

# ■Eastern Gateway Community College

2022-2023

## *Dependency Override Policy*

### POLICY

Section 480(d) of the Higher Education Act of 1965, as amended (HEA), defines an independent student as someone who fits into one or more of the following categories. You are automatically independent for federal student aid if you meet one of the following criteria:

1. if you were born before January 1, 1999,
2. As of today, if you are married,
3. if you are currently serving on active duty in the U.S. Armed Forces for purposes other than training,
4. if you are a veteran of the U.S. Armed Forces,
5. if you are an emancipated minor **as determined by a court** in your state of legal residence,
6. if you will be working on a master's or doctorate program at the beginning of the 2022-2023 school year (such as an MA, MBA, MD, JD, PhD, EdD, or graduate certificate, etc),
7. if you have children who will receive more than half of their support from you between July 1, 2022, and June 30, 2023,
8. if you have dependents (other than your children or spouse) who live with you and who receive more than half of their support from you, now and through June 30, 2023,
9. if when you were age 13 or older, both your parents were deceased, you were in foster care or you were a dependent/ward of the court,
10. if you are in legal guardianship as determined by a court in your state of legal residence,
11. if at any time on or after July 1, 2021, your high school or school district homeless liaison determined that you were an unaccompanied youth who was homeless,
12. if at any time on or after July 1, 2021, the director of an emergency shelter program funded by the U.S. Department of Housing and Urban Development determined that you were an unaccompanied youth who was homeless,
13. if at any time on or after July 1, 2021, the director of a runaway or homeless youth basic center or transitional living program determined that you were an unaccompanied youth who was homeless or were self-supporting and at risk of being homeless.

Under Section 480 (d) (7) of the Higher Education Act of 1965, as amended, an individual who does not automatically qualify as an independent FAFSA applicant may be classified as independent if (s)he... “is a student for whom a financial aid administrator makes a documented determination of independence by reason of unusual circumstances”. Such a determination is referred to as a dependency override.

When a dependency override is approved for a FAFSA applicant, a financial contribution from the student’s parent(s) is neither expected nor included as part of the federal financial aid eligibility calculation.

The Higher Education Act, a federal statute, allows an aid administrator to make dependency overrides on a case-by-case basis for students with unusual circumstances. The Department of Education (DOE) has issued interpretive guidance to assist financial aid administrators in making consistent, prudent and reasonable dependency override decisions.

Therefore, in accordance with DOE guidance, a dependency override **cannot** be approved for an otherwise dependent FAFSA applicant at Eastern Gateway Community College, if the following conditions (singly or in combination with each other) are the only circumstances cited by the applicant:

- 1) The student demonstrates total self-sufficiency or they do not reside with their parents;
- 2) Parents refuse to contribute to the student's education;
- 3) Parents are unwilling to provide information on the FAFSA or for verification;
- 4) Parents do not claim the student as a dependent for income tax purposes.
- 5) Student was married AFTER they applied for financial aid
- 6) Student does not want their parents' assistance to pay for college.

On the other hand, a dependency override generally **can** be approved for an otherwise dependent FAFSA applicant if **one or more** of the following conditions are cited (and documented) by the applicant:

- 1) An abusive (emotionally or physically), unhealthy, or unsafe family environment,
- 2) Abandonment of the student by the parent(s),
- 3) Incarceration of the custodial parent(s),
- 4) Removal or relocation of the student from the parent(s)' residence by court order, and/or
- 5) Other unusual or extraordinary circumstances, events, or incidents, particularly ones related to any of the seven automatic conditions for independency listed on the FAFSA. An answer of 'yes' to any one of these items, in accordance with federal statute, is sufficient to define an applicant as independent.

**STUDENT PROCEDURES:** If you are a dependent student by the federal definition, but you believe that unusual circumstances are present that establish you as "independent" you can request a review of your situation by the Financial Aid Office. The following procedure is required:

- A. You must provide the Financial Aid Office, in writing, a full explanation of your unusual circumstances. This letter must provide all relevant information about your claim, including dates and court documentation (if applicable).
- B. You must secure written documentation from TWO objective third parties/agencies (clergy member, attorney, counselor, medical doctor, officer of the court, law enforcement officer, mental health professional) on their professional letterhead confirming the specifics as described by you in (A). This documentation must be in writing, on the appropriate letterhead, and must be signed.
- C. You are responsible for providing full written documentation, as stated in A and B above, to the Financial Aid Office.
- D. You must complete the Dependency Override Appeal Form and all required steps included on the form.

**Instructions for Third Party References:**

Third party documentation must be on a SEPARATE sheet of official letterhead. Please include any information of which you have first-hand knowledge and that you feel best describes the student's situation. The following is a list of information that MUST be included in your letter:

- How long have you known the student?
- Your relationship to the student.
- When was the last time the student lived with and/or received financial support from his/her parents?
- Any knowledge of his/her relationship with their parents.
- The steps that the student has taken to establish independence from his/her parents.

Please make sure to include your professional title, name and type of business, business address, telephone number, and where to contact you should any additional information be required.

***Important Note:***

Dependency overrides are only in effect for the academic year for which student has made application. For example, an override approved for 21-22 does not carry forward automatically to 22-23.

Approval of a Dependency Override is not guaranteed and at the discretion of the Financial Aid Administrator and cannot be appealed.

Form: Dependency Override Appeal Form