

# FAFSA Data Use in 2024-25 Live Webinar

Webinar Transcript

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### Presentation Transcript

**Casey:** Hello all and welcome to today's webinar FAFSA Data Use in 2024-25. My name is Casey and I'm your technical producer for this event. Portions of today's presentation have been pre-recorded. However, the Q&A portion of this event will be live. I would like to remind you that in the upper right corner of your screen there is an icon to show Q&A. After selecting this icon, you have access to the live event Q&A section of your screen. There you can ask questions as well as review the featured announcements which contain important information regarding this webinar. Lastly, we ask that you use the Q&A section to only submit questions. We receive hundreds of questions in a short amount of time and have to quickly sort them and assign them during the webinar. All feedback concerning the webinar should be reserved for the survey at the end of this presentation. Now please welcome Michael Ruggless.

**Michael Ruggless:** Good afternoon, everybody and welcome to our session today on FAFSA Data Use in 2024-25 FAFSA cycle and moving forward. My name is Mike Ruggless, I'm a Policy Program Specialist here at Federal Student Aid in Policy Implementation and Oversight and I'm happy to continue delivering this very important information on FAFSA and federal tax information data use in this new environment with the changes in -- with the FAFSA.

So here's what we're going to do. We're going to kick off. We're going to talk about

changes to FAFSA data use. If you watched the session that I provided at the FAFSA training conference last December, we went into this more in depth. We'll touch on this again mainly for background purposes, just to level set. We don't fully expect everybody that is attending today's webinar to have looked at that one, that particular session, but we'll go over it again. We'll talk about FTI and FAFSA data use guidance. We'll go over some recent Q&As as it relates to FTI and FAFSA data use and we'll also touch on some resources and questions for you all as we move forward. I will kick off and say that we're not going to be able to cover everything in today's webinar. We do recognize that you all are patiently waiting additional guidance and clarification on FTI and FAFSA data use from us and we hope to have more information to share in the coming months ahead for you all on this very important topic. So, more to come there. Let's dive in here.

We're going to talk about the changes to FAFSA data use.

We all know that for several years, if not decades, much of what has dictated the use of FAFSA data use is a provision under the FAFSA -- or not FAFSA Simplification Act, but Section 483(a)(3)(E) prior to FAFSA Simplification, which indicated that FAFSA data can only be used for the application, award, and administration of aid programs. And so this also includes other eligible institutions or entities that the Secretary may designate. And again, this was rather broad. This touches a variety of different areas both on your campus and at state higher education agencies.

There have been significant changes with the FUTURE Act and FAFSA Simplification Act. But while the application, award, and administration of aid still hangs around, that interpretation, that understanding, has changed and is a little bit more detailed and nuanced in this new environment. Looking at 2024-25 and succeeding FAFSA cycles, what are we really talking about?

Well, the Privacy Act and FERPA really haven't been touched for the most part and really aren't going to be covered in this session today. We will touch on 6103(l)(13) of the Internal Revenue Code, but the Higher Education Act, Section 483, was another primary element that was completely rewritten with FAFSA Simplification and Section 494, which really dictates the use of FAFSA and FTI data use as it pertains to FAFSA applications, FAFSA forms, and all of that thing. So we'll cover that a little bit more in detail here. So let's dive in here.

So under FUTURE Act and FAFSA Simplification Act, the amendments, just a summary or a high level, the changes that we see here. So 483 changed the authorizations that are available to the applicant. It changed the data that is provided to a state higher education agency and to schools. There's also some additional prohibitions of the data that are important to note as well. Again, we go in more detail on what those prohibitions and the use of data that are outlined in the statute in the 2023 breakout session number 10 from the FSA training conference. So if you want more detail, it's there. Section 494, the notification and approval requirements. This is where the approval requirements and the new consent and approval requirements that are now in

the 24-25 FAFSA form originate from and the requirements there. But there are components in there about the access and discussion of FAFSA information as well as the restriction on disclosing FAFSA information as well. And then on the other side with the Internal Revenue Code 6103(l)(13), this sort of dictates the use of FTI for federal student financial aid purposes as well as income driven repayment, but we're not going to talk about that today. It also talks about and outlines permitted redisclosures to schools, state higher education agencies, and designated scholarship organizations. And I also want to highlight too that it also indicates or has language in there about the additional permitted redisclosures to contractors and family members as well. So here is sort of the table that I like to continue to use to highlight what these changes are. So for the 23-24 FAFSA cycle and before that, pretty much everything that originated on the ISIR is considered FAFSA data in that respect. That included income and asset information that was received from the IRS Data Retrieval Tool. Now again, this has changed with 24-25 and we'll talk about that here in a second. But student eligibility information, the list of colleges, EFC, federal Pell Grant eligibility (yes/no). That generally was all considered FAFSA data for purposes.

Now with these FAFSA Simplification Act and FUTURE Act changes, FTI data, it includes the return information that is received by the Department from the IRS under the FUTURE Act matching program. Tax filing status of yes/no is also considered FTI data. So what we see now is the sort of split of the income information that is pulled from the IRS is no longer considered FAFSA data and is now regulated and guided by the statutes of the Internal Revenue Code in Section 494 of the Higher Education Act. FAFSA data still includes applicant contributor information similar to preceding FAFSA cycles. So the PII, demographic information, student eligibility information, list of colleges receiving the FAFSA form, things like that. The other thing that I want to note here and it's highlighted on the screen, and if you're making notes, I'd be sure to underline this, is manually entered or provided income and asset information is still considered FAFSA data. The difference is that the Department is not getting this information directly from the IRS. Either the applicant or their contributors are providing this manually entered information on the FAFSA form that has been included on the ISIR and provided to the school. Or in the instance that you're conducting professional judgment or looking at maybe parent income and asset information due to special circumstances. This tax return information that may have been provided to you to reflect more current and accurate income and asset information is also not considered FTI because they have turned over their tax information to you and provided that information to you. So again, it's not considered FTI data. Derived FAFSA data is the SAI and Pell Grant eligibility as well. So we've gotten quite a few questions about, okay, so what about other non FAFSA data, right? So this is important to think about as it relates to supporting programs that may have relied on some other FAFSA data and things of that nature. But Pell Grant received, the amount received, unmet need, loan disbursement records, admission records, so maybe the admission application or other

financial aid data and information is not necessarily restricted under Section 483 and 494 of the Higher Education Act because a lot of this data probably did not originate from the FAFSA form itself. For instance, like Pell Grant received and the amount received is not going to be indicated on the ISIR. And so you may have that in another system at your school that you can pull from to utilize and leverage that data to support other work and research at your institution. So just an important point to make there, an important highlighted component of these new changes.

So what we see outlined here is a permitted access disclosure and use of FAFSA data. These particular components are pulled from Section 483 that was amended by the FAFSA Simplification Act. Again, as I mentioned off the top, the application, award, and administration of student financial aid programs, this still is generally the same but a little bit more nuanced with it. There are provisions now that permit schools to utilize FAFSA data, not FTI, for research that has not released personally identifiable information or PII on an applicant to promote college attendance, persistence, and completion. And then disclosure that typically occur outside external to the institution or the state higher education agency requires written consent. Now as it relates to FTI data, what you see on the right-hand side is the application, award, and administration of student financial aid programs. This is very specific in terms of what is permitted to use FTI data for. And again, it is -- we have to follow the rules that are outlined in the Internal Revenue Code for this particular purpose. And so disclosures permitted directly to the applicant if they come into the office asking for their information. We've gotten this question several times over the last year or so, about what happens if a parent requests to see that information. While the Internal Revenue Code permits that, the FERPA, as I said, did not change. So there are FERPA restrictions on this and so you would need to obtain FERPA written consent but we'll talk about that here in a little bit as we have an example to cover.

So again, this slide is just highlighting sort of the massive change that changes a lot of different components as it relates to the access, use, and disclosure of FTI and FAFSA data. So just a quick summary slide of important notes to make here as you continue to do your important work.

So shifting gears here, let's kind of highlight some of the data use guidance that the Department has provided over the last year or so. In the fall of last year, we announced the new FTI SAIG mailbox. This agreement was published on the enrollment website on October 23rd, 2023. We released some additional guidance prior to that and leading up to that date letting the community know that your institution or state or higher education agency would have to resign those agreements in order to obtain access to the new FTI SAIG mailbox. And so a lot of this, you know, amendments and modifications to the SAIG agreements were to conform and comply with the protections of FTI, this data that we were receiving from the IRS to -- and then sharing and disclosing to the schools. So there is also an acknowledgement of the criminal and civil penalties. So just again, an important information that your institution, primary and ... primary destination point

administrators and other DPAs and folks need to be aware of as it relates to the access, use, and disclosure of FTI data. So in April, we did announce the FAFSA completion initiative and highlighted some additional information in there. I will note that this was primarily for higher education state grant aid agencies. We modified the agreement to permit the disclosure of FAFSA completion information, again FAFSA completion information that is not FTI and primarily to support FAFSA completion efforts. There's also additional information outlined in that electronic announcement up around federal means-tested benefits that I encourage you to take a look at if you have not done so already.

So in April 2024, again, we announced and clarified on our May 2023 announcement around the use of safeguarding federal tax information. And so I want to continue to highlight this announcement that if a concern or discrepancy arises with the FTI that is disclosed on an ISIR, do not further redisclose the FTI to other individuals, internal and external, including to the Department for resolution via email. We did have a situation where this occurred. Do not again, do not send it to us via email. Let us know if you have questions about that. And the primary reason is that emails can often be unsecured communication that may lead to unauthorized disclosures. Given FTI, for instance, may not be appropriately labeled with the CUI//SP-TAX label. And I think it goes without saying that FTI in this instance can be intercepted by unauthorized individuals, such as forwarding to another party. So that would be outside the scope or control of the original author of the email. So again, if you have questions around this, please reach out to us. But do not send that FTI back to us. We already have it in a secure environment. And so we're able to work with schools and our partners on any issues that they may have. So great reminder there.

SAIG agreement modifications. So maybe so you -- so respective contractors and institutions may receive and use FAFSA data, including FTI for the application, award, and administration of financial aid consistent with federal law. And as we have it outlined in the SAIG agreement. We also have gotten quite a few questions around the authorized personnel. So we've highlighted here what the authorized personnel access is. This again may include contractors that are bound by a written agreement if they are external to the institution or to the state grant aid agency. But the SAIG agreements also detail the responsibilities of the PDPAs and DPAs and then the penalties that might apply for failure to execute on those responsibilities. Again, just mere reminders at this point for everybody.

And so let's continue on here. So some data use guidance and access to FTI and FAFSA data. So personnel authorized to access FAFSA data can be in a variety of offices within the institution. Again, so long as their duties are related to the application, award, and administration of aid, we'll touch on that here in the next couple slides. But these other offices that could possibly be involved and related to duties for the application, award, and administration of aid include admissions, athletics, housing, student support programs, institutional foundation, and also want to call attention to

IPEDS reporting. We've gotten several questions whether or not the financial aid office can utilize the FTI or the Office of Institutional Research can access the FTI data and other FAFSA data for purposes of IPEDS reporting. And the resounding answer to that is yes, they can because those duties fall underneath the application, award, and primarily the administration of aid programs. So again, important things to talk about and to note as we look to implement these new provisions of FAFSA Simplification and FUTURE Act.

So one of the questions that we get quite a bit and that we spend a lot of time discussing here at the Department is sort of what does the application, award, and administration of aid look like. And so what we've done and again as of this date and what we currently know and are able to share at this point is that generally the application, award, and administration of aid can consist of but may not be limited to the management of ISIR processing to determine applicant eligibility for financial aid awards, verification, other packaging processes, assisting students who are contributors with their form, processing and dispersing federal student – federal, state, and institutional financial aid dollars and monitoring academic progress such as SAP and things of that nature. We continue on here to expand and say that this also can include performing analysis related to financial aid, including leveraging and modeling to more strategically award your financial aid. This can also be executed with a contractor to assist in the leveraging and modeling of strategically awarding financial aid programs to students. Again, just highlighting that this also includes complying with mandatory reporting for purposes of participation in the Title IV programs including IPEDS and publishing of net price calculators. We'll expand on this a little bit more in future guidance but this also does cover conducting audits, program evaluations or other research to support the efficient and effective administration of the student aid programs. So that last bullet, there's a lot to unravel there and may cause additional questions which again we will have more guidance coming out in the months ahead as it relates to this, especially with respect to FAFSA data and FTI. Again, I want to highlight here, we get quite a few questions around the written consent requirement that is outlined in Section 494. This written consent is different than FERPA written consent. There are three primary components in the law that are required. And I think it goes without saying that it is a written document that is signed and dated which must include and indicate that the information being disclosed includes return information which would be FTI. It states the purpose for which the information is being used -- or what the information is being disclosed, I'm sorry, and states that the information may only be used for the specific purpose and no other purposes. All right, so again, just highlighting those three components of the law for you.

So when is the written consent requirement needed? So disclosure and use of FTI for assisting a student applying for and receiving financial assistance towards cost of attendance at your institution. So this would be, you know, if it's an outside scholarship organization or something like that, or another individual that is helping them in applying



for or receiving student financial assistance, you would need to meet the requirement of written consent under Section 494. This also expands to include FAFSA data to other entities for purposes beyond the application, award, and administration of student aid programs. So for instance by an academic office, if your academic offices are using Pell Grant eligible (yes/no), from the FAFSA that you would need written consent for the use of that Pell Grant indicator, that FAFSA data for purposes of the academic office to maybe track students and providing them support because it's outside the scope of the application, award, and administration of student aid programs. And lastly, disclosure of FTI to FAFSA contributor may require FERPA written consent, but not HEA written consent. So there is a provision that if a student is a dependent student as defined in Section 152 of the Internal Revenue Code, that FERPA written consent may not be required. So we'll cover this here on the next slide.

So and again, this sort of falls underneath the bucket of sharing data with applicant or contributors. The Higher Education Act requires that upon request from an applicant, IHEs must provide the applicant access to their FTI and FAFSA data included on the ISIR, including any data provided by or from their contributors, all right? So that's important to note. When that happens, the applicants are then able to further redisclose the FAFSA data, including FTI at their own discretion to any other individuals or entities. You are not responsible to track or monitor the further disclosures or views of that data after you have provided that data to the student. So for instance, you would make a note on the student's record that you provided them their FTI and/or FAFSA data that was included on the ISIR at their request. That's all you have to do. If they go and send it to two, three, or four other scholarship organizations, you're not required to document that in that case. Any entity that does receive the FTI may only use it to assist the students in applying for and receiving financial assistance towards cost of attendance. But again, if the student has provided that to them, it's not your responsibility to ensure that they have met that requirement of the law. You'll see a note down here at the bottom that I started to touch on, on the last slide. If a student is dependent, as defined in Section 152 of the Internal Revenue Code, that is, the student is claimed by the parent as a dependent, on the parent's most recent tax return, highlighting most recent tax return. An institution may disclose the student's education record to the parent without the eligible student's consent. Now, there's more information published in the March 2023 guidance here. But I will note that there is sort of a discrepancy, right? Because if you're making a determination on whether or not to release information, including FTI, under the FERPA provision, it must be for the most recent tax return. Well, as we know, the information, the tax information, FTI that is provided on the FAFSA is not the most recent tax return, because it is prior, prior year. So probably the easiest thing to do here, which is to continue obtaining the FERPA written consent, but we do want to let you know that there is this provision. So if you do have the parent's most recent tax return on file and they are a dependent student of that parent or parents, then you may release it without FERPA written consent. And again, this is

important for FTI, because if those parents were contributors on that dependent student's FAFSA form, by giving consent and approval, you wouldn't need written consent under Section 494 of the Higher Education Act to further redisclose that, because they've already provided consent for Section 6103(l)(13). So a lot to unpack there. Again, probably the most easiest way is to continue utilizing the FERPA written consent to disclose information to the parents upon request. Again, because Internal Revenue Code authorization isn't needed, because they were all contributors on that one FAFSA form. But FERPA written consent is needed unless you have the parent's most recent tax return and can determine whether or not that student was dependent at that particular point in time.

All right, so continuing on with FTI and FAFSA data use guidance here, let's touch on federal means-tested benefit programs. So the provisions of FAFSA Simplification Act do allow for schools and state grant aid agencies to use limited FAFSA data to contact applicants and inform them about federal means-tested benefit programs that they may be eligible to receive. Again, this is limited FAFSA data. This may consist of their email address and other types of limited PII to inform them about these other programs. For example, maybe emailing applicants with an SAI of zero or below to let them know that they may be eligible for SNAP. But if you're thinking about utilizing more FAFSA data, maybe to help administer or determine eligibility for other federal means-tested benefit programs, you must obtain written consent of the applicant prior to disclosing this data. You can develop a process to get this written consent and further re-disclose the data, but it can only go to the federal or state or local government agencies or tribal organizations for any component of their cost of attendance consistent with Sections 483 and 494. This also may include non-monetary or other financial assistance so long as it is part of the student's cost of attendance. So an important point to make there.

So moving on here, audit evaluation and research purposes. We touched on this a little bit earlier. But the Higher Education Act does permit institutions and state agencies to use FAFSA data, not FTI, for specific research purposes. This could be for reporting, audits and evaluations, research on college attendance, persistence, and completion, so long as it does not release person identifiable information on an applicant or the contributors. There are FERPA exceptions that they still apply here for the disclosure of FAFSA data without written consent for these purposes. So you'll want to look at those exceptions, for instance the school official exception, to ensure that you're meeting the requirements prior to the disclosure of that. Again, looking back to how we kicked off this webinar, looking at the bubbles and making sure that all of the different components are covered and touched on as it relates to the use and access and disclosure of FAFSA data by each particular law. And again, we've said this over and over for several years now, but the most restrictive statute applies. And lastly, the last bullet there that the Department considers the use of FAFSA data, including aggregated FTI as part of the administration of financial aid to comply with IPEDS survey data reporting requirements and SAP monitoring. Again, just highlighting that IPEDS thing because we



have gotten several questions from you all and we have heard you loud and clear.

So some things to look forward to, right? So we again, I said from the very beginning, we're not going to be able to cover everything today. There is guidance and more information forthcoming. What we have heard so far is additional clarification and guidance as it relates to disclosures and use of FAFSA data and FTI with researchers sharing that data within the state. How does this data utilize or how can it be leveraged related to written agreements, other scholarship organizations, another component that we've heard quite a bit is student support services like TRIO and GEARUP. And if there are others that we haven't covered and that you still have questions, feel free to reach out to us, let us know so that we can try to ensure that the guidance that we provide is as robust as possible and covers the most appropriate topics that you all have questions on. So again, forth guidance coming on these particular questions or these particular topics, I should say.

So let's talk about some more recent FTI and FAFSA data use Q&As that we've heard probably over the last six, seven months since the FSA training conference. And so again, one of the questions that we get, are institutions permitted to disclose FTI to other Departments and offices on campus, for instance, OIR or other academic Departments, what about FAFSA data without FTI? And unfortunately, it depends. I mean, that is sort of our global boilerplate response because it's sort of nuanced, right? In each use case, it is very different. All the questions that we get that we have to look at very closely to see what it is exactly, the use of the data is going to be and whether or not that can be permitted. So again, looking back at like what is permitted, what is prohibited, and their internal disclosures of FTI data are permitted without written consent solely for the application, award, and administration of federal, state, and institutional financial aid programs. If the access user disclosure is for another purpose, it is prohibited under the Internal Revenue Code. On FAFSA data that does not include FTI, it can be disclosed and used by other institutional offices consistent with Section 483, generally speaking. This could be for research and things of that nature. But the use and disclosure must meet FERPA exception as well. So again, just another thing to keep in mind there.

So one question -- another question that we've gotten recently is about the rounding of FTI maybe to the nearest hundredth and then exported to a spreadsheet or another field in a student information system and used to calculate. And so the question is whether or not this rounded information would still be considered FTI and therefore require the CUI//SP-TAX label. The resounding answer is yes, it is still considered FTI even though you have rounded that to the nearest hundredth or whatever. And again, because it is still considered FTI, it must have the appropriate CUI label and safeguarding requirements must still be met. There is more information here from our May 2023, the electronic announcement that we updated in April that covers this topic more in depth. Just an additional note here to make is that the FTI that is de-identified is still considered FTI per the IRS rules and requires appropriate CUI labeling and

safeguarding as well.

So moving on here, another FTI data use question. So if the FTI data transferred from the IRS via the DDX is de-identified and entered into a cloud computing calculator, again remember we just talked about this, but each use case is very different and this is why we have to look at these very specifically when you do ask us questions. Would the FTI data still require the CUI label? So again, in this use case, yes, it is still because you've entered it into a cloud computing calculator, it is even still considered FTI and the appropriate CUI labeling and safeguarding requirements must still be met. Again, if you want more information on the application and use and the appropriate labeling of FTI data in your systems, please refer back to our May 12th 2023 electronic announcement.

All right, so moving on. Can FTI data be shared with a contractor, either an individual organization that is assisting your school in awarding institutional aid? Yes, institutions are permitted to disclose the student level FTI or contributor level FTI with a contractor to carry out provisions of the application, award, and administration of aid. There is your citation if you need something to point back to that permits this disclosure. But make sure that you have some sort of written agreement or contract in place to ensure that the safeguarding and labeling requirements amongst other things are still going to be met.

Can FAFSA data, including FTI, be used for purposes of IPEDS reporting? You're probably getting tired of me saying IPEDS over and over again, I think this is like the fourth or fifth time. But again, yes. FAFSA data, including FTI, may be used for purposes of IPEDS reporting. This is a mandatory reporting process required by the Department, and so you may use the FTI to do that. It does not necessarily have to be the institution's financial aid office. This could be another office on campus, but make sure that those individuals, if they're not in the financial aid office or really in the financial aid office, have access to the individual FTI data are only the ones contributing to the IPEDS reporting. I wouldn't necessarily provide just global access to your institutional research office if other folks are not assisting or conducting the reporting process for IPEDS and other mandatory reporting. So, important note there.

Can FTI data be disclosed due to a court case, a court case's order or to fulfill requirements of a subpoena? The resounding answer to that is no. I know this may go against current practice and in some instances, we have heard that the -- by signing a waiver -- excuse me, permits the ability for this information to be moved over, but state and local and federal authorities are not permitted to receive FTI under a subpoena. The request of such information should be handled with the IRS directly. So, just an important note to make there that they cannot obtain FTI through your institution by broadly requesting those records. If they are requesting records that include FTI that was provided on the ISIR, it must be redacted prior to handing that information over.

Another question is, is it permissible to share student award data, for instance, and whether they owe a balance to the institution or have a bill with an institutional

committee to assess eligibility for emergency foundation funding? Can the process of the student consent for sharing this data be incorporated electronically into the funding application? So, generally, this student award data and student debt owed to the institution typically doesn't include or doesn't implicate FTI or FAFSA data. However, FERPA may be implicated here, given the disclosure and use of student record information. But again, it may be met by the school official exemption. And so, written consent may not be needed if they meet the school official exception there. But, again, what's happening here is for the purposes of determining student eligibility, for such aid or awards for emergency aid would fall under the application award and administration of aid programs. And so, the committee that's a part of this foundation would be permitted to access this information without written consent, again, because this is being utilized to award either federal, state, and probably institutional aid in this use case. And so, written consent wouldn't be needed under the Internal Revenue Code and the Higher Education Act to share this data. But, if your institution wants to incorporate this written consent electronically into the funding application, there's certainly nothing in the statute nor coming from the Department at this point that would prevent you from doing that.

So, that wraps up our FAQs at this point. And so, I do want to cover some additional resources, again, for you, things to point back to. Again, we talked about the September 22nd electronic announcement related to the SAIG enrollment. So, if you have questions or want to more information there, go to that resource. I've talked a couple different times throughout today's webinar about our breakout session number 10 from the FSA Training Conference in December of last year around data use and considerations under FUTURE Act and FAFSA Simplification Act. This is where we provide a lot more detail on the background and the foundational elements that are starting to inform a lot of the use cases and FAQs that we're starting to issue and respond to. Again, if you want more information about the access and use of FTI, as well as CUI labeling requirements, revert back to our May 12th, 2023 electronic announcement. And then the March 2023 guide as it relates to FERPA is a great resource to have there as well.

If you have questions, feel free to send your questions to the Partner Connect Help Center, contact Customer Support, and select Policy Guidance. That is related to FTI and FAFSA data use questions. If you have a FERPA specific question, many of your questions or privacy issues may be answered at [studentprivacy.ed.gov](https://studentprivacy.ed.gov). But if you do have questions, locate their Contact Us information page to submit an inquiry. If you're unsure of whether or not it touches FERPA or FAFSA or FTI and data use, you can send it to either. We have a committee that works and we work collaboratively between the two offices and other stakeholders here at the Department to get the questions routed in the right area. Or if it touches both areas of FERPA and FTI and FAFSA data use, we will work together to respond to those questions and reply back to you.

So we have some great resources here, including the Knowledge Center, which is our

central repository of information for financial aid professionals. We encourage you to subscribe to our daily and weekly email updates. I actually get daily email updates so that I can stay on top of everything that we are pushing out and sharing with the community. So it's a great resource to track and get those updates instead of having to go in there and look mainly every day. So be sure to sign up for those daily or weekly updates. The FSA Training Center is also a helpful tool for you. If you don't already have an account, you're missing out on valuable training and information concerning Title IV administration. I too have an account there and will often go in there and just touch base on certain things. I do a lot of things related to loans. So I will go in there and take some learning tracks that are related to loans. So it's a great resource to touch on the FSA Training Center, training courses, videos, software training, things of that nature to help you stay abreast of everything that is happening in the world of Title IV administration. So we encourage you again to take advantage of what is offered there, all of the materials and the Q&A transcripts from previous Wednesday Webinar trainings. And finally, last but not least, I think I touched on this already, but the FSA Partner Connect Help Center is a great tool. So if you have questions, send them to us, go to policy guidance at the drop down to ask and submit your policy questions to us or your FAFSA or FTI data use questions. When you submit your question, please be sure to include a full explanation of the issue as well as the specific resources that you used in researching the issue by giving us the full context. We can start really on the same page that you are and try to get you an answer as quickly as possible. The more information that you have and that you can share with us, the better. Otherwise, if a question does get routed to me, for instance, or to our training officers, we may be coming back to you to ask clarifying questions. So again, the more information, the resources that you researched and pulled from to reach conclusions, or want to clarify a possible position, the better so that we can quickly respond to your inquiries is great.

All right, so feedback survey time. So we've covered a lot of information here and it's almost time for a Q&A portion. But before, I want you to take a moment, complete our two-minute survey, give us some constructive feedback if you have any or tell us how great this was, or you can tell us that you want more information. We hear you loud and clear. I would want it too. We're working on it as quickly as possible to get it all out to you. Your feedback is important to us, so please again, send this out, pull your smartphone camera out, use a QR code, or use a link at the bottom to complete the survey. This ensures that we continue to deliver our quality training. It also informs us of where we have areas for improvement, and it also serves as an effective tool for listening to our school partners. So again, your feedback is incredibly important to us and even to me as a presenter here today and on this particular topic. So if there's things that I haven't covered or criticism that you have, please send it to me. So now it's time for our Q&A portion. Put your questions in the Q&A section and we'll pick up and continue from there. Thank you.

**Maisha Challenger:** Good afternoon, everyone. We will now proceed with our Q&A portion of the webinar.

## **Q&A Transcript**

**Q1. Are institutions of higher education permitted to disclose FTI if the student record is part of an audit?**

**A1.** The answer is yes, absolutely. You are permitted to disclose student level FTI if an auditor requests the student's record as part of your annual compliance audit.

**Q2. Are financial aid offices allowed to give the institutional research office FTI AGI's so they can aggregate the information for IPEDS? Or does the financial aid office have to do the aggregating and then hand it over to the IR office? In other words, does the language on our Slide 26, including aggregated FTI, mean the financial aid office has to do the aggregating before giving the data to IR?**

**A2.** So the answer to this question is your office does not have to aggregate the data prior to sending it to IR if they are doing the IPES reporting. You may simply be able to provide them access to the system information that contains the FTI in order to do the reporting. Or if you choose to aggregate the data prior to providing it to them, you're more than welcome to do that as well. So you really have both options available to you.

**Q3. Can we release FTI information to OIG in legal subpoena request?**

**A3.** So guidance that we have received from the IRS is as it pertains to legal subpoenas and background checks and things of that nature, you are not permitted to release FTI to them. However, the OIG, Office of Inspector General for the Department does have the authority under the Internal Revenue Code to obtain FTI data. So if you are being asked by OIG to provide that data, you may provide it to OIG and OIG only in terms of their investigative purposes. But otherwise for background checks and other legal subpoenas, things of that nature, you're not permitted to do so. They have to go to the IRS to obtain that information.

**Q4. Are all FAFSA derived items considered FAFSA data? You have said SAI and**

**Pell Grant eligibility are derived FAFSA data. But what about parent total income or FISAV -- FISAP total income, which are derived data and not directly FTI?**

**A4.** Yep. So this is another very nuanced question. So as folks may have seen in the ISIR Guide and other documents, these two particular pieces, parent total income and FISAP total income, are not flagged as FTI. Rather these variables are calculated using some FTI components. And so while they are not directly FTI that is received from the IRS, they are technically not considered FTI and require the CUI markings. However, I would caution schools to utilize this data very carefully because one can simply back into FTI data elements utilizing these numbers. So just be very cautious with them.

**Q5. Is this the promised clarification on FAFSA data usage or is there a publication coming from the Department?**

**A5.** Yep. So there is publications coming from the Department. So this is, I would say, includes some of the promised clarification, but it's not the full package, if you will. So there is guidance coming in the form of a Dear Colleague Letter that will hopefully spell a lot of this out more in detail. And we hope to be able to include a matrix or something to that extent that could be a quick reference guide for schools. So more is coming.

**Q6. Can school email students or parents their FTI with a password? In the past, the Department of Ed has given conflicting information on this.**

**A6.** Yeah, so this is a rather unique question. So I'll take the easier one first. What I would recommend -- so the answer to this question is yes. You can send FTI via email. It must be done sort of in a two-step process where the file that contains the FTI is in a password protected document and the password follows up behind that. With regard to students, I would highly encourage institutions to utilize the student's school email address if you don't or that's not your standard method of communication with students. For parents, I would make sure that you take the extra step and verify and ensure that the email address that you are providing the parents, their FTI, is their email address before sending that over to them.

**Q7. Similar to written consent under FERPA, can an institution or state higher**



**education agency implement a written consent requirement that would permit the access disclosure and or use of FTI for any purpose? Do you need me to repeat that?**

**A7.** The answer is no. Any further disclosure of FTI that requires written consent to other entities must be done on that case-by-case basis and not for just any other purpose. The consent must comply with those permitted disclosures and uses of data, which is under the law, and you could find that in the Internal Revenue Code and the Higher Education Act. Michael had those citations in his presentation, but I just wanted to spread them out, talk about them for a second. The Internal Revenue Code is Title 26 of the U.S. Code, and you can find this information in Section 6103, Subsection L, like lima, and then Paragraph 13. Paragraph 13 is called Disclosure of Return Information to Carry Out the Higher Education Act of 1965. And then the Higher Education Act is in Title 20 of the U.S. Code, and you can find that information in Section 1098H, like hotel, and then Subsection C, which is called Access to FAFSA Information.

**Q8. FTI data is considered CUI. Thus does IHEs need to implement NIST SB 800-171 for protecting FTI?**

**A8.** So institutions and schools are not required to comply with NIST 800-171 requirements. There were provisions later that amended the FUTURE Act that removed this requirement for IHEs to implement this NIST standards as it relates to FTI.

**NOTE:** Consistent with the Department's February 2023 (GENERAL-23-09) [Updates to the Gramm-Leach-Bliley Act Cybersecurity Requirements Electronic Announcement](#), Postsecondary institutions and third-party servicers must protect student financial aid information provided to them by the Department or otherwise obtained in support of the administration of the Federal student financial aid programs (Title IV programs) authorized under Title IV of the Higher Education Act of 1965, as amended (HEA). This includes adhering to the new Safeguards rule, among other statutory provisions that protects student financial aid information. As of the publication of this webinar, the Department has not issued guidance on NIST 800-171 compliance but will do so in a future Electronic Announcement. Institutions are not subject to IRS Publication 1075 requirements under amendments made to the FUTURE Act; but encourages institutions to begin incorporating the information security controls required

under NIST 800-171 into the written information security program required under GLBA as soon as possible. Please note that compliance with the GLBA requirements is not the same as compliance with NIST 800-171.

**Q9. Can an institution require that students provide consent for research as a precondition for enrollment? This is referring to information on slide 12.**

**A9.** So the answer to that question is no. It cannot be a precondition of enrollment because it depends upon whether or not the school is talking about FAFSA data or FTI data. If you're talking about just FTI data, remember that FTI data access disclosure and use is severely limited to the application, award, and administration of aid programs, so you cannot just obtain a broad consent that would permit the use and disclosure of that data for really any purpose. For FAFSA data, if you want to be more specific, I think there's some use cases here in the questions that we've received and that we've received today and in other cases about utilizing Pell Grant eligibility as a marker to share with academic offices and other resource offices to support students. In those instances, you could obtain written consent ahead of enrollment for those particular students, but it would need to be very specific to the use that you're trying to obtain consent for.

**Q10. We have a TRIO program on campus, just to verify, we can share AGI with them for program determination.**

**A10.** Yes. So if -- well, so to clarify, for program determination, it depends. It really is caveated at least at this point. Now, I will admit that there are conversations still happening within the Department around this particular TRIO program, GEARUP programs, and other student support programs as it relates to FTI. But if your school is awarding a TRIO grant as a part of program determination, then your TRIO program on campus office would be permitted to access the FTI and use it for such purposes. However, just broad determination, program determination for a student cannot be just solely relied upon with FTI.

**Q11. This is referring to information from slide 11. If we take the Pell award**

**amount from the ISIR because we haven't yet awarded it, is that FAFSA data? If we use the SAI and create a spreadsheet with the Pell amount based on the SAI, is that Pell award considered FAFSA or derived FAFSA data?**

**A11.** Yeah. So let me take the first part here. So the main principle and concept to understand here is that all depends upon where you are pulling the data from. So in instance, with the first question, if you're pulling the Pell award amount from the ISIR as you have stated, that is FAFSA data. If you have it loaded in your system, meaning the student is eligible for Pell and you've pulled it from, say, their financial aid award or something to that extent, then that would not be FAFSA data as you have generated a record that contains a supposed Pell grant award that they could be eligible to receive. So that's kind of the uniqueness of this. It really depends upon where you're obtaining the data from. As it relates to the SAI, if you've pulled the SAI from the FAFSA, that's derived FAFSA data, FAFSA data, kind of the same thing. But if you put it in a spreadsheet, that's still FAFSA data. You've got to make sure that it's still falling in line with the application, award, and administration aid programs.

**Q12. Can a state higher education agency or institution of higher education disclose student level FAFSA data without FTI -- with FTI, without written consent of the applicant to researchers or research groups for studies related to student completion/success rates? What about student level FAFSA data without FTI?**

**A12.** So even with written consent of the applicant, FTI data may only be disclosed or used to assist the applicant in applying for aid and receiving aid towards the cost of attendance. Also, there's a very strict prohibition on the use of FTI for research purposes. However, FAFSA data that does not include FTI can be used for research as long as it does not release any personally identifiable information, that's PII, on any applicant, and it is used to promote college attendance, persistence, and completion.

**Q13. Can we use a blanket approval statement for students working with income-based programs on our campus that would allow FAs to share AGI? If so, can Ed provide the sample text we would need to cover this student approval in an acceptable manner?**

**A13.** Yeah, so, okay, let's take the first part of this question. So generally, blanket approval statements are not recommended, especially when we're talking about FTI, because, again, it's a very narrow use case when FTI data elements can be used. So I would discourage the use of a blanket approval statement for students working with the income-based programs on campus, because, again, AGI can only be used for the application, award, and administration of student aid programs to that student. And so since it's not clear, at least in the question, what those programs on campus would be utilizing the AGI for, you'll need to discern between the uses, whether or not that access is permitted. As it relates to sample text, we've heard this before. We're working to see if we can get some sample text provided to the community. However, I would note that I think we provided in this presentation here today and in previous presentations that the Higher Education Act really has three components to the written consent requirement, again, for the Higher Education Act, that you can leverage and I would probably, if I was still at the school side, be leveraging the FERPA release form as a template to expand and include the HEA piece.

**Q14. Are we able to share FTI data with our software vendors when trying to resolve issues related to student eligibility and/or software defects?**

**A14.** Yes, so great question and this question sort of piggybacks on another one and some related guidance that we had added to our May 2023 guidance as it relates to sharing FTI data to work through software issues and other program issues. Yes, the school is able to share this FTI data with your vendor. We've been working closely with several vendors over the last several years as it relates to FTI data, but you can do that. Just make sure that it's in a way that the data is restricted only to those that are needing to have access to it, you know, whether that's sending it via a secure transfer protocol or something to that effect, or again, if you're doing that via email, make sure that it's going to an email address that is monitored by a specific person who's going to be helping you with resolving those defects and things of that nature and please ensure that you have put it in a password protected file to ensure that it's not leaked or shared more broadly.

**Q15. We will receive -- will we receive updated guidance on the means-tested benefit outreach? The guidance issued in April relative to state agencies expired**

**in June.**

**A15.** Yep. So, yes, it did expire in June and, yes, guidance is forthcoming. That guidance should be provided to the community, I would say, in the next week or two. We're in the final stages of getting that approved through the appropriate channels here at the Department. So, yes, more guidance will be coming on the means-tested benefits outreach very soon.

**Q16. Can FTI data be shared with a contractor individual or organization that assists in the awarding of institutional aid?**

**A16.** Yes, absolutely. You are permitted to disclose student level FTI with a contractor to carry out the application, award, and administration of the Title IV programs. But remember, the contractors must not use or disclose FTI for any other purpose other than for the application, award, and administration of the Title IV programs. Michael provided information on how the Department interprets the application, award, and administration of Title IV aid, and you can find that on Slides 20 and 21 of your handout for today's presentation.

**Q17. Can the eligibility of a federal work study student be disclosed to an employer seeking to hire them, providing a straightforward yes or no response?**

**A17.** Yes, so this question is actually outside the scope of FAFSA and FTI data usage, however, it still impacts data usage. Generally speaking, federal work study eligibility or awards would be classified as student record information, so not directly implicated under Section 483 of the Higher Education Act, everything that we've talked about today. So assuming that your institution has met the FERPA requirements for the disclosure of this data, again, because it's student record information, then you may be able to provide them a straight yes/no response as it relates to being a federal work study student.

**Q18. If student support services is considered an acceptable Department that may have access to FTI and FAFSA data for the purpose of application, award, or administration of aid, would a student be required to still complete a written**

**consent before information can be released to student support services? That's the first question. And then, Is a written consent still needed for these listed approved Departments that are using the data for the purpose of application, award, or administration of aid?**

**A18.** Yeah, so I actually appreciate this question because it gets to a very nuanced part of the whole FAFSA and FTI data use discussion and background. So the foundational part of this, again, assuming that student support services is within the institutional structure or governance structure of the university, written consent is not required for the information, FTI data, FAFSA data, to be shared or disclosed to these other entities. So, again, if they're carrying out the application, award, administration of aid, written consent is not required for these internal groups. If the FTI is going outside to like a scholarship organization, then yes, written consent would be required. The nuance also the nuance here is with FAFSA data, so like Pell eligibility status would require written consent if it's sort of being used as a metric to track students and to conduct counseling outreach and things of that nature to support them.

**Q19. If two parents who are contributors, on a dependent students FAFSA, file taxes separately, can we disclose both parents FTI to each parent?**

**A19.** But so technically speaking under the requirements of the Higher Education Act in the Internal Revenue Code, when contributors on the FAFSA, including the applicant, are providing their approval for the disclosure, use, and access of their FTI, they're actually acknowledging and approving for the disclosure of that FTI to all individuals that contributed to the FAFSA form regardless of their filing status. However, again, FERPA is the most restrictive component of this. And so before disclosing that information, you would need FERPA written consent of the student to disclose this information to the parents. Now, I know the question is asking about disclosure to each of the parents. I would suggest that you take the additional step in probably ensuring that either parent is okay with this disclosure. Again, there are unique family circumstances where there may be an issue with this disclosure to each other parent. So I would recommend taking the additional step. But from a HEA perspective, you're covered. FERPA doesn't really cover these components from a parent-to-parent perspective. But as long as you have student written consent on file for the disclosure of the data to the parents, then you're



covered from that component.

**NOTE:** If a student is a “dependent student” as defined in Section 152 of the IRC (i.e., the student is claimed by the parent as a dependent on the parent’s most recent tax return), an institution **may** disclose the student’s education record to the parent without the student’s written consent under FERPA. More information can be found in the Department’s eligible student guide to FERPA (**Published March 2023**). In this use case, if a student was claimed by the parent as a dependent on the parent’s most recent tax return, then an institution may disclose the student’s education record, including FTI, to the parent for whom claimed the student. However, the parent who did not claim the student would be required to have the student provide FERPA written consent for them to obtain student education record information, including FTI and FAFSA Data.

**Q20. If we receive a request from a private scholarship organization for a student's breakdown of their financial aid awards, including Title IV, do we need written consent from the student to provide this?**

**A20.** Yeah. So again, this is another one of those use cases where if we're talking about financial aid awards, including Title IV aid, this is primarily student record information. Again, because this is data that would have resided from the student's financial aid offer letter. And so you would need to obtain a FERPA written consent at minimum to provide this to an outside scholarship organization again, because FERPA is the one that is primarily implicated here. Generally, we're not talking about any FAFSA or FTI data when we talk about financial aid awards, including any Title IV aid that they may be eligible to receive.

**Q21. Required to share FAFSA data if the applicant has not yet attended the university or is under the age of 18?**

**A21.** Yep. So another good question, the nuance here with FERPA. So FERPA doesn't become important until or at least implicated, rather, until the student has started attendance or begun enrollment at your institution. So if -- is FERPA written consent required to share data if the FAFSA applicant has not yet attended? The answer to that

question is no. If they've not yet attended or begun attendance there, that FERPA requirement or that FERPA condition hasn't been met yet, and so FERPA consent is not needed. And the same would be true with the under the age of 18.

**Q22. Can you review what's being included when a student gives written consent?**

**A22.** Sure thing. All right. So by written consent, we mean a separate written document that is signed and dated by an applicant. Now, this can be electronic. It doesn't have to be that traditional, quote unquote, "wet signature." Now, the consent has to include three things. First, it must indicate that the information being disclosed includes return information disclosed under that section of the Internal Revenue Code that Effie mentioned earlier, which is 26 USC 6103(l)(13) with respect to the applicant. Second, it needs to state the purpose for which the information is being disclosed. So why are we disclosing this information? And third, it must state that the information may only be used for that specific purpose and for no other purposes.

**Q23. Can we tell an academic advisor yes or no to Pell Grant eligibility?**

**A23.** So the quick answer to that is yes, if you have written consent, assuming that the academic advisor is not carrying out duties related to the application, award, and administration of aid programs, and they're utilizing for, you know, for a different purpose like retention or something to that effect, you would need written consent before you could tell the academic advisor yes/no to Pell Grant eligibility. Which is why we have started encouraging schools to look at other elements that could replace that, such as whether or not the student has received a Pell Grant award or the amount of a Pell Grant award.

**Q24. Does the Excel spreadsheet need to have the CUI label for start and end in the actual output, or is the field used in query that states FTI is enough?**

**A24.** So schools have the option. You can either block it at the beginning or the end, as it's mentioned here, or if you have, you know, a broad statement at the -- or not a broad statement, but have labeled each field individually that it is FTI, that is enough too, if, I

think I'm interpreting is the field used in the query that states FTI enough. So if my understanding is correct that that particular field is labeled as FTI with the CUI//SP-TAX, then that would be enough and appropriate there.

**Q25. This is a small school stating, we are a small school. We have paper files. If a copy of a FAFSA or the FTI is within the student's file and the files are accessible by others, such as the admissions Department, who did not help with packaging or awarding? Would this be allowed?**

**A25.** Yeah, so this is rather unique. And I say that because it's going to depend on each school, right? There are larger schools that have more of like a one-stop shop where, you know, staff from admissions are assisting with communicating financial aid awards and can also dive into the professional judgment and special circumstances aspects of Title IV administration. And so I would highly recommend looking at the slides in this presentation where we sort of defined the application, award, administration of aid to sort of check mark whether or not your admissions Department is carrying out any of those duties. If they are, then, you know, I think you're fine. But regardless, if they're not carrying out any of those duties, then they wouldn't be able to access the FTI data per se. And so I would, you know, take additional steps to ensure that that information is protected, maybe in a separate type of folder within the folder of the students that is marked as FTI because the individual who's maybe accessing that file for other reasons, other FAFSA data, maybe to conduct outreach about submitting the FAFSA or things of that nature, are aware that this other folder or this other information does contain FTI.

**Q26. Can schools continue providing data requested by loan servicers who are investigating identity theft cases? Schools get requests for cases under investigation by Nelnet, which is a student loan service and company on behalf of the U.S. Department of Education. The request is made in accordance with 34CFR 668.14, which is program participation agreement, and 34CFR 668.24, which is record retention and examinations and requirements under the Fair Credit Reporting Act. So Michael, please share your answer.**

**A26.** Yeah, so this is a recent question that the FSA has received from a couple other

different schools. So I'm glad that this question was put in here today. So a basic statutory versus regulatory 101 training here. The regulatory citations here and the Fair Credit Reporting Act do not supersede the Internal Revenue Code of requirements. So if you're taking notes, listening in, make sure you note this and highlight it. Schools cannot release FTI to loan servicers conducting investigative for identity theft cases. The loan servicers need to work through appropriate channels at the Department. So we know that loan servicers really ask for a broad range of information, which may include files that contain FTI. If that is the case, you will need to redact the FTI prior to giving it to the servicer for purposes of their investigation. But again, the regulatory requirements and the Fair Credit Reporting Act do not supersede the Internal Revenue Code's requirements that the data only be used for the application, award, and administration of aid programs. So at this point, it's not permitted to be disclosed for investigating identity theft cases by loan servicers.

**Q27. Can you please provide the link to the March 2023 guidance referenced on Slide 24?**

**A27.** Yes, actually, I'll tell you where you can find it because Michael did reference a document that was published in March 2023, and it's called an Eligible Student Guide to basically FERPA, although FERPA is spelled out. Now, the link to that document is at the very bottom of Slide 24 of the handout. So if you haven't done so already, please go ahead and download today's presentation slides. And you can do it by logging into the FSA Training Center, which is [FSATRaining.ed.gov](https://fsatraining.ed.gov). And on the home page, you'll see three kind of big icons in the middle of the page and then select upcoming webinars. It's the one that is on the right side. And then that'll take you -- then you scroll down to that page, you scroll down where you'll see a table of the webinars. And today's presentation is still at the top, FAFSA Data use for 24-25. And then click on presentation slides, which is under the presentation materials column all the way on the right, and go ahead and download the PDF handout. And then you'll have it. And a lot of other good information.

**Q28. Are the components of the SAI calculation considered FTI? Total income, available income, et cetera.?**

**A28.** Yeah. So this is similar to the question that was asked earlier. So components of the SAI, they are not considered FTI, like total income and available income and things of that nature. Unless they are in the block of data on the ISIR that is labeled as FTI, as the data that has come over from the IRS, that data is FTI and must contain the CUI//SP-TAX. But these other data that fall outside of that realm, at least at this point, total income, available income, are not considered FTI. Again, just be very careful with the use of this data and where it goes because it can be easily backed into FTI data elements. And depending upon the purpose or the intention of that data may end up violating the Internal Revenue Code. So that's why we're encouraging schools to be very careful with the use of that data. And on all actuality, I would probably just treat it as FTI. But that's my own personal opinion.

**Q29. During an in-person conversation with a student, are you able to discuss their parents' AGI as it is related to eligibility?**

**A29.** Yes, so another great question. So yes, in-person conversations with the student, you are able to discuss their parents' AGI with them from an Internal Revenue Code perspective. Again, they had provided their approval on the FAFSA to have their data disclosed and used for such purposes. And on the secondary note, when the ISIR record comes into the school, this becomes part of the student record information. And so the student has the ability to access all of the information, including the AGI and other FTI data that was provided on the application.

**Q30. On the consent to release FTI information for a dependent student at the institutional level, does the parent also have to sign to give consent?**

**A30.** So, no, the parent does not have to provide written consent for the release of FTI information. Again, that was pulled over via the ISIR. This is the student's record information. If they have provided their written consent for FTI to be disclosed, I'm not really sure what is meant at the institutional level. But regardless, be disclosed for the application, award, and administration of aid programs to assist the student in applying for receiving additional aid towards cost of attendance, then this would be permitted and parent written consent would not be needed.

**Q31. Contractors that use FTI for aid administration must use labeling of the data. Is that true or false?**

**A31.** That is true. They are required to follow the same requirements as the institutions and state grant aid agencies that receive FTI. Regardless of where the FTI is headed, even if a student has provided written consent for this data to be shared to a scholarship organization, it must still contain the CUI//SP-TAX labels. Again, so that individual or the individuals reviewing that information are aware that they are accessing and inspecting federal tax information received from the IRS.

**Q32. Are we or individuals allowed to share with recruiting those individuals who have listed our school on the FAFSA but have not applied for admissions to our school?**

**A32.** Yes, so this would generally fall under the application component of financial aid programs. And so being able to share whether or not an individual has filed the FAFSA or not but yet not applied to the school is permitted. And institutions are welcome to utilize what I would probably call FAFSA completion data, which might include some PII about their email address or home address or mailing address to tell them about applying to the school to continue that next step in their process.

**Q33. Can FTI data be shared with a one-stop area in the college to assist students with their financial aid questions?**

**A33.** Yes, so another great question. The answer to that is yes. Assuming that they're probably carrying out the application, award, and administration of aid programs, which they more than likely would, having come from the financial aid office, those questions can vary from just general questions to more specific questions. But they would be permitted to access the FTI to assist a student in order to maybe point them in the right direction if they need to meet with a counselor or somebody like that.

**Q34. We have parents and students complete an estimator form with income assets and other information to figure an estimated SAI before the FAFSA is**



**received. Is this allowable? Is the first portion. Once this information is collected, it is emailed from one office to another. Is this okay because the parent and student supplied the income numbers? Do we need to mark the form with these amounts in a certain way?**

**A34.** Yeah, so this is a very unique use case. And so the person who asked the question is right. This is taxpayer provided information, and so it's not considered FTI, although I would just raise a caution or flag for the school that I would ensure that it's not sort of a requirement or a barrier prior to enrolling at the institution because there could be some issues with that. As long as it's a tool or a resource for them and for you all that they can take advantage of if they so choose, it would be allowable to have parents complete this and submit this information, but it cannot be a requirement. The main requirement for determining eligibility, especially for purposes of Title IV aid, is solely the FAFSA form.

**Q35. Is information from NSLDS such as Pell and LEU that comes on the ISIR considered FAFSA data?**

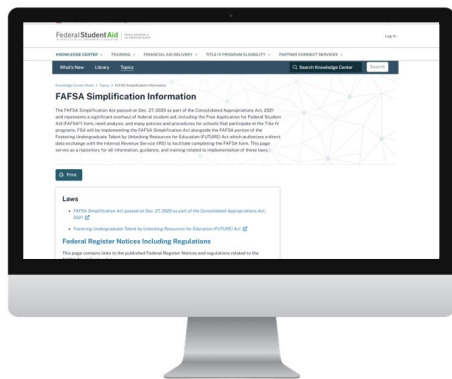
**A35.** Yeah, so this is another unique situation. So Pell, LEU that is actually pulled from NSLDS while it is on the ISIR, it originated from NSLDS, and so it must be treated as data from NSLDS, which actually has more restrictive limitations under Section 485B as in boy of the Higher Education Act.

**Q36. Can you please provide clarification on if FTI data can be shared to an office outside of the financial aid office to perform analyses to leverage aid or create award modeling scenarios for upcoming award years?**

**A36.** Yeah. So we've gotten this question quite a bit. Generally, as long as you have written agreements with these leveraging firms that assist in the administration and development of award packages for future award years, this would be permitted. The one note that I would make is ensure that the firms or contractors that you're working with on this are only utilizing the FTI you provide them for purposes of administering your programs. They cannot sort of collect a larger pool of data across institutions to do various components as that's outside the realm of what is permitted under the Internal

Revenue Code. So again, yes, it's permitted for leveraging firms and contractors to assist as they would fall under the application, award, and administration of aid programs.

**Maisha Challenger:** Thank you for that, Michael. And with that question, we had a lot of good questions today. Unfortunately, we're not able to get to all of them, but we really do appreciate all of the great questions that were provided. That is going to conclude our Q&A portion of the webinar.



## FAFSA Simplification Information

Get the most up-to-date information on FAFSA Simplification implementation in the Knowledge Center “Topics” section!