



SULLIVAN AND COGLIANO TRAINING CENTERS

Professional Judgment (PJ)

PJ Authority & Individuals Who May Exercise It

As per the Higher Education Act (HEA) 1965, the Financial Aid Office exercises discretion in a number of areas to change data used in determining financial aid eligibility when a student has special or unusual circumstances. This authority is known as "professional judgment." It allows the Financial Aid staff to treat a student individually when extenuating circumstances and conditions exist that differentiate that student from a class of students. The professional judgment (PJ) decisions are made on a case-by-case basis as the result of examining a particular student's unique circumstances.

Circumstances Where PJ May be Used & Possible Actions

The Financial Aid Representative can exercise discretion in certain areas when a student's family has special or unusual circumstances that are not adequately addressed by the need analysis system, regulations, or legislation. ED does not regulate PJ. The section 479A of HEA 1965 gives authority to the financial aid administrator to exercise PJ in the following areas:

- A. Dependency status (dependent to independent only)
- B. Certain data elements used to calculate the expected family contribution (EFC)
- C. Cost of attendance (COA)
- D. Satisfactory academic progress (SAP)
- E. Denial or reduction of FFEL and Direct Loan eligibility
- F. Unusually high medical or dental expenses not covered by insurance or accounted for in the need analysis formula under the Income Protection Allowance (adjust EFC)
- G. Unemployment (adjust EFC)
- H. Abusive family relationships (adjust dependency status)
- I. Unusually high child care expenses (adjust either EFC or COA)
- J. Natural disasters that impact a family's income or assets (adjust EFC)

Professional Judgment and Dependency Override (D/O):

If you make the decision to use Professional Judgment or to perform a Dependency Override, you MUST keep all the documentation in the file.

Also, according to the U.S. Department of Education's Colleague Letter on the subject of Dependency Override's, they stated the following:

A financial aid administrator has the ability to make a documented determination of independence based upon "unusual circumstances." Dependency Override decisions should focus on truly exceptional circumstances and consideration of individual cases, rather than contradicting the fundamental principles of independency. Dependency Override decisions in a situation when a student's parent cannot be located, or where an otherwise dependent student has been a victim of domestic violence and is no longer residing with his or her parents are good examples of "unusual circumstances." The Department of Education has identified four conditions that, individually or in combination with one another, DO NOT qualify as "unusual circumstances" and DO NOT MERIT a dependency override.

Those Circumstances which DO NOT warrant a D/O are:

1. Parents refusing to contribute to the student's education;
2. Parents unwilling to provide information on the application or for verification;
3. Parents not claiming the students as a dependent for income tax purposes;
4. Student demonstrating total self-sufficiency.



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The law also requires that a determination of unusual circumstance(s) must be made each award year.

Financial Aid Administrator's Written Determination

The written documentations from at least two third-parties who are not family members are generally required for supporting a student's unusual circumstances. If possible a letter or two from other persons to substantiate the facts in the student's letter should be obtained. (A letter from a pastor, guidance counselor, doctor, landlord, or other outside person would be helpful). After reviewing all relevant documentation related to a student's assertion that there are unusual circumstances that support why he or she should be considered to be independent rather than dependent, the financial aid administrator must make a specific determination for the student. Upon making such a determination that a dependency override is warranted, the financial aid administrator must prepare a written statement of that determination, including the identification of the specific unusual circumstance upon which the financial aid administrator based his or her determination. The institution must maintain this documentation and the supporting documentation used to make each determination in the student file.

The student must submit a signed statement explaining the circumstances that led him/her to current situation and surrounding the fact that they do not live with their parents. In the letter explain where the parents are located. The letter must state the "unusual circumstance" of why they are no longer living with their parents. For example, court documents regarding legal guardianship or other situations are excellent pieces of documentation. Federal and state tax returns are also treated as excellent documents to verify income information. The student also completes a form called 'Monthly Income and Expense Worksheet'. This form and the dependency override instructions are available in the Office of Financial Aid.

Request for PJ Consideration

The students and parents depending on the areas of professional judgment indicated above may submit a request for a professional judgment. All requests must be in writing and submitted within the term of enrollment or as soon as the situation arise to the Office of Financial Aid. The Office will not accept any incomplete application. The student or parent is notified in writing once the request has been reviewed and is approved or denied. If the PJ results in a revised award package, the student also receives a revised award notification by mail.