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Dear Ms. Arrington,

In response to the Federal Register notice published on September 4, 2009 (FR Doc. E9–21483), I am writing to comment on the draft Free Application for Federal Student Aid (FAFSA) that the Secretary proposes to use for the 2010–11 award year.

The nonprofit Institute for College Access & Success works to make higher education more available and affordable for people of all backgrounds. Through nonpartisan research, analysis, and advocacy, the Institute aims to improve the processes and public policies that can pave the way to successful educational outcomes for students and for society.

Our goal in commenting on the 2010-11 FAFSA is to ensure that applying for student aid is as easy as possible for students and their families. We appreciate that the Department has recently made, and plans to make, significant improvements to the FAFSA's content and process, and our comments focus on areas where more clarity and streamlining will make the FAFSA easier to understand and use. As discussed further below, it is essential that simplification efforts extend to all print and online products and interactions so that all potential aid applicants can benefit.

Unless otherwise specified, our recommendations about questions, notes, and instructions follow the format of the 2010-11 draft paper FAFSA and italics indicate suggested modifications.

Comments on the FAFSA Public Comment Process

The majority of our recommendations address the draft paper FAFSA, which was the only document provided with the official Notice of Proposed Information Collection Request cited above. However, we also offer limited comments on FAFSA on the Web (FOTW) and the FOTW Worksheet.

This year the draft 2010-11 FOTW Worksheet first became available to the general public on October 29, 2009, nearly two months after the draft paper FAFSA was released, and only to those who knew to look for it.¹ To date, there is no similar release of a draft FOTW, in static or

¹ We obtained the 2010-11 FOTW Worksheet on October 29, 2009 when an organization assisting the Department with National Training for Counselors and Mentors (NT4CM) directed us to the document, which had just been

interactive form. While the [2010-11 Data Elements and Justification chart](#) provides basic explanations of how skip-logic sequences are intended to work within FOTW, it is only of limited use without an accompanying visual depiction of how applicants work their way through the process.^{2, 3}

Although the vast majority of FAFSAs are now filed online, the paper FAFSA remains critically important for those who do not have easy access to the Internet. The Department may not be required to conduct the same type of public comment process for the FOTW and the FOTW Worksheet as for the paper FAFSA, but we urge the Department to release draft FOTW materials along with the draft paper FAFSA and encourage public review so that students, financial aid administrators, and other stakeholders can provide the Department with important, timely, and coordinated feedback on these interrelated forms.

Comments on the Paper FAFSA

Finding the printable version of the FAFSA

We have found that it takes a minimum of four steps, using the Frequently Asked Questions section of the www.fafsa.ed.gov home page, to find the printable PDF of the paper FAFSA.⁴ It could take many more steps if a student, family member, or counselor does not already know the correct links to follow and has to search around the site, or does not know that there is a paper alternative to the online process. While it is reasonable to encourage applicants to file online, those with limited or no Internet access should have easy access to the paper/printable version.

The Department should post a link to the PDF of the paper FAFSA on all student aid related websites (e.g., www.fafsa.ed.gov, www.studentaid.ed.gov, and www.college.gov) where applicants can find it within one or two steps. In addition, the Department should take steps to ensure that the link appears in basic FAFSA-related search engine results so students are not inadvertently directed to commercial web sites offering FAFSA application services for a fee. Finally, the Department should provide a paper version of the FAFSA in all relevant publications so that counselors, mentors, and others working directly with students, as well as students and parents themselves, can easily make and share hard copies.

Page 1: Cover Page

Using Your Tax Return

The instructions for applicants who have not yet filed a 2009 tax return currently read:

posted on the IFAP website. The submission deadline for comments to the Department on the 2010-11 FAFSA is November 3, 2009.

² We obtained the *Data Elements and Justification: 2010-2011 Free Application for Federal Student Aid (FAFSA)* document on September 30, 2009 only after making an inquiry to the Department about the availability of draft FOTW materials.

³ The Department's [FAFSA on the Web Demo System](#) includes sample login information and a test version of the 2009-10 FOTW, but we are not aware of any publicly available demo tool for the draft 2010-11 FOTW.

⁴ We accessed the PDF version of the 2009-10 FAFSA on October 20, 2009 with the following steps: 1) After arriving at www.fafsa.ed.gov, click "FAQs"; 2) click "Applying for Aid"; 3) click "How do I apply for aid"; and 4) Click "Completing the FAFSA."

“If you have not yet completed your 2009 tax return, you can still submit your FAFSA using best estimates. After you submit your tax return, correct any income or tax information that is different from what you initially submitted on the FAFSA.” While this is a notable improvement from previous instructions and reflects one of our past recommendations, we also suggest adding brief instructions for correcting or updating estimated income and tax information⁵:

“After you submit your tax return, correct any income or tax information that is different from what you initially submitted on the FAFSA *either online at <http://www.fafsa.gov> (using your PIN) or by using your Student Aid Report (see “Mailing Your FAFSA”).*”

Filling Out the FAFSA

Especially in difficult economic times like these, it is critical that students and families know to inform financial aid offices about their current financial situation. We recommend two changes to help applicants understand what kinds of “unusual circumstances” are relevant and how to address them:

1) Reword the phrase that begins with “If you or your family has unusual circumstances...,” to say:

“If you or your family experienced *significant changes to your financial situation since filing your 2009 taxes* (such as loss of employment), complete this form to the extent you can, then submit it as instructed and consult with the financial aid office at the *college(s) where you are applying or attend.*”

2) Move the reworded sentence above so that it becomes the second paragraph of the “Using Your Tax Return” section, since it pertains to using your tax return to fill out the FAFSA.

Page 3: FAFSA personal information form

Step One

Question 18: State of Residence

We recommend defining “state of legal residence” in the Notes section.

Page 5: FAFSA personal information form

Step Three

Question 46: Age

Once individuals have established that they are independent students by answering “yes” to one question in Step Three, it is unnecessary for them to answer the remaining questions in this section or any of the questions in Step Four. Age is the most common way to qualify as an independent student, so students who answer “yes” to question 46 should be instructed to skip

⁵ Asher, Lauren. September 2008. *Comments on 2009-2010 Draft Free Application for Federal Student Aid (FAFSA)*. The Institute for College Access & Success. http://projectonstudentdebt.org/files/pub/FAFSA_comments_92308.pdf

the other Step Three questions, mirroring the skip logic enhancements for the same question on FOTW. We recommend adding this text to the end of question 46:

“If “yes,” skip the rest of this section (questions 47-58) and all of Step Four, and go straight to Step Five on page 8.”

Questions 56-58: Unaccompanied homeless youth

Our proposed changes address a statutory problem in the draft while simultaneously making it easier for students to understand what they are being asked. As detailed below, we recommend that instead of asking three separate questions that attempt to capture the various ways an applicant might qualify as an independent student due to being homeless or at risk of homelessness, the form should ask just one simple question accompanied by a more detailed Notes section. This recommendation is already reflected in the current FOTW.

The College Cost Reduction and Access Act of 2007 (CCRAA) specifies that certain unaccompanied youth are considered independent if they are homeless or are self-supporting and at risk of homelessness, and if they receive an official determination of their status from one of four sources. However, the draft language for questions 56 and 57 does not currently include those who are determined to be self-supporting and at risk of homelessness, as mandated by the CCRAA in section 604(a)(2). Here is the statutory language, with italics for emphasis only:

“(H) has been verified during the school year in which the application is submitted as *either an unaccompanied youth who is a homeless child or youth* (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act), *or as unaccompanied, at risk of homelessness, and self-supporting*, by—

“(i) a local educational agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act;

“(ii) the director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;

“(iii) the director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or

“(iv) a financial aid administrator; or”;

We recommend replacing questions 56, 57, and 58 -- which are long, confusing, and still do not cover all of the potential combinations of status and source of determination -- with the following single question:

“At any time on or after July 1, 2009, did you receive a determination that you were an unaccompanied youth who was homeless, or that you were an unaccompanied youth who was self-supporting and at risk of being homeless?”

The new question would be accompanied by a reference to the Notes section, and the first paragraph of the Notes would read:

“Answer ‘Yes’ if you received a determination that you were an unaccompanied youth who was homeless, or self-supporting and at risk of homelessness, from any of the following sources at any time on or after July 1, 2009:

- Your high school or school district homeless liaison*
- The director, or designated staff, of an emergency shelter program funded by the U.S. Department of Housing and Urban Development*
- The director, or designated staff, of a runaway or homeless youth center or transitional living program.*
- A financial aid administrator at the school you attend/plan to attend.”*

Further, the 21-or-younger definition of “Youth” in the Notes for questions 56-58 appears to conflict with legislative intent. Under the draft definition of “Youth” in the FAFSA Notes, unaccompanied homeless youth who are 22 or 23 years old will not be considered independent students and, because these youth do not have access to parental signatures or income information, they will not be able to apply for federal financial aid. While the statutory language of the CCRAA does not specify ages pertaining to “unaccompanied homeless youth,” the congressional record shows clear intent to provide federal student aid access to unaccompanied homeless youth who would not otherwise qualify as “independent” and are unable to provide parental information.⁶ Additionally, the Government Accountability Office, in advising Congress on this and related issues, has defined disconnected youth as “youth aged 14 to 24 who are not in school and not working, or who lack family or other support networks.”⁷ Therefore, we recommend revising the Notes as follows:

“Youth” means you were born on or after January 1, 1987.”

⁶ Rep. Judy Biggert (R-IL): “The current Free Application for Federal Student Aid, or FAFSA, creates insurmountable barriers for unaccompanied homeless youth--youth that are homeless and alone. These children do not receive financial support from their parents, and many do not have access to parental financial information or a parental signature required by the FAFSA. As a result, unaccompanied homeless youth are prevented from accessing the financial aid they need because they cannot supply the information required by the FAFSA. The FAFSA Fix for Homeless Kids Act addresses these barriers by allowing unaccompanied homeless youth to apply for federal financial aid without providing parental income information or a parent signature. This will open the doors of higher education to some of our nation's most vulnerable youth, and I am pleased that H.R. 2669 includes the FAFSA Fix for Homeless Kids Act.” Congressional Record Vol. 153, No. 132 (September 7, 2007), H10267. Available from: http://frwebgate.access.gpo.gov/cgi-bin/getpage.cgi?dbname=2007_record&page=H10267&position=all. Accessed 10/16/09.

⁷ GAO noted that the various statutes relating to homeless and disconnected youth do not prescribe an age range. U.S. Government Accountability Office, Report to the Chairman, Committee on Education and Labor, House of Representatives. *Disconnected Youth - Federal Action Could Address Some of the Challenges Faced by Local Programs That Reconnect Youth to Education and Employment*. GAO-08-313. Washington, DC: February 28, 2008. Available from: <http://www.gao.gov/new.items/d08313.pdf>. Accessed 10/16/09.

Page 6: FAFSA personal information form

Step Four

Question 78 (and its corollary in Step Five, Question 99): Federal Benefits

While the Department now uses the full name of the Temporary Assistance for Needy Families (TANF) program for question 78 instead of just the acronym, this change alone is insufficient to ensure that applicants can answer this important question accurately. While TANF is a federal benefit, it is administered at the state level and goes by very different names in different states. For example, it is called CalWorks in California, MFIP (Minnesota Family Investment Program) in Minnesota, and WAGES (Work and Gain Economic Self-Sufficiency) in Florida. There is no reason that recipients in these and many other states would know that their benefit actually comes through TANF.

We strongly recommend adding a link at the end of the instructions for questions 75-79 so that applicants can access a list of state TANF program names. Such a list is available at <http://www.acf.hhs.gov/programs/ofa/states/tfnames.htm>. We also recommend augmenting the instructions to provide further guidance and ensure that applicants can get this critical information without access to a computer:

“TANF may have a different name in your parents’ state. If anyone in your family receives low-income benefits, call 1-800-4-FED-AID to find out the name of the state’s program.”

Last year we placed more than a dozen calls to the FAFSA helpline, and we found that the odds of getting an accurate response to simple inquiries about the TANF question were 50-50.⁸ We placed a similar set of calls late last month, and the responses were much more accurate and helpful. While we are encouraged by the clearly improved training and resources available to helpline operators, we recommend that the Department closely monitor this issue to ensure that all FAFSA helpline operators understand what TANF is and have easy access to reference materials with state program names.

Our concerns about how the TANF question is handled in FOTW appear below in our comments about the FOTW process.

Page 9: Notes

To prevent confusion and make all the relevant information in the Notes section easier for applicants to see and use, we suggest moving the text currently on page 2 of the draft paper FAFSA to page 8. This will create one continuous Notes section on pages 8 through 9, instead of splitting the section between pages 2 and 9.

⁸ See Asher, *supra* note 5.

Notes for question 53 (page 5)

For clarification and simplification, we suggest changing the Note to say:

“Answer “**Yes**” if *at any time since turning age 13:*

You had no living parent (biological or adoptive), even if you are now adopted;

OR

You were in foster care, even if you are no longer in foster care as of today;

OR

You were a dependent/ward of the court, even if you are no longer a dependent/ward of the court as of today.”

Page 10: What is the FAFSA?

This important information is counter-intuitively at the end, rather than the beginning, of the paper FAFSA. We suggest moving this text to page 2, so that students have an opportunity to learn more about the FAFSA before they start filling it out. Additionally, the information about the availability of nonfederal assistance in italics at the bottom of the page is too valuable to be treated like a footnote that may easily be overlooked. We suggest making it part of the section: “Where can I get more information on student aid?”

We also recommend adding the following language under the “How do I find out what my Expected Family Contribution (EFC) is?” section, so that the instructions about making corrections mirror the instructions in the “Using Your Tax Return” section on the cover page:

“Make corrections or provide additional information, as necessary, *either online at <http://www.fafsa.gov> (using your PIN) or by using your SAR.*”

Space constraints understandably limit the amount of information on the FAFSA, but applicants would benefit from knowing a little more about what to expect after submitting the FAFSA. We encourage the Department to help applicants understand that the FAFSA is just the first step in the aid process, that there may be additional applications for grants and scholarships from their state, college, or other sources, and that their college financial award letter will provide more details about all the aid for which they qualify.

Comments on FAFSA on the Web (FOTW and FOTW Worksheet)

We applaud the Department’s current and planned efforts to streamline the process of applying for financial aid online, as evidenced, in part, by the May 2009 and August 2009 changes to FOTW.^{9,10} More applicants will now be directed to FOTW due to a simpler web address (www.fafsa.gov) which will help students and families avoid unintentionally using sites that market services requiring payment for processing or submitting the FAFSA. As noted above, students who answer “yes” to a key age question will not have to see or answer numerous other

⁹ Department of Education. “Obama Administration Announces Streamlined College Aid Application.” Press Release, June 24, 2009. <http://www.ed.gov/news/pressreleases/2009/06/06242009.html>.

¹⁰ Leith, William. August 2009. *Enhancements to 2009-2010 FAFSA on the Web and FAA Access to CPS Online*. Office of Federal Student Aid, U.S. Department of Education. <http://www.ifap.ed.gov/eannouncements/080609Enha0910FOTWFAAAcc.html>

questions designed to determine their dependency status. Among other improvements, first-time aid applicants will no longer be asked a drug conviction question that only applies to those who have previously received federal financial aid. And applicants are now shown useful information about schools they select to receive their FAFSA information, which can help students and parents compare and consider college options.

We commend the Department for reducing the length of the FOTW Worksheet, which all online applicants are encouraged to print out and complete, from eight pages in 2009-2010 to four pages in the draft for 2010-2011. Rather than effectively duplicating the entire FAFSA, as the Worksheet has in the past, the new draft focuses on key questions that can help prepare students for successful online completion, and it attempts to mirror some of the skip-logic improvements already made to the FOTW.

However, despite the significant improvements, the FOTW Worksheet contains several terms that may be unfamiliar to applicants and their families. For example, in Section 3, the Department should define the term “dislocated worker,” as it did in the 2009-10 version.

In Sections 3 and 4, the Department should provide more helpful instructions for determining TANF eligibility, as discussed above in our comments on the paper FAFSA’s questions 78 and 99. We recommend adding the following language to provide guidance to applicants who may not be familiar with the TANF program:

“TANF may have a different name in your parents’ state. If anyone in your family receives low-income benefits, call 1-800-4-FED-AID to find out the name of the state’s program.”

Finally, at the bottom of page 4 of the FOTW Worksheet, applicants should be provided with both the web address and phone number for assistance and information as they complete the FAFSA process:

For more information on federal student aid, visit www.FederalStudentAid.ed.gov or call 1-800-4-FED-AID to speak with a federal student aid representative.

Comments Related to IRS Data Pre-Population (Paper FAFSA, FOTW Worksheet, and FAFSA4Caster)

The Department has done an admirable job of working with the IRS to develop a process for letting applicants electronically transfer their own tax data into the FAFSA. The Department has announced that this option will first be part of a pilot program available only to applicants who apply between January and June of 2010 for the 2009-10 award year. We urge the Department to make this system as easy to use and widely available as possible, so that all aid applicants can pre-populate the FAFSA questions requiring tax data starting January 2011. As we first proposed in our 2007 [Going to the Source](#) report, this is a powerful way to simplify the application process for students and parents, increase the accuracy of the information submitted, and reduce the data verification burdens on both students and schools.

To ensure that applicants are aware of this important new option, we recommend that the cover pages of the FOTW Worksheet and paper FAFSA include a bold notice that some applicants can easily transfer their tax data into the online FAFSA with just a few clicks, along with an explanation of who is eligible. Once this option is available to all applicants, the Department should also mark the questions on the paper FAFSA (and on the FOTW Worksheet, if relevant) that eligible applicants could skip if they pre-populated the form online instead.

In addition, the pre-population option should be available for all FAFSA4caster users starting January 2010. The FAFSA4caster provides an estimate of financial aid eligibility based on the user's available financial information – it is not limited to a particular application cycle or year of tax data. It provides early information that can help students get and stay on the college track, and encourage students and parents to make informed decisions about college affordability and financial aid. When users provide certain identifying information, their FAFSA4caster data can be transferred directly to FOTW. The Department should ensure that the pre-population option and any other improvements to FOTW are also available through the FAFSA4caster.

Though an estimated 99 percent of FAFSA applicants utilize FOTW, an unknown number of individuals may never complete a FAFSA, perhaps due to a lack of reliable Internet access or other reasons related to the complexity of the application process.¹¹ One recent analysis estimates that nearly 2.3 million enrolled college students would have qualified for the Pell Grant in 2007-08 but did not submit the FAFSA.¹² These students were more likely to attend two-year schools or to be enrolled part-time than those who filed the FAFSA, and they represent missed opportunities to increase academic success and degree completion. We encourage the Department to continue to seek ways to make the entire FAFSA process, both online and on paper, as accessible and easy as possible for all applicants.

Thank you for the opportunity to comment on the draft 2010-11 FAFSA. If you have any questions regarding our comments, please do not hesitate to contact me or my colleague Cedrick Andrews by phone at (510) 559-9509, or via email at ljasher@ticas.org and candrews@ticas.org.

Sincerely,



Lauren Asher
President

¹¹ *ibid*

¹² Kantrowitz, Mark. April 2009. *Analysis of Why Some Students Do Not Apply for Financial Aid*. FinAid.org. <http://www.finaid.org/educators/20090427CharacteristicsOfNonApplicants.pdf>.