Dependency Overrides for Emancipated Students

Section 480(d) of the Higher Education Act (HEA) identifies eight criteria under which an individual may be considered as an independent student for purposes of receiving Title IV, HEA program funds. These criteria are fully described in the Application and Verification Guide within the Federal Student Aid Handbook. If a student meets one of the eight criteria, the student is considered an independent student and is not required to report financial and demographic information for his or her parents.

In unusual circumstances, financial aid administrators are given the authority, under Section 480(d)(1)(1) of the HEA, to determine that a student is independent; this is a dependency override. As with the authority to make adjustments to the cost of attendance or the values of the data items required to calculate the expected student or parent contribution (or both) to allow for treatment of an individual eligible applicant with special circumstances under Section 479A of the HEA (known as "professional judgment" decisions), dependency override decisions must be made on a student-by-student basis, and the basis for each determination must be well documented in the student's file.

Documentation is a critical aspect of the dependency override process. The documentation must include the reason for the determination and must support the decision. In almost all cases, the documentation should originate from a third party with knowledge of the unusual circumstances of the student. The third party confirming the student's unusual circumstance could include: counselors or teachers, clergy, community groups, government agencies, medical personnel, courts, or prison administrators. In rare circumstances where third party confirmation cannot be obtained, the financial aid administrator may - but is not required to - accept a signed statement from the student alone, or the student and his or her relatives or friends; however, the use of this form of documentation may occur only in extremely rare circumstances.

Situations that might warrant a dependency override include the student's voluntary or involuntary removal from the parents' home due to an abusive situation that threatened the student's safety and/or health, the student's abandonment by the parents, or the inability of the student to locate the parents.