

Professional Judgement – 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 Imperial make. However, in certain circumstances, College may exercise discretion under Professional Judgement (PJ). The FAFSA Simplification Act distinguishes between different categories of professional judgement by amending section 479A of the HEA:

- Special Circumstances refer to the financial situations (loss of job, etc.) that justify an FAA adjusting elements in the Cost of Attendance (COA) or in the Expected Family Contribution (EFC) calculation. (Allowed COA components are determined by law and specified in statute).
- Unusual Circumstances refer to the conditions that justify an FAA making an adjustment to a student's dependency status based on a unique situation (e.g. parental abuse or abandonment, incarceration etc.)

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 Imperial 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 their EFC. 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 Imperial’s Disability Advisory Service (DAS), who in turn will inform the FAA on decisions about reasonable adjustments and costs not covered by Imperial or other agency funds. The FAA cannot approve a special circumstance request if the disability expense is covered by another agency.

Unusual circumstances refer to the conditions that justify the FAA at Imperial 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:

- 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.

Document Control

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