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## POLICY STATEMENT

Financial aid administrators at Nevada State College (NSC), as permitted by federal law, will consider, on a case-by-case basis, a student's special circumstances to make adjustments to:

- the data elements used to calculate the Expected Family Contribution (EFC);
- the components used to calculate the cost of attendance budget (COA); and
- the financial aid dependency status (Dependency Override).

These adjustments may affect eligibility for both need-based and non-need-based aid. The financial aid administrator must document all professional judgment decisions, such that any adjustments made to the student's need are clearly understandable to a third-party, such as an auditor or program reviewer. Following are procedural guidelines to be followed by financial aid administrators exercising professional judgment at NSC. Students requesting consideration for any of these categories of adjustment will be required to complete and sign the appropriate petition form(s), and submit along with required documentation to the NSC Financial Aid office by the deadline stated on the form for the award year. Students will be notified in writing of the decision. A financial aid administrator's professional judgment decision is final, and cannot be appealed to another agent of NSC nor the U.S. department of Education as per as per HEA Sec. 479A (a).

### **Adjustments to Expected Family Contribution (EFC)**

An NSC financial aid administrator may adjust the data elements used to calculate a student's primary EFC if the student can document that he or she (or parent, if dependent or spouse, if married), has had a change in financial circumstances due to the reasons listed below.

1. Loss or significant change in parent's income and/or dependent student's income - proof of prior year income and current year actual and estimated anticipated income is required for both the student and the parent FAFSA filers. If there is a loss of income, proof of income loss will be required. Proof of income may include, but is not limited to, latest paycheck stub showing year-to-date income, employer earning statements, a signed statement of self-employment income or other proof of current year income.
2. Loss or significant change in income for independent students and spouse, if married – proof of prior year income and current year actual and estimated anticipated income is required for both the student and the spouse, if married. If there is a loss of income, proof of income loss will be required. Proof of income may include, but is not limited to, latest paycheck stub showing year-to-date income, employer earning statements, a signed statement of self-employment income or other proof of current year income.
3. Elementary/Secondary tuition for dependent children – official tuition statement or letter from school on official letterhead with tuition only for prior year is required.

4. Medical and dental expenses - proof of actual medical payments after insurance is paid that are in excess of the amount included in the Federal Methodology Formula (11% of the Income Protection Allowance, as defined by federal regulations) is required. Expenses prior to tax year or expenses to be paid in future tax years are not allowable. A complete tax return, including schedule A if applicable, is required.
5. Roth IRA Contributions - a copy of income tax return showing distribution of IRA and proof that standard IRA was converted to Roth IRA is required.
6. Other situations in which a financial aid administrator determines professional judgment necessary to more accurately reflect the financial need of a student on a case-by-case basis.

Verification of the student's file is required prior to making adjustments based on the EFC Petition, regardless of whether the application was selected for verification by the CPS.

While the situation (such as loss of employment) must have already occurred, petitions would be accepted immediately after the change of circumstance. There is no waiting period required prior to a student submitting a petition. NSC will accept appeals and documentation to consider such updates until six weeks prior to the student's last date of enrollment in the academic year or until June 1st, whichever is earlier. Specific deadlines for each academic year will be published annually on the appeal forms.

### **Adjustments to Budget**

The NSC Financial Aid office, in accordance with federal regulations, establishes a standard student budget for all aid recipients based on expected tuition and other fees, average housing costs, average book and supply expenses, and average transportation costs for commuting students and students living out of area.

Federal law permits financial aid administrators to adjust components used to calculate a student's cost of attendance when the student's actual expenses exceed the school's estimates. While no adjustments will be made to the estimated amounts for room and board expenses, adjustments may be made for the following documented circumstances:

1. Child Care for Dependent Children - Child care for dependent children may be allowable for professional judgment if provided by a child care center, an agency-approved au pair, or a child care provider who is not a relative. Documentation of monthly child care expenses must be provided. The maximum rates that follow are for 12 months and will be prorated for less than 12 months<sup>1</sup>. These are adjusted on a per child basis.

Students must provide a statement on agency letterhead or a notarized letter from an individual child care provider. All statements must include the name of each child and the amount of payment per week for each child. Notarized letters from individual childcare providers must state they are not related to the parent or dependent child. Adjustments to the budget will not be made for child care by a relative.

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<sup>1</sup> \*Maximum amounts are taken from "Child Care in America: 2013 State Fact Sheets" from the Child Care Aware of America (formerly NACCRRA) posted online at [http://www.naccrra.org/sites/default/files/default\\_site\\_pages/2013/full2013cca\\_state\\_factsheetbook.pdf](http://www.naccrra.org/sites/default/files/default_site_pages/2013/full2013cca_state_factsheetbook.pdf)

## **Child Care Center**

<u>Age of Child</u>	<u>Maximum Amount per 12 Months</u>
Infant	\$9,608
4-year-old child	\$7,687
School-age child (before/after-school care)	\$4,980

## **Family Child Care Home**

<u>Age of Child</u>	<u>Maximum Amount Per 12 Months</u>
Infant	\$8,118
4-year-old child	\$7,494
School-age child (before/after school care)	\$3,337

2. Documented special needs or disability expenses may be considered for expenses incurred during the current academic year and related to assistance with educational activities, such as tutoring and special equipment, which are not covered or reimbursed by an outside agency. Student must submit proof of specific disability or special need from the NSC Resource Center for Students with Disabilities (RCSD), other qualified agency or doctor, along with documentation of expenses, such as receipts or a statement of services.
3. Study abroad adjustments will be made for approved study abroad programs. Students must provide a cost sheet for the study abroad program prepared by the host organization or department, or proof of expenses, such as receipts, in order to substantiate additional costs.
4. Adjustments to the transportation portion of the budget will only be made when the student's expenses for the budget period exceed the estimated costs. This is determined by multiplying the student's mileage to commute between school and their primary residence, as calculated by Google Maps, by the standard federal mileage rate as published annually by the Internal Revenue Service. Students must request this review in writing by submitting the appeal form.
5. The amount for the rental or purchase for a personal computer that a student will use for study for the enrollment period, limited to one allowance per academic year. Students must request this review in writing by submitting the appeal form along with receipts from the purchase.
6. Adjustments to the books and supplies portion of the budget will only be made when the student's expenses for the budget period exceed the estimated costs. Students must request this review in writing by submitting the appeal form along with receipts from the purchase of books and supplies a student will use for study for the enrollment period.

7. Nursing students may submit receipts for the following costs that may be required depending on their program:
- ATI Nursing membership (fee),
  - Uniforms (supplies – see item 6 above),
  - American Heart Association CPR Certification (fee),
  - Immunizations (supplies – see item 6 above),
  - Drug Screening (fee),
  - Background Checks (fee),
  - Live Reviews (fee),
  - Nursing Central/MyNursingLab (fee).

Physical exams *will not* be considered as these are pre-requisite for admission.

8. Conditions for which budget adjustments will not be considered include:
- automobile purchases,
  - household repairs,
  - consumer indebtedness (auto loans, credit card payments),
  - additional food purchases beyond estimated costs,
  - housing costs,
  - medical expenses (may be addressed through an EFC appeal),
  - expenses related to graduate school interviews or employment interviews,
  - utility and telephone bills,
  - course-related travel not required by the syllabus for successful completion of the course

### **Adjustments to Tuition and Fees**

The student's tuition and fees may be actualized (converted from estimated to actual amounts) in the following situations:

- to resolve federal overaward issues,
- request for loan increase,
- private loan certification request,
- by written request of the student, including submission of the Cost of Attendance Appeal form.

The financial aid administrator will update the budget amounts and add a comment to the student's record regarding the tuition actualization.

### **Dependency Status Overrides**

Students not meeting federal criteria for independent status may request a professional judgment to override the federal criteria. Dependency overrides will only be considered on a case-by-case basis in "unusual circumstances," meaning that it is inappropriate to expect a parental contribution for the student, as stated by the Department of Education in section 480(d)(7) of the Higher Education Act of 1965, as amended (HEA). This may include documentation of a student being a victim of domestic violence and no longer residing with his/her parents, or parents who cannot be located.

Documentation must be provided by a third party source, preferably someone in an official capacity, such as a high school guidance counselor, court official, clergy, or social service representative.

Even if another school has already approved a dependency override, students must still submit the petition and documentation to NSC Financial Aid to be considered for a dependency override.

Circumstances that do not merit a dependency override include:

- Parents refusing to contribute to the student's education;
- Parents unwilling to provide information on the application or for verification;
- Parents not claiming the student as a dependent for income tax purposes;
- Student demonstrating total self-sufficiency;
- Student living away from home.

Students interested in pursuing a dependency override will be required to meet with a financial aid counselor to determine whether such an appeal is appropriate to their situation, and if so, the documentation necessary to substantiate their situation. After the student has submitted an appeal form and required documentation, the financial aid administrator will document her or his decision and notify the student in writing. If approved, the FAA will update the student's FAFSA to include the dependency override.

### **Higher Education Relief Opportunities for Students (HEROES) Act**

Effective December 12, 2003, the Department of Education approved waivers and modifications of regulatory provisions under the Higher Education Relief Opportunities for Students (HEROES) Act of 2003 (Public Law 108-76 made permanent on September 30, 2007 by Public Law 110-93) to assist students and borrowers, who are military personnel and who are activated or reassigned for a period of more than 30 days as a result of a military mobilization.

Affected individuals include the following, as well as their spouses and dependents:

- Active duty military personnel serving during a war, military operation or national emergency.
- Members of the National Guard performing a qualifying duty (i.e., called to active service by the President or Secretary of Defense for a period of more than 30 consecutive days) during a war, military operation or national emergency.
- People who reside or are employed in an area declared a disaster area by any Federal, State or local official in connection with a national emergency.
- People who suffer economic hardship as a result of a war, military operation, or national emergency.

National emergencies must have been declared by the President. Disaster areas can include those caused by a natural disaster such as a hurricane or tornado.

Students, who are affected as stated above, must provide documentation from the appropriate U.S. Armed Forces or federal agency to demonstrate that they have met the aforementioned criteria. The exact situation for which professional judgment is requested must be indicated. The requirement that Professional Judgment be applied on a case-by-case basis is waived for affected individuals and their families.

- **Need Analysis**  
NSC financial aid administrators may choose the method of determining financial need that is most beneficial to the affected individual and his/her family. For example, financial aid administrators may consider prior tax year information, estimated award year information, and the information after applying professional judgment, choosing whichever yields the most aid for the affected individual and his/her family.

## **Parent Refusal to Complete the FAFSA**

Students whose parents refuse to support them are not eligible for a dependency override, but they may be able to receive unsubsidized Federal Direct Loans only. For a student to be eligible for this provision, the student must provide documentation that:

1. his or her parents refuse to complete his FAFSA; and
2. the parents do not and will not provide any financial support to the student, including the date support ended.

If the parents refuse to sign and date a statement to this effect, the student may provide documentation from a non-related third party such as a teacher, counselor, cleric, or court.

Resolving the situation is at the discretion of the financial aid administrator. If you decide that a student falls into this category, the FAA must document the decision and ensure that the student submits a FAFSA and passes all the eligibility matches. The result will be a rejected application with no EFC. The FAA can then award the student unsubsidized Federal Direct Loans up to the maximum the student would normally be eligible for depending on his grade level (but not the amount a student can get when his parent is unable to get a PLUS loan). See DCL GEN-08-12 for more information.

A financial aid administrator's professional judgment decision is final, and cannot be appealed to another agent of NSC nor the U.S. Department of Education as per HEA Sec. 479A(a).

## **Refusing to Originate a Loan or Originating for Less than Maximum Eligibility**

On a case-by-case basis, a financial aid administrator may refuse to originate the loan for an individual borrower, or may originate a loan for an amount less than the borrower's maximum eligibility. However, the institution must ensure that these decisions are made on a case-by-case basis, and do not constitute a pattern or practice that denies access to borrowers because of race, sex, color, income, religion, national origin, age, or handicapped status. Also note that the school cannot engage in a practice of originating FSA Loans only in the amount needed to cover the school charges, nor limit Direct Unsubsidized borrowing by independent students. When the FAA makes a decision not to originate a loan or to reduce the amount of the loan, he or she must document the reasons and provide the explanation to the student in writing. See HEA Sec. 479(A)(c), 34 CFR 685.301(a)(8), DCL GEN-11-07 for more information.

## **Selective Service**

Students who do not meet the selective service registration requirement for Federal Student Aid may submit an appeal. Students must submit a signed letter of appeal, which includes supporting documents substantiating why the student is not required to register or why the student did not register. The student must demonstrate that they did not knowingly or willfully fail to register.

When deciding whether the student had knowingly and willfully failed to register, the FAA should consider the following factors:

- **Where the student lived when he was aged 18–25.** For example, if a student was living abroad, it is more plausible that he would not come into contact with the requirement for registration.
- **Whether the student claims that he thought he was registered.** Mistakes in recordkeeping can occur. Correspondence indicating an attempt to register could form a basis for determining that the student did not knowingly and willfully fail to register. On the other hand, a letter from Selective Service stating that it received no response to correspondence sent to the student at a correct address would be a negative factor.
- **Why the student claims he was not aware of the widely publicized requirement to register when he was aged 18–25.**

The FAA will review the applicant’s statement and supporting documentation to determine whether extenuating circumstances should be considered in overriding the Selective Service registration requirement. The FAA must document the reasons for her or his decision and notify the student in writing. If approved, the FAA will update the student’s record to include the Selective Service database match override.

A financial aid administrator’s professional judgment decision is final, and cannot be appealed to another agent of NSC nor the U.S. Department of Education as per HEA Sec. 479A(a).

## REASON FOR POLICY

This section is required [HEA 479A](#), 34 CFR [668.53\(c\)](#)

## FORMS/INSTRUCTIONS

The following forms can be obtained from an NSC financial aid administrator:

- Student Petition to Adjust Cost of Attendance
- Independent Petition to Adjust Expected Family Contribution
- Dependent Petition to Adjust Expected Family Contribution
- Petition to Apply for Independent Status
- Unusual Enrollment History Explanation

## CONTACTS

SUBJECT	CONTACT	PHONE	EMAIL
Primary Contact(s)	Anthony Morrone	702-992-2156	<a href="mailto:Anthony.Morrone@nsc.edu">Anthony.Morrone@nsc.edu</a>
Subject	Jenna Eastman	702-992-2155	<a href="mailto:Jenna.Eastman@nsc.edu">Jenna.Eastman@nsc.edu</a>

## DEFINITIONS

CPS – Central Processing System (processes FAFSAs)

ED – the United States Department of Education

FAFSA – Free Application for Federal Student Aid

Financial Aid Administrator (FAA) – for the purposes of professional judgment, FAAs include Director, Assistant Director and Counselor.

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## HISTORY

Reviewed June 11, 2014

Revised February 19, 2015

“Adjustments to Budget”: Non-content edits to section 1 and addition of section 7.

“Forms/Instructions”: Addition of “Unusual Enrollment History Appeal.”

Revised March 24, 2015

“Unusual Enrollment History”: Addition of Federal Direct Loan to first paragraph

Revised March 31, 2015

Revised UEH section headers

Added information relating to DCL-15-05

Added UEH appeal provisions

Added definitions for CPS and ED

Revised November 24, 2015

Removed UEH appeal provisions

Added UEH explanation provisions

Revised March 23, 2016

Moved Unusual Enrollment History (UEH) to General Provisions 3.6.1

Revised July 19, 2017

Added Assistant Director and removed Coordinator from definition of FAA