

Direct Loans Professional Judgement Policy

Special and Unusual Circumstances

Professional Judgement

The Federal regulations governing the administration and disbursement of U.S. Federal Loans determine the majority of the decisions that the Financial Aid Administrators (FAAs) at Goldsmiths, University of London make. However, in certain circumstances, the College may exercise discretion under Professional Judgement (PJ). The FAFSA Simplification Act distinguishes between different categories of PJ by amending section 479A of the HEA:

- **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 SAI calculation.
- **Unusual Circumstances** refer to the conditions that justify an aid administrator making an adjustment to a student's dependency status based on a unique situation (e.g., human trafficking, refugee or asylee status, parental abuse or abandonment, incarceration), more commonly referred to as a dependency override.

Therefore, we may be able to consider a student's special or unusual circumstances to make reasonable adjustments to their calculated financial aid.

Students may pursue an adjustment based on special or unusual circumstances and Goldsmiths will consider, make, and document all such PJ requests on a case-by-case basis without regard to how broadly an event may affect its student population.

Please note a student has no appeal rights.

Special circumstances

An FAA may use PJ on a case-by-case basis to adjust the student's cost of attendance or the data used to calculate the SAI. This adjustment is valid only at the school making the change.

The law gives some examples of special circumstances that MAY be considered (HEA Sec. 479A):

- Change in employment status, income, or assets

- Change in housing status (e.g., homelessness)
- Tuition expenses at an elementary or secondary school
- 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
- Other changes or adjustments that impact the student's costs or ability to pay for college.

In the event the special circumstance pertains to disability, the FAA will liaise with the College's Disability Team, who in turn will inform the FAA on decisions about reasonable adjustments and costs not covered by College or other agency funds. The FAA cannot approve a special circumstance request if the disability expense is covered by another agency.

Unusual Circumstances

Unusual circumstances refer to the conditions that justify the FAA at Goldsmiths making an adjustment to a student's dependency status based on a unique situation, more commonly referred to as a 'Dependency Override'.

They can determine that a student who does not meet any of the basic independence criteria should still be treated as an independent student.

Unusual circumstances do include (but are not limited to):

- Human trafficking, as described in the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);
- Legally granted refugee or asylum status;
- Parental abandonment or estrangement; or
- Student or parental incarceration.

Unusual circumstances do not include:

- Parents refuse to contribute to the student's education.
- Parents will not provide information for the FAFSA or verification.
- Parents do not claim the student as a dependent for income tax purposes.
- Student demonstrates total self-sufficiency.

Requests for PJ must be made in writing to financialaid@gold.ac.uk. Once received the request will be reviewed within 5 working days. Where additional documentation is requested it may take longer to provide an outcome.

Documentation

Documentation may include (but is not limited to) the following:

- a documented interview between the student and the financial aid administrator;
- submission of a court order or official federal or state documentation that the student or student's parents or legal guardians are incarcerated;
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- a documented phone call or written statement, which confirms the unusual circumstances with: a documented phone call or written statement from an attorney, guardian ad litem, a court-appointed special advocate (or similar), or a representative of a TRIO or GEAR UP program which confirms the circumstances and the person's relationship to the student;
 - a state, county or tribal welfare agency;
 - an independent living case worker who supports current and former foster youth with the transition to adulthood; or
 - a public or private agency, facility, or program servicing the victims of abuse, neglect, assault, or violence.
- a documented phone call or written statement from an attorney, guardian ad litem, a court-appointed special advocate (or similar), or a representative of a TRIO or GEAR UP program which confirms the circumstances and the person's relationship to the student;
- a documented determination of independence made by a financial aid administrator 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.

Our responsibilities

Under the FAFSA Simplification Act, Goldsmiths will:

- Notify students of the school's process, requirements, and reasonable timeline to review adjustment requests after their FAFSA form is submitted;
- Provide students with a final determination of their dependency status and financial aid offer as soon as practicable after reviewing all requested documentation;
- Retain all documentation, including documented interviews, related to the adjustment for at least three years after the student's last term of enrollment; and
- Presume that any student who has obtained an adjustment for unusual circumstances and a final determination of independence to be independent for each subsequent award year at the same institution unless-
 - The student informs the institution that their circumstances have changed; or
 - The institution has conflicting information about the student's independence.

Document history

Version	Date	Details	Author	Approved
1.0	16/05/2024	Policy required by US Department of Education for administration of US Loans	Kara Payne	Not approved