



Professional Judgment Policy

A Professional Judgment process stems from when the Free Application for Federal Student Aid (FAFSA) does not provide applicants to clarify a particular circumstance that affects their capability to pay for their higher education. Federal guidelines give a financial aid administrator discretion or professional judgment on a case-by-case basis and adequate documentation to adjust the data elements previously reported on the Free Application for Federal Student Aid (FAFSA). *Some examples of unusual situations or circumstances that financial aid administrators can complete a professional judgment are when modifying data used to calculate a new Expected Family Contribution (EFC), dependency overrides, resolving conflicting information, reporting cases of fraud, and/or determining a student to be an unaccompanied homeless youth.

The legislative 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 authority to adjust data elements of the FAFSA 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. On January 29, 2021, in GEN 21-02*, the notice reminded financial aid administrators of their ability to exercise documented professional judgment when determining students' eligibility for federal student aid. It encourages aid administrators to consider the special circumstances that may arise for students and families during the ongoing COVID-19 pandemic, especially related to unemployment or reduction in work hours.

Furthermore, Section 479A includes language that is interpreted as prohibiting the U.S. Department of Education from guiding financial aid administrators on the use of professional judgment. Doing that would limit the authority of the financial aid administrator to adjust, and the Higher Education Act explicitly excludes that. The decision of the financial aid administrator is final. There is no appeal. By law, neither the school's president nor the U.S. Department of Education can override the financial aid administrator's decision.

A student may request for a Professional Judgment by supplying following documents:

- (1) Reason for request - a statement explaining the student is requesting a professional judgment.
- (2) Provide two letters from two different people who live in separate homes, which can attest to the situation of the student. In addition, they must explain why they feel that the

student's appeal should be approved (Preferred, one letter to be notarized, but not required).

(3) Provide supporting documentation (due to loss of income).

The College has a Professional Judgment Form for this kind of request. Once the student provides the information requested, then it will be up to the Office of Financial Aid to make the decision to approve or deny the professional judgment request.

Note: A Professional Judgment decision is made by the financial aid administrator and is examined during program reviews. Therefore, misuse of the discretion given to financial aid administrators can cause the college being held liable to repay funds awarded because of inappropriate adjustments or changes made to the student's FAFSA®.

*Source for Professional Judgement & Legislative Authority can be found here: <https://finaid.org/educators/pj/>

*Source for Professional Judgement can be found here:
<https://studentaid.gov/help-center/answers/article/what-is-professional-judgment>

* Source for GEN-21-02 can be found here:
<https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2021-01-29/update-use-professional-judgment-financial-aid-administrators-updated-aug-16-2021>

2 of 2