

# Professional Judgment: Finding a Reasonable Solution



# What is Professional Judgment ?

- ▶ Authority given by Congress to Financial Aid Administrators under Higher Education Act (HEA).
- ▶ A decision to make a change to some aspect of student eligibility or cost of attendance to reflect actual circumstances.
- ▶ A reasonable solution for students and families with unusual circumstances.

# Section 479A

- ▶ Says:
  - ▶ The financial aid administrator is granted legal authority to make professional judgment decisions.
  - ▶ Congress intended that such decisions be made in response to student's unusual circumstances.
  - ▶ All such decisions must be based on adequate documentation.

# 479A continued

- ▶ Authorizes **case-by-case** adjustments to:
  - Cost of attendance
  - Values of Federal Methodology data items
  - Homelessness
- ▶ Authorizes you to deny or reduce eligibility for Direct Loans
- ▶ Other statutory provisions allow use of PJ for:
  - Dependency status
  - Selective Service status
  - Satisfactory Academic Progress

# Why Use PJ?

- Provides **flexibility to evaluate** student based on current, actual financial circumstances
- Allows for **personal intervention** in cases warranting individual attention
- Enables appropriate response to student's **individual circumstances** not anticipated in legislation or regulation

# Warning: The PJ “No-No’s”

- ▶ Applying PJ to a class or group of students
- ▶ Changing the EFC formula or making “bottom line” EFC adjustment without calculating formula elements
- ▶ Awarding FSEOG or Perkins to students who do not meet neediest student definition

# Warning: The PJ “no-no’s”

- ▶ Changing a student from Independent to Dependent
- ▶ Creating new cost category in COA
- ▶ Using PJ to circumvent the law or intent of the law
- ▶ Changing elements of the EFC and applying change to only one Title IV program (such as loans)

# Myths About PJ

- ▶ “If you use projected year income for one year you may not do it again the next.”
- ▶ “If you make too many dependency override changes, it will trigger a program review.”
- ▶ “If you exercise too much professional judgment you may be promoted.”

# How to Monitor PJ

- ▶ Every professional judgment decision must be documented; and the documentation should include:

- ▶ Change being made
- ▶ Rationale for the change
- ▶ Who is making the change
- ▶ Date
- ▶ Any supporting documentation
- ▶ PJ Cover Sheet or check list?

*(A note about confidentiality-some things in a sealed envelope)*

# Written Policy on PJ

- ▶ Who is allowed to make changes using PJ?
- ▶ How is the documentation collected and maintained?
- ▶ Verification requirements and timelines. **Verification must be completed before adjustments to income are made.**
- ▶ Is there consistency among the staff?
- ▶ 2<sup>nd</sup> opinions
- ▶ Committee approach

**Comments?**  
**Questions?**

# Scenario 1

- ▶ You are the Financial Aid Director at a Community College. Pedro is a 32-year old student applying for financial aid who legally immigrated to the United States when he was 20 years old. He has a “green card” but is currently ineligible for aid because he never registered for Selective Service. He asked to meet with a Financial Aid Advisor to appeal his case and presents a letter from Selective Service indicating that they sent him one notice of the requirement to register. He said that he didn’t understand English when he received the notice and asks what he can do about becoming eligible for Financial Aid. *What do you tell him?*
- ▶ Pedro previously met with Gwen, a financial aid counselor in your office, to appeal his disqualification. She denied his appeal. You know that Gwen’s brother is in the military and she has very strong feelings about military service. You strive to be supportive of staff. *Does this change anything?*
- ▶ Pedro tells you that he has lived with various relatives and friends since arriving in the US. *Does this factor in your decision?*

# Scenario 2

- ▶ Jack says he is a Foster Youth from Florida. Your school asks for a form from his case worker. Jack says the case worker has retired. He moved here to follow his girlfriend. He can get you a letter from his girlfriend or his basketball coach that says they know him and he is a good kid and he was in Foster Care. *What is your response?*
- ▶ The documents that you receive indicate that Jack was a ward of the state because he was in juvenile detention, not foster care. *Now what?*
- ▶ Jack says that he is currently sleeping on a friend's couch and paying \$500/month in rent. He does not think he is homeless. *Does this affect your decision?*

# Scenario 3

- ▶ Jennifer has made an appointment with you to talk about her financial aid. Her 2016 income was \$32,000 and she is currently only eligible for an unsubsidized loan. She is an independent student and wants to concentrate on school. She quit her job in August and has moved back in with her parents. Her current income is \$0. She has come to you for help. *What do you tell her?*
- ▶ Jennifer is 21 years old and is independent due to a PJ appeal that your office approved because she provided affidavits that she no longer had contact with her parents. *Now what?*

# Scenario 4

- ▶ Aiden, an independent student, shows base year income for himself and his wife that produces a low EFC and comes to you to explain that they are taking the summer off from work because both have to have major surgery. He wants their income reduced to reflect a more accurate EFC for the year. *Would you approve the PJ to use expected yearly income?*
- ▶ Aiden's wife's surgery is cosmetic/dental surgery to correct an overbite. *Does this affect your decision?*
- ▶ Aiden's surgery is sex reassignment surgery. *What about now?*

# Satisfactory Academic Progress (SAP)

## ▶ Pace Requirement:

(*Quantitative Measurement*) - how much did the student complete?

- ▶ Must complete at least 66.6% of all units attempted
- ▶ W, FW, F, NC, I grades adversely affect completion rate

## ▶ GPA Requirement:

(*Qualitative Measurement*) - how well did the student do?

- ▶ Must have a minimum cumulative GPA of 2.00

## ▶ Timeframe Requirement:

How long is the student taking to complete?

- ▶ Have 90 units (or 150%) to complete a degree at the Community College level
- ▶ 30 units of remedial coursework may be deducted from total UA

# Not Making SAP GPA/Pace Consequences

- ▶ Warning Status- when students fail to make SAP for the FIRST TIME at the minimum standards of 2.0 gpa and 66.67% Pace. Student remains eligible ONE SEMESTER ONLY. Does not require appeal.
- ▶ Disqualification Status- students who did not correct cumulative SAP status during 'Warning' term. May remain unaided and be reinstated in future by attaining SAP standards. Student may appeal if there are extenuating circumstances.
- ▶ Financial Aid Probation Status- assigned to students who have been disqualified and have successfully appealed, resulting in reinstatement of aid eligibility for one semester or specified period of time. Approval is on a case-by-case basis and not granted automatically. Students must meet the terms of Probation.
- ▶ Termination Status- assigned to students denied an appeal, or who neither made SAP while on Financial Aid Probation, failed to meet the terms of their Probation Contract, nor demonstrated progress toward making SAP. UNAIDED.

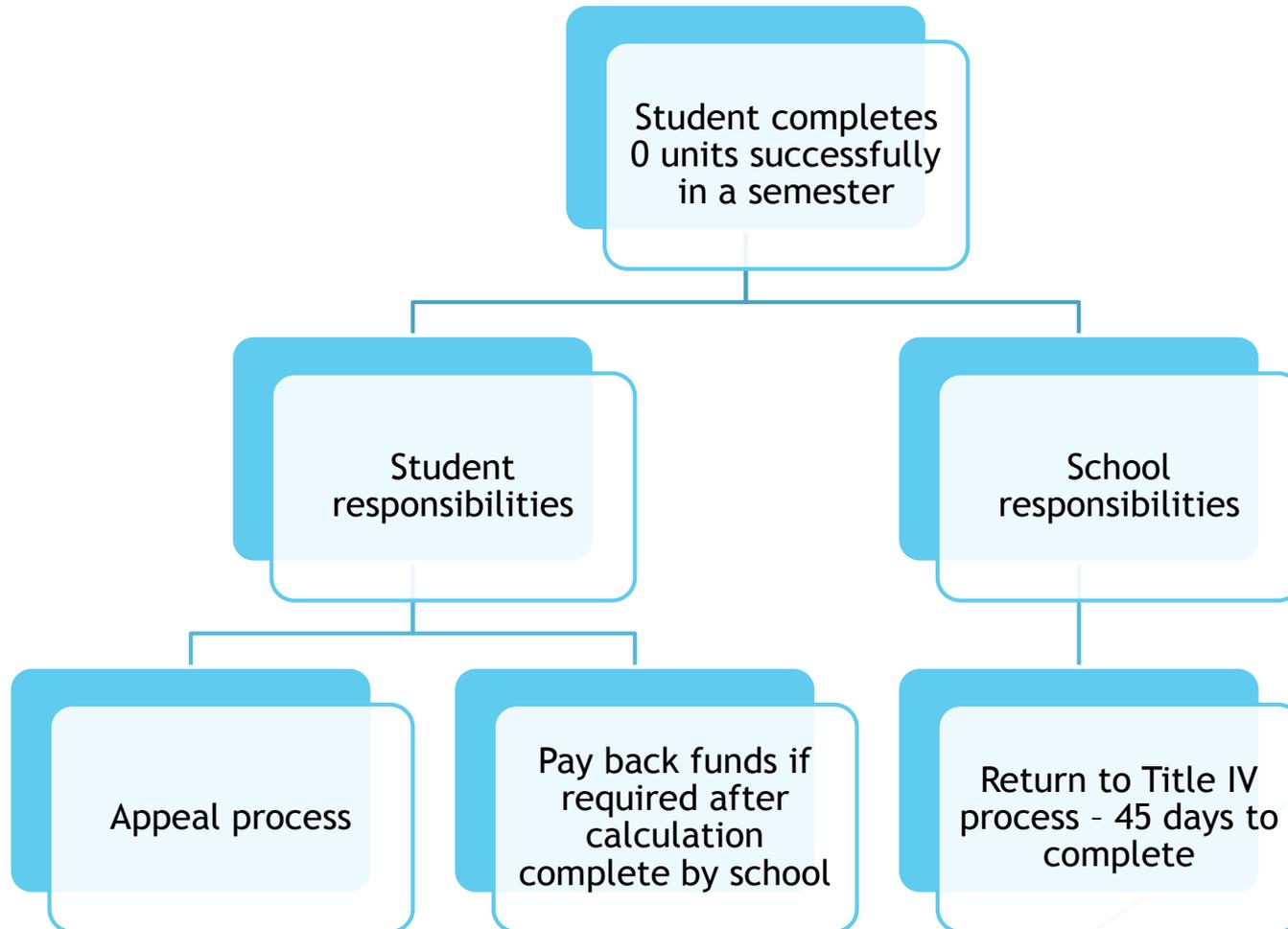
*\*It is important to note that each college is responsible to have their own SAP policy.*

# Not Making SAP Timeframe Consequences

- ▶ Warning- when students approach 90 units attempted (UA). Does not require appeal.
- ▶ Disqualification- students who have 90+ UA. Student may appeal if there are extenuating circumstances to extend time to complete their academic program. Requires an appeal.
- ▶ Approved- assigned to students who have been disqualified and have successfully appealed, resulting in reinstatement of aid eligibility for the specified period of time to complete their program. Approval is on a case-by-case basis and not granted automatically. Students must meet the policy terms including maintaining SAP GPA/PACE.
- ▶ Terminated- assigned to students denied an appeal, or who neither made SAP while on an Timeframe Extension or failed to meet the terms of their Timeframe Extension. UNAIDED.

*\*It is important to note that each college is responsible to have their own SAP policy.*

# What happens if a student drops or fails all courses attempted?



Comments,  
Questions,  
Emotional  
Outbursts?!?