolhouse Connection who provided excellent feedback on this publication.



# II. THE FAFSA SIMPLIFICATION ACT AND ITS IMPACT ON YOUTH WITH EXPERIENCE IN FOSTER CARE AND HOMELESS UNACCOMPANIED YOUTH

## A. The FAFSA Simplification Act (FSA)

The FSA was enacted into law as part of the Consolidated Appropriations Act, 2021<sup>2</sup> and was amended by the Consolidated Appropriations Act, 2022.<sup>3</sup> The FSA greatly impacts how students are determined eligible for and access federal financial aid that is provided through the Higher Education Act of 1965,<sup>4</sup> including Pell Grants.<sup>5</sup> Because completion of the FAFSA is often also a gateway requirement for state based financial aid, the impact of making it more youth and user friendly and easier to navigate is far reaching.

The FSA aims to address longstanding concerns related to access to and eligibility for federal financial aid, including:

- The FAFSA is too complicated and lengthy to navigate.
- Eligibility requirements are too exclusive and it can be difficult to understand and verify eligibility.
- Formulas used to determine award amounts lack transparency and predictability for students and their families.<sup>6</sup>

The FSA also seeks to address particular barriers that some subpopulations, including youth with experience in foster care and homeless youth, face in completing the FAFSA and establishing eligibility for financial aid.

The FSA made changes that aim to streamline the application and need assessment procedures for federal student aid.

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<sup>2</sup> 116 Pub. L. 260, Div FF, Title VII.

<sup>3</sup> 117 Pub. L. 103, Div R.

<sup>4</sup> P.L. 89-329 as amended through P.L. 117–286.

<sup>5</sup> The federal Pell Grant program (HEA Title IV-A-1) is the single largest source of federal grant aid supporting postsecondary education students. Congressional Research Service Report R45418, [Federal Pell Grant Program of the Higher Education Act: Primer](#) (January 24, 2023). A Pell grant is financial aid that does not need to be repaid. The amount of an individual's Pell grant award depends on financial need. The maximum Pell grant award for the 2022-23 award year is \$ 6,895.00.

<sup>6</sup> Congressional Research Services, [The FAFSA Simplification Act 1](#) (August 4, 2022).

## FSA Improvements Impacting All Students

- Students will be able to qualify for the maximum Pell Grant and other forms of needs-based aid based on adjusted gross income (AGI)<sup>7</sup>, replacing the prior measure of Expected Family Contribution (EFC)<sup>8</sup> with Student Aid Index (SAI).<sup>9</sup>
- Expanded eligibility for the Pell grant and other student aid.
- Changes in eligibility in some areas that will streamline the FAFSA form by eliminating the need to input certain information. For example, the elimination of disqualifications for students who did not register with the Selective Service or who had certain drug-related convictions.
- Procedural changes to remove barriers to establishing eligibility for aid for certain student subpopulations.

Broadly, the FSA will make more students eligible for federal financial aid and will make navigation of and access to aid easier.

The FSA was originally scheduled to be effective on July 1, 2023 for the 2023-2024 award year. However, the enactment of the FAFSA Simplification Act Technical Corrections Act (FSATCA)<sup>10</sup> in March 2022 pushed the general effective date to July 1, 2024, and the beginning of the 2024-2025 award year. However, the law allowed the federal Department of Education (“ED”) to implement certain provisions prior to July 1, 2024. We will note the effective dates of the provisions discussed below in each section.

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7 Adjusted Gross Income means the wages, salaries, interest, dividends, etc., minus certain deductions from income as reported on a federal income tax return of an individual or family.

8 Expected Family Contribution is calculated according to a formula established by law. The formula considers an individual’s or family’s taxed and untaxed income, assets, and benefits (such as unemployment or Social Security). The formula also considers the student’s family size and the number of family members who will attend college during the year.

9 The Student Aid Index (SAI) is the new name of Expected Family Contribution (EFC) and is a factor in the needs-analysis calculation on the Free Application

10 Div. R of the Consolidated Appropriations Act of 2022, P.L. 117-103.

## B. Special Barriers to Financial Aid Faced by System Impacted and Homeless Youth

While financial aid does not guarantee success, it is a critical component to giving young people a chance at success in programs of higher education and training by providing access and making it possible to attend and persist in programs without undue financial burdens. A financial aid award that is sufficient to meet a young person's needs gives them the breathing room necessary to focus on school or training.

The Free Application for Federal Student Aid (FAFSA) is a required step to access all federal financial aid. It is also the gateway to most state financial aid programs. In many cases, its completion is also a condition of eligibility for private aid and scholarships. For those reasons, the relative ease with which the FAFSA can be navigated is pivotal to securing financial aid across all possible sources.

Accessing financial aid is one of the challenges that young people in and leaving foster care and homeless and unaccompanied youth face to enter and succeed in higher education and training. These two groups of young people may not have consistent adults upon whom they can rely to help them navigate the financial aid process and persist as they confront challenges in maintaining eligibility. The complexity of the FAFSA and rules related to aid eligibility end up presenting potentially insurmountable barriers. While many young people with experience in foster care or who are homeless are considered "independent students" for the purposes of the FAFSA and therefore do not need a parental signer or to report parental income, completion of the FAFSA remains difficult.

A 2016 Government Accountability Office report found multiple barriers for unaccompanied homeless youth and youth with experience in foster care. The Report noted the following specific barriers:

- limited family support,
- lack of awareness of available financial resources,
- challenges in navigating complex college application and financial aid processes,
- lack of easily accessible and tailored outreach information, and
- burdensome program rules, including requirements for extensive documentation to prove

While many young people with experience in foster care or who are homeless are able to submit the FAFSA without providing parental information, completion of the FAFSA remains difficult.



foster care or unaccompanied youth status.<sup>11</sup>

The FSA aims to address many of these listed barriers as well as those mentioned in Section A above. This publication will focus on the FSA changes that are likely to have the most impact on youth with experience in foster care, including those foster youth involved in the juvenile justice system, and youth who experience homelessness.<sup>12</sup>

## C. General Provisions of the FSA that Positively Impact Youth with Experience in Foster Care and Unaccompanied Homeless Youth

The provisions below impact all students completing the FAFSA. We note how these general provisions are likely to impact youth with experience in foster care and unaccompanied homeless youth.

### a. Cost of Attendance (COA)

The FSA clarifies components of the COA and broadens what is included.<sup>13</sup> Because an individual's overall financial aid cannot exceed the COA, it is important to ensure that COA figure reflects the student's true cost of attendance as accurately as possible. The following are areas of clarification under the FSA related to elements of the COA that may be most relevant to young people with experience in foster care and unaccompanied homeless youth:

- A standard food allowance must provide the equivalent of three meals each day, regardless of whether a student chooses institutionally owned or operated food services. Institutions must provide an allowance for purchasing food off campus for a student that does not elect institutionally owned or operated food services.
- Housing allowances for students residing in institutionally owned or operated housing with or without dependents must be based on the average or median amount assessed to such residents for housing charges, whichever is greater.
- Housing allowances for students living off campus must include rent or other housing costs.
- An allowance for child care includes the cost of child care for the period for which it is required for class-time, study-time, field work, internships, and commuting time.
- For a student with a disability, an allowance (as determined by the institution) for those expenses related to the student's disability, including special services, personal assistance, transportation, equipment, and supplies that are reasonably incurred and not provided for by other assisting agencies.<sup>14</sup>
- For a student in a program requiring professional licensure, certification, or a first

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<sup>11</sup> Actions Needed to Improve Access to Federal Financial Assistance for Homeless and Foster Youth GAO-16-343 (May 2016), <https://www.gao.gov/assets/gao-16-343.pdf>.

<sup>12</sup> For a good summary of all provisions of the FSA see Congressional Research Services, The FAFSA Simplification Act (August 4, 2022), <https://crsreports.congress.gov/product/pdf/R/R46909>. Hereinafter "CRS Report."

<sup>13</sup> HEA § 472, 20 U.S.C.A. § 1087II.

<sup>14</sup> HEA § 472, 20 U.S.C.A. § 1087II.

professional credential, the cost of obtaining the license, certification, or a first professional credential.

Note that there are likely to be changes in how the COA is calculated for young people impacted by the juvenile justice system as the definition of incarceration is clarified. We will update this publication as guidance is issued.

The FSA also requires that institutions of higher education (IHEs) post the elements of their COA on their websites.

**Potential impact on youth with experience in foster care and unaccompanied youth:** The clarifications on the COA are likely to help young people with experience in foster care and unaccompanied homeless youth by helping ensure that the COA most accurately reflects their living expenses.

**This provision is effective in the 2023-2024 award year.**

## b. **Student Aid Index (SAI)**

The FSA replaces Expected Family Contribution (EFC) with the new term Student Aid Index (SAI). The SAI makes changes in the methodology used to calculate student need and aims to simplify the calculations. For example, the SAI requires fewer questions on the FAFSA, reduces the factors that must be considered, and allows more financial information to be imported from a federal income tax return. The FSA amendments establish a new policy by which students with an adjusted gross income (AGI) below specified levels can automatically qualify for a maximum Pell Grant.

Currently, the FAFSA formula does not permit an EFC of less than 0. The FSA establishes a negative SAI of -\$1,500 for independent students who are not required to file a tax return, or dependent students whose parents are not required to do so.<sup>15</sup> Allowing the SAI to go below zero will help IHE and states identify and target the students with the greatest financial need. Because a negative SAI establishes student need greater than their COA, the FSA amendments create a framework in which it may be possible for some students to receive aid in excess of COA through non-federal aid.<sup>16</sup>

**Potential impact on youth with experience in foster care and unaccompanied youth:** The streamlined methodology for determining SAI should make the process of completing the FAFSA less burdensome for youth with experience in foster care and unaccompanied homeless youth.

In addition, for young people with an SAI of -\$1,500, there may be an opportunity to receive aid in addition to the cost of attendance, which could help ensure that the student has funds sufficient to meet their true needs.

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<sup>15</sup> HEA § 473, 20 U.S.C.A. § 1087 mm.

<sup>16</sup> CRS Report at 4.

**This provision is effective July 1, 2024.**

### c. **Income, Assets and Child Support**

Once a student is determined to be independent, only their income and assets are counted to determine SAI. There are a few changes that may impact a young person's SAI and the amount of aid for which they are eligible. The FSA amendments reduce the forms of untaxed income and excludable income that are considered in calculating the SAI.<sup>17</sup> This change reduces the amount of information that students need to submit when completing the FAFSA.

The FSA continues to provide exceptions for asset reporting for students with low incomes, who do not need to file tax returns, or are receiving federal means tested benefits.<sup>18</sup> These students do not need to report assets to determine eligibility for federal student aid.

The FSA amendments eliminate "child support received" as a form of untaxed income but add it as an asset.<sup>19</sup> However, students who are exempted from reporting assets still do not need to report child support. Students with an AGI of up to \$60,000 will not be required to report any assets on the FAFSA. This means that a parent who has an AGI of up to \$60,000 would not be required to include child support.

The FSA does not change that extended foster care payments made to young people are not counted as income in determining a young person's SAI.<sup>20</sup> This rule remains true even if the extended care payments are made from state, rather than federal funds.<sup>21</sup>

**Potential impact on youth with experience in foster care and unaccompanied youth:** The reduction of elements considered in the SAI will make completion of the FAFSA less burdensome for young people with experience in foster care and unaccompanied homeless youth. The reduction in types of funds that are included as income or assets is likely to increase the amount of financial aid for which these young people are eligible.

**This provision is effective July 1, 2024.**

### d. **Part Time Students**

The FSA amendments retain the practice of reducing awards for less than full-time students but

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17 HEA § 480, 20 U.S.C.A. §1087vv.

18 HEA § 479, 20 U.S.C.A. §1087ss.

19 HEA § 480, 20 U.S.C.A. §1087vv.

20 "Excludable income" includes "payments made and services provided under part E of title IV of the Social Security Act [42 U.S.C. 670 et seq.]" HEA § 480, 20 U.S.C.A. §1087vv(e)(5).

21 "Note that it does not matter if all or any part of the extended foster care payments is made from State or other non-federal sources. The determinant factor is whether the payments are made under the authority of Part E of Title IV of the Social Security Act." GEN 13-18, Dear Colleague Letter, Extended Foster Care Payments (July 3, 2021), <https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2013-07-03/gen-13-18-subject-extended-foster-care-payments>.

change the methodology.<sup>22</sup> This new methodology replaces the current tiered enrollment rate.

The FSA amendments require that awards be reduced in direct proportion to the degree to which the student is not enrolled full-time, rounded to the nearest whole percentage point. For example, if full time is equivalent to 12 credits at a given IHE, a student taking 11 credits would potentially be eligible for 92% of the total maximum Pell grant award.<sup>23</sup> A student enrolled in 8 credits could potentially receive 67% of the total maximum Pell Grant award.<sup>24</sup> The FSA establishes the minimum award as 10% of the total maximum award, before reducing for a less than full-time enrollment rate.<sup>25</sup> ED will publish a schedule to reflect the new methodology.

**Potential impact on youth with experience in foster care and unaccompanied youth:** Young people with experience in foster care and unaccompanied homeless youth who may be pursuing their postsecondary programs at less than full time<sup>26</sup> may now be eligible for a higher financial aid award.

**This provision is effective July 1, 2024.**

#### e. **Year Round Students**

Prior to the FSA, qualified students may receive up to one-and-a-half scheduled Pell Grants, or up to 150% of the scheduled award, in each award year. To qualify for the additional funds, a Pell Grant-eligible student must be enrolled at least half-time in a payment period after receiving most or all of his or her scheduled award in previous payment periods during the award year—this could include enrollment in the summer term. The FSA amendments eliminate the requirement that students be enrolled at least half-time.

**Potential impact on youth with experience in foster care and unaccompanied youth:** Young people with experience in foster care and unaccompanied homeless youth who may be pursuing their postsecondary programs at less than full time may now be eligible for Pell grant funding year round.

**This provision is effective July 1, 2024.**

#### f. **Restoration of Lifetime Pell Grant Eligibility For Students Who Attended Certain Institutions that Closed or Misled Students**

Under the FSA, Federal Pell Grant lifetime eligibility of no more than 12 full time semesters of Pell Grant awards will be restored to students whose school closed while they were enrolled, as well as other circumstances where students were misled or victimized by the IHE.<sup>27</sup>

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<sup>22</sup> HEA § 401; 20 U.S.C.A. § 1070a.

<sup>23</sup> 11 divided by 12 is .91, rounded up to .92 = 92%

<sup>24</sup> 8 divided by 12 is .66, rounded up to .67=67%

<sup>25</sup> HEA § 401; 20 U.S.C.A. § 1070a.

<sup>26</sup> Do Education and Training Vouchers Make a Difference for Young Adults in Foster Care: A Study of Ten States (Urban Institute July 2022)(showing high rates of less than full time enrollment for youth with experience in foster care).

<sup>27</sup> Examples of this include IHEs like Corinthian Colleges. The DOE found this network of IHEs to have engaged in widespread and pervasive misrepresentations related to a borrower's employment prospects, guarantees they would find a job, pervasive

The FSA amendments restore Pell Grant eligibility used during the following periods:

- a period of attendance at an IHE at which the student was unable to complete a course of study due to the closure of the institution;
- a period of attendance at an IHE for which the student was falsely certified as eligible for HEA Title IV aid;
- a period for which the student received an HEA Title IV loan and such loan is discharged because the student was unable to complete a program due to the closure of the institution, because the student’s eligibility to borrow was falsely certified by the institution or was falsely certified as a result of a crime of identity theft, or because the institution failed to make a refund of loan proceeds owed to the student’s lender;
- a period for which the student received an HEA Title IV loan and such loan is discharged under the Secretary’s authority to “compromise, waive, or release any right, title, claim, lien, or demand,” under HEA Section 432(a)(6); or
- a period for which the student received an HEA Title IV loan and such loan is discharged under a borrower defense to repayment claim, including defenses provided to any applicable groups of students.

Students do not need to take any action. Lifetime Eligibility Used (LEU) restoration is an automated process within the ED’s systems. As ED implements the changes within their systems to restore appropriate Pell Grant LEU percentages to impacted students meeting the new restoration criteria, they will notify the community.<sup>28</sup>

**Potential impact on youth with experience in foster care and unaccompanied youth:** Young people with experience in foster care and unaccompanied homeless youth report being targeted by for-profit schools that have closed or programs that have engaged in the practices listed above.<sup>29</sup> These FSA provisions may aid these young people and provide a new or lengthier opportunity for financial aid to continue their education or training at reputable schools.

**This provision is effective in the 2023-24 award year.**

#### **g. Pell Grant Eligibility for Students who are Incarcerated**

The FSA eliminates the prohibition on eligibility for the Pell grant to incarcerated students. These students, however, must be enrolled in an approved “Prison Education Program”(PEP) to receive a Pell Grant.<sup>30</sup> Incarcerated students are not, however, required to be enrolled in prison education programs to receive other forms of HEA Title IV aid. PEPs must meet general HEA Title IV institutional and programmatic eligibility requirements and additional FSA-established

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misstatements to prospective students about the ability to transfer credits and falsified their public job placement rates. U.S. Department of Education Press Release (June 1, 2022), <https://www.ed.gov/news/press-releases/education-department-approves-58-billion-group-discharge-cancel-all-remaining-loans-560000-borrowers-who-attended-corinthian-colleges>

28 Dear Colleague Letter, GEN-22-15, FAFSA Simplification Act Changes for Implementation in 2023-24 (November 4, 2022), <https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2022-11-04/fafsar-simplification-act-changes-implementation-2023-24>

29 Failing U: Do State Laws Protect Veterans and Other Students from For Profit Postsecondary Predators? (Children’s Advocacy Institute 2018), [http://www.caichildlaw.org/Misc/Failing\\_U.pdf](http://www.caichildlaw.org/Misc/Failing_U.pdf)

30 HEA § 484, 20 U.S.C.A. § 1091.

requirements.<sup>31</sup> The FSA establishes a new regulatory process for PEPs meant to ensure that incarcerated students have access to credit-bearing programming that is transferable to other institutions upon release, in addition to other requirements.

PEP regulations apply to programs serving students who are serving a criminal sentence in a Federal, State, or local penal institution, prison, jail, reformatory, work farm, or other similar correctional institution. Students who are in pre-trial detention in a jail, or who are in a juvenile justice facility due to a juvenile adjudication are not required to enroll in a PEP in order to maintain Pell eligibility. For more information about how PEP regulations do and do not apply to youth impacted by the juvenile justice system, see our resource: **Youth Impacted by the Juvenile Justice System CAN Access Financial Aid.**

**Potential impact on youth with experience in foster care and unaccompanied homeless youth:** To the extent that young people with experience in foster care and unaccompanied homeless youth experience a period of incarceration, they will not lose Pell grant eligibility during that time. (This is the case for all individuals.)

**This provision took effect on July 1, 2023.**

h. **Federal Financial Aid Eligibility for students with Drug Convictions**

The FSA removes the previous limitations on eligibility for federal student aid under HEA Title IV for students with federal or state convictions for possession or sale of a controlled substance while receiving HEA Title IV student aid.

**Potential impact on youth with experience in foster care and unaccompanied youth:** Young people with experience in foster care and unaccompanied homeless youth may have prior or current involvement with the justice system. This new provision will allow those young adults who have a conviction for the possession or sale of a controlled substance while receiving aid to still have an opportunity to receive federal financial aid.

**There have never been any categorical bars on eligibility for federal financial aid based solely on past criminal convictions, and there have never been any bars on eligibility based on juvenile adjudications.**

As a point of clarification, there have never been any categorical bars on eligibility

<sup>31</sup> Pell Grants for Prison Education Programs; Determining the Amount of Federal Education Assistance Funds Received by Institutions of Higher Education (90/10); Change in Ownership and Change in Control, 87 FR 65426, <https://www.govinfo.gov/content/pkg/FR-2022-10-28/pdf/2022-23078.pdf>

for federal financial aid based solely on past criminal convictions, and there have never been any bars on eligibility based on juvenile adjudications. The now-repealed limitations based on drug convictions were only for drug convictions in criminal court (not juvenile court adjudications) that occurred while a student was receiving HEA Title IV student aid. However, confusion about those limitations has led to the proliferation of misinformation—many people incorrectly believe that prior criminal convictions, juvenile adjudications, or arrests of any kind bar students from accessing federal student aid. Thankfully, the new law removes these confusing provisions, which will hopefully lead to greater public understanding of the fact that prior criminal or juvenile justice history has no impact on a student’s eligibility for federal financial aid.

**This provision was effective in the 2021-2022 year, but the question was removed from the FAFSA for the 2023-2024 award year.** An affirmative answer to this question will not impact a student’s eligible for HEA Title IV student aid.

i. **Elimination of the Requirement for Registration for Selective Service as a Condition for Receiving Federal Financial Aid**

The FSA eliminated requiring registration for Selective Service as a condition for receiving federal financial aid.

**Potential impact on youth with experience in foster care and unaccompanied youth:** Young people with experience in foster care and unaccompanied homeless youth will not risk being ineligible for aid if they have not registered for Selective Service.

**This provision was effective in the 2021-2022 year, and was removed from the FAFSA for the 2023-2024 award year.** A negative answer to this question will not impact a student’s eligible for HEA Title IV student aid.

j. **Early Awareness Provisions**

The FSA amendments expand existing provisions related to early awareness and outreach efforts.<sup>32</sup> These provisions aim to address concerns that young people and families do not have easy access to information about federal financial aid, that the information available is not comprehensible and that youth and families have a hard time determining the amount of aid for which they may be eligible, making it hard to plan. The FSA aims to address these concerns by creating specific requirements related to targeted outreach, the development of materials and tools,

**The FSA eliminated requiring registration for Selective Service as a condition for receiving federal financial aid.**

<sup>32</sup> HEA §485E, 20 U.S.C.A. § 1092f.

and the creation of partnerships to aid with such outreach.

The FSA requires that the ED Secretary establish and implement early awareness plans to provide information about the availability of aid and estimates of prospective students' eligibility and to promote attainment of postsecondary education specifically among prospective first-generation students and families as well as low-income students and families. Plans for outreach must include sharing information with partners, including HEA Title IV-participating IHEs and middle and secondary schools eligible for funds under Title I-A of the Elementary and Secondary Education Act. Outreach should also be done with local educational agencies and middle schools and secondary schools that serve students not less than 25 percent of whom meet a measure of poverty as described in section 1113(a)(5) of the Elementary and Secondary Education Act of 1965. The plans for outreach must be available on ED's website and updated at least once every four years. On an annual basis, the ED Secretary shall report qualitative and quantitative outcomes regarding the impact of outreach plans.

To help students and families understand and estimate eligibility for financial aid, the FSA requires that ED develop tools that are consumer tested "by first-generation students and families as well as low-income students and families" and are updated every four years. ED, for example, must develop an electronic method for applicants to enter income and family size information to calculate an estimate of federal financial aid and place the electronic calculator in a prominent location on the FAFSA website.

The FSA requires the Secretary of ED to develop interagency coordination plans in order to effectively outreach to prospective students and families with the following Secretaries: Treasury, Labor, Health and Human Services, Agriculture, Housing and Urban Development, Commerce, and Veterans Affairs. Each interagency coordination plan must:

- establish a process to identify opportunities in which low income students and families could be informed of the availability of Federal financial aid through access to other Federal programs that serve low-income students and families;
- establish a process to identify methods to effectively inform low-income students and families of the availability of Federal financial aid for postsecondary education under this title;
- develop early awareness activities that align with the opportunities and methods identified above and establish goals regarding the effects of outreach activities.

The Secretary of ED must post the information about the interagency coordination plans and associated goals on ED's website and publicly report every four years on qualitative and quantitative outcomes related to the plans.

Finally, as part of outreach efforts, the ED Secretary is required to encourage states, state systems of higher education, IHEs, and other entities to carry out early awareness plans by committing to activities such as notification to students and families about the availability of federal financial aid and increasing the number of FAFSA completions. Entities making public commitments, plans and goals related to outreach can be designated as Early Awareness Champions. Champions will share case studies regarding the activities they are engaged in as part of early outreach campaigns.



**Potential impact on youth with experience in foster care and unaccompanied homeless youth:** Young people with experience in foster care and unaccompanied homeless youth are included in the populations for which targeted early outreach is required and should benefit from efforts to make them aware as early as possible about the availability of federal financial aid. In addition, the requirement for an interagency outreach plan with the Department of Health and Human Services, which oversees federal foster care and homeless youth programs, should be leveraged by advocates to ensure that targeted strategies for outreach are developed for youth with experience in foster care and unaccompanied homeless youth and that these strategies are informed by feedback directly from impacted young people. Because the charge for these outreach plans includes tying outreach related to eligibility and access to financial aid to the delivery of federal entitlements and benefits like foster care, Chafee services, and homeless youth services, these plans should create a regular and clear information base for young people and stakeholders working in these systems that has the potential to shift the culture and expectations related to postsecondary program success.

**This provision is effective in July 2024.**

## **D. Provisions That Directly Impact Youth with Experience in Foster Care and Unaccompanied Homeless Youth**

Young people may be considered independent for the purpose of the FAFSA if they were, among other things, in foster care at age 13 or older, in a legal guardianship currently or upon turning 18, if they are an unaccompanied homeless youth or an unaccompanied youth who at risk of homelessness and self-supporting according the definition in the McKinney-Vento Homeless Assistance Act.<sup>33</sup> When an individual is considered independent on the FAFSA, only their own income and assets—not a parent or guardian's—is considered in determining the SAI and the amount of aid the individual is eligible to receive. Because establishing an independent status on the FAFSA is so consequential to the amount of aid a young person receives, the changes below that aim to make the process less burdensome should result in more eligible youth being categorized as independent students.

Youth who are independent based on foster care status are youth who were in foster care at age 13 or older and: (1) are still in foster care; or (2) have aged out of foster care; (3) or left to adoption, reunification, guardianship or any other permanency plan. Some states provide foster care placements and services for youth in the juvenile justice system and therefore these young people would also be considered independent based on former foster care status. It is also important to note that a young person who was in foster care at age 13 or older does not “lose” that status if they later become involved in the juvenile or criminal justice system; this young person would still be an independent student. Youth who are independent on the basis of unaccompanied homeless youth status include unaccompanied homeless youth include young people under age 24 who are not in the physical custody of a parent or guardian and are homeless as defined by the McKinney-

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<sup>33</sup> 20 U.S.C.A §§ 1087v(d)(1)(B) & (H).

**a. Acceptable Documentation for Youth in Foster Care to Establish Independent Status**

As mentioned above, an individual is considered independent for the purpose of the FAFSA if they were in foster care at age 13 or older. Documenting this status has been a challenge for some young people due to a complicated process and lack of support for young people.

The FSA makes clear what documentation must be accepted by a financial aid administrator (FAA) to establish independent student status because the youth was in foster care at age 13 or older. If an institution does require documentation, it must accept any one of the following as documentation of former foster care status:

1. a court order or official State document that the youth was in foster care at age 13 or older;
2. a documented phone call, written statement, or verifiable electronic data match that confirms the youth was in foster care at age 13 or older from a state or tribal agency administering the foster care program, a State Medicaid agency, or a public or private foster care placing agency or foster care facility or placement;
3. a documented phone call or a written statement from an attorney, a guardian ad litem or a Court Appointed Special Advocate (CASA) that confirms that the youth was in foster care at age 13 or older and documents that person's relationship to the student or
4. verification that the youth is eligible for an education and training voucher (ETV) under the John H. Chafee Foster Care Program under 42 U.S.C. A. §677.

**Youth who are independent based on foster care status are youth who were in foster care at age 13 or older and: (1) are still in foster care; or (2) have aged out of foster care; (3) or left to adoption, reunification, guardianship or any other permanency plan. This includes youth placed in foster care through the juvenile justice system.**

<sup>34</sup> The FSA amendments explicitly align the definitions of homeless youth and unaccompanied homeless youth with the McKinney-Vento Homeless Assistance Act. Homeless children and youth are individuals who “lack a fixed, regular, and adequate nighttime residence” and includes: (1) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals; (2) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings...; (3) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (4) migratory children...who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in (1)-(3). 42 U.S.C. §11434a (2).

The determination of independence based on former foster care status must be made when acceptable proof is provided - it is not a matter of FAA discretion. In addition, the FSA establishes that a prior determination of independence from the same school is presumed to apply to subsequent years unless the student informs the institution that circumstances have changed, or the institution has specific conflicting information about the student's independence, and has informed the student of this information. An IHE may also use a determination made by another IHE.

**Potential impact on youth with experience in foster care:** Young people with experience in foster care should find it is easier to be classified as an independent student based on foster care status because the FSA requires the FAA to accept any of the above listed documents as proof, and removes discretion, which often led to requests for more information. The list of allowable verification documents provides young people an array of options and should reduce barriers to providing verification. In addition, the ability to use determinations from prior years and/or prior schools will streamline the process.

**This provision is effective now.**

#### **b. Acceptable Documentation for Unaccompanied Homeless Youth to Establish Independent Status**

As with documenting former foster care status, unaccompanied homeless youth have confronted challenges providing proof of their status due to limited options in what was considered acceptable proof and a level of discretion that often resulted in the demand for additional documentation. The FSA aims to address this challenge by expanding the list of who can provide proof, providing direction to the FAA that they must accept the proof provided by these students and entities, and requiring the FAA to make a determination if the youth is not able to provide independent documentation.

The FSA increased the array of service providers and educators who can verify the status of an unaccompanied homeless youth so that they can be considered independent for the purposes of the FAFSA. The following are now able to provide verification through a documented phone call, written statement, or verifiable electronic data match:

1. school district homeless liaisons or their designee;
2. the director or a designee of a director of an emergency or transitional shelter, street outreach program, homeless youth drop-in center, or other program serving students who are experiencing homelessness;
3. the director or a designee of a director of a program funded under a TRIO or Gaining Early Awareness and Readiness for an Undergraduate program ("GEAR UP") grant; or
4. a financial aid administrator at the current institution or at another institution who previously made a determination that the youth was an unaccompanied homeless youth.

FAAs must consider and accept the documentation listed above to verify a young person's status unless the IHE has "specific conflicting information about the student's independence and has informed the student of this information."<sup>35</sup> This is a determination that must be made when acceptable proof is provided and is not a matter of FAA discretion. As with the independence determination based on foster care status, an IHE must presume a youth to be independent as an unaccompanied homeless youth for subsequent years absent conflicting information.

The FSA also requires FAAs to make a determination when a youth is requesting independent student status as an unaccompanied homeless young person if they cannot get verification from the listed entities. This may occur in cases where a young person became homeless after leaving high school or is not connected with service providers. The FAA's determination must be based on a written statement from, or a documented interview with, a student that confirms that a student is an unaccompanied homeless youth or unaccompanied, at risk or homelessness, and self-supporting. The determination must be made based on the legal definitions contained in the McKinney-Vento Homeless Assistance Act, and independently from the reasons that the student is an unaccompanied homeless youth, or is a youth who is unaccompanied, at risk of homelessness, and self-supporting. As with the foster care determination, FAAs may use a determination from prior years from another IHE.<sup>36</sup>

**Potential impact on homeless unaccompanied youth:** Unaccompanied homeless youth should find it is easier to be classified as an independent student because of the expansion of entities who can provide proof and the direction to the FAA to accept proof or make a determination based on an interview if proof is not available. In addition, the ability to use determinations from prior years will streamline the process.

**This provision is effective now.**

### c. **Unaccompanied Homeless and Foster Care Status Does not Need to be Redetermined Each Year**

Under the FSA, any student who is determined to be an unaccompanied homeless youth, or a former foster youth, for a preceding award year is presumed to be independent for each subsequent year at the same institution. This is the case unless the student informs the institution that circumstances have changed, or the institution has specific conflicting information about the student's status, and has informed the student of this information.

**Impact on youth with experience in foster care and unaccompanied homeless youth:** The ability to use the determination of independence based on foster care or unaccompanied homeless status for multiple years will greatly streamline the FAFSA completion process for young people and reduce FAA workload.

**This provision is currently effective.** Unaccompanied homeless youth and foster

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<sup>35</sup> HEA §479D, 20 U.S.C.A. §1087uu-2(d)(1)(B).

<sup>36</sup> As mentioned below, if the student was continuing at the same IHE, the previous determination should be carried forward unless the student informs the institution that circumstances have changed, or the institution has specific conflicting information about the student's status, and has informed the student of this information.

youth who are reapplying for financial aid and have a homeless or foster flag on their 2022-23 FAFSA form will have their answers to these questions carried over and pre-populated into their 2023-24 FAFSA form. Youth must re-affirm that their previous responses to the questions are correct prior to submission, but do not need to submit any additional information.<sup>37</sup>

#### **d. Improving the Timing of the Determination of Unaccompanied Homeless Youth and Foster Care Status.**

Many young people have reported delays in FAAs making determinations related to foster care and unaccompanied homeless status. These delays often resulted in young people either not completing the FAFSA at all, not completing it in a timely manner, or not being able to accurately predict the amount of financial aid for which they were eligible. The ultimate result of these delays was frequently not enrolling in an educational or training program at all or taking out costly loans. The FSA addresses these challenges by requiring that a determination of independence based on foster care or unaccompanied homeless status shall be made “as quickly as practicable” and not later than during the award year for which the student initially submits an application. A determination may be made as early as the year before the award year or in which the student submits the application.

In addition, if a student is found to be independent for the preceding award year at the institution they attend, they must be presumed independent for each subsequent year at that institution unless “the student informs the institution that circumstances have changed” or “the institution has specific conflicting information about the student's independent, and has informed the student of this information.”<sup>38</sup>

Guidance issued in November of 2022 provided the following additional direction related to the timing of a determination of independence for unaccompanied homeless youth or at-risk homeless youth, foster care youth, orphans, wards of the court, and students with unusual circumstances:

- Renewal applicants with an eligible homeless youth, foster care youth, orphan, ward of the court, emancipated minor, or legal guardianship flag on their 2022-23 FAFSA form will have their answers to these questions carried over and pre-populated into their 2023-24 FAFSA form. Other answers to dependency questions (e.g., age, dependent children, veteran status) continue to carry over to the 2023-24 FAFSA form.
- Renewal applicants must still affirm that their previous answers to the dependency questions are correct and applicable prior to submitting their FAFSA form.<sup>39</sup>

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37 GEN-22-15, Dear Colleague Letter, FAFSA® Simplification Act Changes for Implementation in 2023-24 (November 2, 2022), <https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2022-11-04/fafsar-simplification-act-changes-implementation-2023-24>. Hereinafter “FAFSA Simplification Act Changes for Implementation in 2023-24.”

38 HEA §479D, 20 U.S.C.A. § 1087uu-2(d)(1)(B).

39 Gen -22-15, FAFSA Simplification Act Changes for Implementation in 2023-24, November 4, 2022, <https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2022-11-03/fafsar-simplification-act-changes-implementation-2023-24>

**Impact on youth with experience in foster care and unaccompanied homeless youth:** These changes should provide a more regular and timely pace for receiving determinations of independence so that students can know with certainty the aid they will be receiving and plan for the year.

#### e. **Simplification of the FAFSA Question Related to Homelessness**

The FSA requires ED to develop a single question on the FAFSA related to unaccompanied homeless status. The question must be an “easily understood screening question” to identify an applicant who is an unaccompanied homeless youth, or unaccompanied, at risk of homelessness, and self-supporting.<sup>40</sup> The question also must be “distinct from those relating to an individual who does not have access to parental income due to an unusual circumstance.”<sup>41</sup>

**Impact on unaccompanied homeless youth:** This simplified question should result in young people who are unaccompanied and homeless being more accurately identified.

**This provision will be effective in the 2024-25 award year.**

#### f. **Unusual Circumstances, Dependency Overrides & Provisional Independent Student Status**

The FSA provides new guidelines about dependency overrides and unusual circumstances, and introduces a new process through which a student can submit the FAFSA without parental information as a “provisional independent student.”<sup>42</sup>

Students ages 18-24 have to provide parental information on the FAFSA, unless they fall into one of the enumerated categories of “independent students,” including students who were in foster care at age 13 or older, unaccompanied homeless youth or an unaccompanied youth who at risk of homelessness and self-supporting.<sup>43</sup> But some students who fall outside of those categories might still be unable to provide parental information, especially students who are involved in the child welfare and juvenile justice systems. For example, youth in “hidden foster care” who were removed from their families of origin by a child welfare agency but never formally placed in foster care might not be able to demonstrate eligibility for independent student status as a “foster youth” due to lack of official documentation, but could request a dependency override.

Dependency overrides allow financial aid officers to make case by case determinations based on their professional judgment about whether a student should be considered independent. In order for a student to qualify for such an override, the officer must determine that the student is experiencing “unusual circumstances.”<sup>44</sup>

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40 HEA § 483, 20 U.S.C.A. § 1090 (a)(2)(B)(v).

41 HEA § 483, 20 U.S.C.A. § 1090 (a)(2)(B)(v).

42 HEA §479A, 20 U.S.C.A. § 1087tt.

43 HEA §480, 20 U.S.C.A. § 1087vv(d)(1)(A)-(H). This list provides separate bases for being an independent student, however, some may overlap based on the student’s circumstances.

44 Dependency overrides for unusual circumstances are sometimes referred to as professional judgment determinations

### *Unusual Circumstances*

The FSA creates a new definition of “unusual circumstances,” which are now defined as circumstances in which students cannot contact their parents or it would be unsafe to do so. Instances of the above involving human trafficking, legally granted refugee or asylum status, parental abandonment or estrangement and student or parental incarceration must be considered as unusual circumstances.<sup>45</sup> Other circumstances in which students cannot contact their parents or it would be unsafe to do so can also qualify as unusual circumstances.

### *Dependency Overrides*

The FSA requires colleges to adopt new rules regarding granting dependency overrides for unusual circumstances. All higher education institutions must have policies and processes for granting dependency overrides that they can share with students. These policies should include guidelines for requesting a dependency override on the basis of parental abandonment or estrangement, human trafficking, experiences with the refugee/asylee process, and student and parental incarceration, and for considering requests based on other unusual circumstances in which a student cannot contact a parent or it would be unsafe for them to do so. Institutions cannot maintain a policy of denying all requests, but must consider them on a case by case basis. All institutions must publicize that students may request dependency overrides. Institutions must make decisions about whether or not to grant a requested dependency override as soon as possible, but no later than 60 days after a student enrolls.<sup>46</sup>

The FSA provides additional guidance about types of documentation financial aid administrators can accept to support a student’s request for a dependency override. Documentation can include, but is not limited to:

- A documented interview between the student and financial aid administrator;
- Submission of a court order or Federal or State documentation showing that the student’s parents or legal guardians are incarcerated in any Federal or State penal institution;
- A documented phone call or written statement confirming the unusual circumstances with a child welfare agency, Tribal welfare authority or agency, an independent living case worker, or a public or private agency, facility, or program serving victims of abuse, neglect, assault, or violence;
- A documented phone call or written statement from a supportive adult, such as an attorney, guardian ad litem, court-appointed special advocate (CASA), TRIO or Gear UP program representative, teacher, counselor, medical authority, or clergy member;
- Documents such as utility bills or health insurance documents that show a separation from parents or legal guardians; and/or
- Other documentation that the financial aid administrator determines to be adequate.<sup>47</sup>

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or as special circumstances. However, these terms are not interchangeable. Professional judgment refers to all potential situations in which a financial aid administrator might exercise their professional judgment. Special circumstances refers to situations in which updated financial information might require an aid administrator to adjust a student’s cost of attendance or student aid index. This resource covers the specific rules applicable to situations in which a student, due to unusual circumstances, needs a financial aid administrator to adjust their dependency status.

45 HEA §480, 20 U.S.C.A. § 1087vv (d)(9).

46 HEA § 479A; 20 U.S.C.A. § 1087tt(c); FAFSA Simplification Act Changes for Implementation in 2023-24.

47 HEA § 479A; 20 U.S.C.A. § 1087tt(a)(3).

After a student is granted a dependency override, the FSA allows students to rely on the original dependency override in subsequent years at the same institution; students will no longer be required to re-submit documentation of their unusual circumstances every time they renew their FAFSA at the same institution.<sup>48</sup> If students transfer to a new institution, the new school can, but is not required to, rely on the prior institution’s determination of a dependency override.<sup>49</sup>

### *Provisional Independent Student Status*

Beginning in 2024-2025, students will be able to submit the FAFSA without parental information as a “provisional independent student.” Under prior rules, students who filled out the FAFSA without providing parental information could not receive information about their potential aid eligibility until the financial aid office processed their request for a dependency override. Applications submitted without parental information were also considered incomplete, which could jeopardize students’ ability to meet deadlines for other state or institutional aid. Students could not complete their FAFSA unless they reached out to a financial aid administrator.

Under the new rules, students can submit the FAFSA without parental information as a “provisional independent.”<sup>50</sup> Their applications will be considered fully processed for the purposes of receiving their Student Aid Index (SAI) and meeting financial aid deadlines. After the FAFSA is submitted, the financial aid administrators at the schools to which they sent their FAFSA will be required to proactively contact students and provide them information about the process to receive a dependency override.<sup>51</sup>

**Impact on youth with experience in foster care and unaccompanied homeless youth:** These changes should allow young people who are not in formal foster care, but are or have experienced challenges similar to those in foster care an avenue to complete the FAFSA without parental information and secure independent student status. Beginning in the 2024-2025 award year, students will be able to submit the FAFSA without parental information as a “provisional independent student.”<sup>52</sup>

**Changes to the definition of unusual circumstances and related documentation requirements are effective for the 2023-2024 award year.**

## **g. Special Circumstances**

When a student experiences changes to their financial situation, for instance, loss of employment, sudden increases in cost of living, unanticipated costs of supporting a dependent, or other such changes, they can request that a financial aid administrator use their professional judgment to adjust their COA or SAI calculation due to “special circumstances.” These determinations must be made on a case by case basis and substantiated with supporting documentation.<sup>53</sup>

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48 HEA § 479A; 20 U.S.C.A. § 1087tt(c)(2)(B)(iv).

49 FAFSA Simplification Act Changes for Implementation in 2023-24.

50 HEA § 479A; 20 U.S.C.A. § 1087tt(c)(2)(A).

51 HEA § 479A; 20 U.S.C.A. § 1087tt(c)(2)(B)(i).

52 HEA § 479A; 20 U.S.C.A. § 1087tt(c)(2)(A).

53 HEA § 479A; 20 U.S.C.A. § 1087tt(a)(1).



The FSA requires that institutions develop policies and processes for requesting adjustments based on special circumstances, and must publicize the process. Institutions cannot maintain a policy of denying all requests.<sup>54</sup> Documentation to substantiate special circumstances can include, but is not limited to, a documented interview between a student and financial aid administrator or supplementary information about the financial status or personal circumstances of the applicant.<sup>55</sup>

**Impact on youth with experience in foster care and unaccompanied homeless youth:**

Youth with prior child welfare experience and youth who are experiencing homelessness are particularly vulnerable to changes in finances, as they may not have a cushion of savings or other relative support to fall back on. Clarifying the special circumstances rules will help students access the financial resources necessary to respond to unanticipated or emergency situations.

**These changes are effective for the 2023-2024 aid year.**

## **h. The Treatment and Impact of Payments and Educational Assistance Related to Foster Care (Title IV-E, Chafee and Education and Training Vouchers)**

Once a student is determined to be independent, only their income and assets are counted to determine SAI. There are a few changes that may impact a young person's SAI and the determination of the student's financial need.

As noted above, the FSA continues to provide exceptions for asset reporting for students with low incomes, who do not need to file tax returns, or are receiving federal means tested benefits.<sup>56</sup> These students do not need to report assets to determine eligibility for federal student aid.

The FSA does not change that extended foster care payments made to young people are not counted as income in determining a young person's SAI.<sup>57</sup> The FSA does clarify that payments made under Title IV-E of the Social Security Act are not treated as "other financial assistance" for the purpose of determining a student's amount of need:

payments made and services provided under Part E of Title IV of the Social Security Act to or on behalf of any child or youth over whom the State agency has responsibility for placement, care, or supervision, including the value of vouchers for education and training and amounts expended for room and board for youth who are not in foster care but are receiving services under section 477 of such Act, shall not be treated as other financial assistance for purposes of section 1087kk(a)(3) of this title<sup>58</sup>

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54 HEA § 479A; 20 U.S.C.A. § 1087tt(a)(2)(A).

55 HEA § 479A; 20 U.S.C.A. § 1087tt(a)(3).

56 HEA § 479, 20 U.S.C.A. § 1087ss.

57 Note that foster care payments are no longer specifically excluded from income. Rather, income is defined as income that is reportable on tax returns unless specified in the FSA as reportable untaxed income and benefits See 20 U.S.C.A. § 1087vv(a) & (b).

58 20 U.S.C.A. § 1087vv(i)(4).

Payments made pursuant to Title IV-E of the Social Security Act include: extended foster care payments,<sup>59</sup> funds provided under the Chafee Foster Care Program for Successful Transition to Adulthood (Chafee Program)<sup>60</sup> to current or former foster youth and Chafee Education and Training Vouchers (ETV).<sup>61</sup> While this clarification is a new element of the law, existing law states the following related to the treatment of ETV:

The amount of a voucher under this section may be disregarded for purposes of determining the recipient’s eligibility for, or the amount of, any other Federal or Federally supported assistance, except that the total amount of educational assistance to a youth under this section and under other Federal and Federally supported programs shall not exceed the total cost of attendance, as defined in section 1087ll of title 20, and except that the State agency shall take appropriate steps to prevent duplication of benefits under this and other Federal or Federally supported programs.<sup>62</sup>

**Potential impact on youth with experience in foster care and unaccompanied youth:**

These changes and clarifications should result in young people with experience in foster care being in a better position to maximize federal financial aid and allow federal IV-E foster care, Chafee, and ETV funds to complement federal financial aid in a way that should better support students.

**This provision is effective July 1, 2024.**

**i. The Treatment of Emergency Financial Assistance**

Pursuant to the FSA, financial assistance provided to students for unexpected expenses that are a component of the student’s COA, are not considered “other financial assistance” for the purposes of calculating need.<sup>63</sup>

ED has provided the following examples of emergency financial assistance: “unexpected expense for food; housing; course materials or equipment; or transportation (e.g., between campus and home for a death or family emergency).”<sup>64</sup> Students may receive funds that constitute emergency financial assistance from an array of sources, which could include, but are not limited to, campus basic needs centers and other community based organizations.

**Potential impact on youth with experience in foster care and unaccompanied youth:**

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59 42 U.S.C.A. § 675 (8)(B).

60 42 U.S.C.A. § 677 (a)-(b).

61 42 U.S.C.A. § 677 (i).

62 2 U.S.C.A. § 677 (i)(5).

63 “[e]mergency financial assistance provided to the student for unexpected expenses that are a component of the student’s cost of attendance, and not otherwise considered when the determination of the student’s need is made, shall not be treated as other financial assistance for purposes of section 1087kk(a)(3) of this title.”

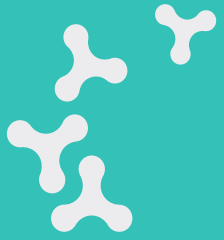
20 U.S.C.A. §1087vv(i)(5).

64 FAFSA Simplification Act Questions and Answers, OFA-Q 5, last modified September 6, 2023, <https://www2.ed.gov/policy/highered/reg/hearulemaking/2009/fafsa-q-and-a.html>

Young people with experience in foster care and homelessness often struggle to make ends meet and may not have people in their lives who can provide them resources and support when an emergency arises. This change in the law should result in all young people, including those with experience in foster care and homeless, being able to receive emergency assistance when needed without fear that it will negatively impact their financial aid package.

**This provision is effective July 1, 2024.**

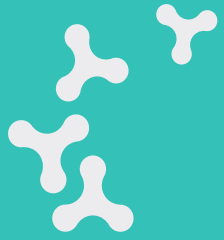
# IV. CONCLUSION



Access to financial aid to assist in reaching post-secondary educational goals is a critical support to ensure that young people with prior child welfare experience, youth experiencing homelessness, and youth impacted by the juvenile justice system have the opportunity to thrive in adulthood. The rules and regulations governing that access can be challenging to navigate, but the FAFSA Simplification Act includes numerous changes that, if implemented appropriately, will enable more young people to access federal aid to make their higher education dreams a reality.

If you have questions about this guide, please reach out to [info@ylc.org](mailto:info@ylc.org) for support.

# V. ADDITIONAL RESOURCES



1. **FAFSA Simplification Act Changes for Implementation in the 2023-2024 Award Year**, Education Department Notice, November 4, 2022, 87 FR 66683, <https://www.federalregister.gov/documents/2022/11/04/2022-24045/fafsa-simplification-act-changes-for-implementation-in-the-2023-2024-award-year>
2. **Gen -22-15, Dear Colleague Letter, FAFSA Simplification Act Changes for Implementation in 2023-24**, November 4, 2022, <https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2022-11-03/fafsa-simplification-act-changes-implementation-2023-24>
3. **The FAFSA Simplification Act: Youth Experiencing Homelessness and Youth with Experience in Foster Care** (SchoolHouse Connection November 16, 2022), <https://schoolhouseconnection.org/wp-content/uploads/2022/11/FAFSA-Simplification-Two-Page.pdf>
4. Congressional Research Services, **The FAFSA Simplification Act** (August 4, 2022), <https://crsreports.congress.gov/product/pdf/R/R46909>
5. **Understanding Recent Federal Guidance on Dependency Overrides** (Youth Law Center March 2023), <https://www.ylc.org/wp-content/uploads/2023/03/Unusual-Circumstances-Override-1.pdf>



For more information about this tool, please contact [info@ylc.org](mailto:info@ylc.org)

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