THE NEW YORK SEMINARY

PROFESSIONAL JUDGMENT PROCEDURES

When determining a student's eligibility for Title IV aid, there are unique situations where the financial aid administrator (FAA) may use professional judgment (PJ) to modify data used to calculate the Student Aid Index (SAI), adjust a student's (Cost of Attendance) Cost of Attendance (COA), and perform dependency overrides. Students may pursue a PJ adjustment based on the categories of special circumstances and unusual circumstances, as described below.

Special Circumstances

Special circumstances refers to financial situations that justify the FAA adjusting data elements in the COA or SAI calculation.

Examples of special circumstances that may be considered include:

- Change in employment status, income, or assets;
- Change in housing status (e.g., homelessness);
- Tuition expenses at an elementary, secondary school, or college;
- Medical, dental, or nursing home expenses not covered by insurance;
- Child or dependent care expenses;
- Severe disability of the student or other member of the student's household; and
- Other changes or adjustments that impact the student's costs or ability to pay for college.

To begin the PJ process for special circumstances, the student and/or their parent must submit documentation of any additional expenses, and/or information regarding these expenses. Documentation can include a documented interview between the student and the FAA and supplementary information, as necessary, about the student's financial status or personal circumstances relating to the special circumstances for which the student is requesting an adjustment. Once the documentation has been received and reviewed, the FAA will determine whether the circumstances are acceptable and the supporting materials sufficient.

If approved, the FAA may adjust one or more data elements used to calculate the student's SAI. This adjustment will be submitted to the FAFSA Processing System (FPS) using the SAI Adjustment Request for the PJ field. A new SAI is then calculated for the student, and the student's award is recalculated based on the new SAI. Alternatively, the FAA may choose to adjust the student's cost of attendance. The ISIR based on the PJ correction must be received while the student is still enrolled.

Professional Judgment During a Disaster, Emergency, or Economic Downturn

During a qualifying emergency, an FAA can:

- Determine that applicant's income from work is zero if they provide proof of unemployment benefits or confirmation that an application was submitted; and
- Make additional appropriate adjustments to a student's, parent's, or spouse's, as applicable, reported income based on their overall financial situation, including unemployment benefits.

Applicants should submit proof of unemployment dated within 90 days of when it was issued. However, the institution may choose to accept documentation older than 90 days under the institution's general professional judgment authority, if they do not have reason to believe there is conflicting information.

Unusual Circumstances

Unusual circumstances refers to conditions that justify an FAA making an adjustment to a student's dependency status based on a unique situation, more commonly referred to as a dependency override. Unusual circumstances may include, but are not limited to, human trafficking, refugee or asylee status, parental abandonment or estrangement, or incarceration of the student or parent, as defined in the regulations.

When a student indicates on their FAFSA form that they have an unusual circumstance, the FAFSA Processing System (FPS) processes their application as provisionally independent, allowing them to complete the application without parental information. They will also receive an estimate of their federal student aid eligibility, pending the school's determination of the student's independent status.

The student must then provide supporting documentation of the unusual circumstances to the institution. Acceptable documentation may include:

- A documented interview between the student and the FAA;
- Submission of a court order or official Federal or State documentation that the students' parents or legal guardian are incarcerated;
- A documented phone call or written statement from an attorney, a guardian ad litem, a court-appointed special advocate (or similar), or a representative of a TRIO or GEAR UP program that confirms the circumstances and the person's relationship to the student;
- A documented determination of independence made by an FAA at another institution in the same or a prior award year; or
- Utility bills, health insurance, or other documents that demonstrate a separation from parents or legal guardians.

Acceptable documentation may also include 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;
- A public or private agency, facility, or program servicing the victims of abuse, neglect, assault, or violence; or
- A member of the clergy with direct knowledge of the situation.

The institution will review all requests for a determination of independence as soon as practicable, but no later than 60 days after the student enrolls. If the request is made later in the term, the institution will review it as quickly as possible, but no later than 60 days after the student submits the request and required documentation. The FAA will then make a final determination regarding the student's independent status.

A student who has obtained an adjustment for unusual circumstances and a final determination of independence will be presumed to be independent for each subsequent award year at the same institution. This remains the case unless the student informs the institution that their circumstances have changed or the institution has conflicting information about the student's independence.

Additional Information

Requests for a PJ adjustment will be reviewed after the student's initial eligibility has been determined and any conflicting information has been resolved.

If the student was selected for verification, verification will be completed first. The institution may complete verification and make a PJ adjustment in the same transaction. Information that will be entirely removed due to PJ is not required to be verified.

A student may have both a special circumstance and an unusual circumstance. Financial aid administrators may make adjustments that are appropriate to each student's situation with appropriate documentation.

All PJ decisions - whether approved or denied - will be thoroughly documented. Each decision is made on a case-by-case basis, and all determinations are final.