



GEN-13-12

April 29, 2013

Subject: 2014-2015 FAFSA - Parental Information Collection

Summary: This letter describes a change to the 2014-15 FAFSA related to the collection of parental information. The letter has, as attachments, a table that summarizes the impact of the change and a set of Questions & Answers (Q&As) related to the change.

Dear Colleague:

On or about May 3, 2013, the Department will publish in the *Federal Register* for public comment a draft of the *2014-2015 Free Application for Federal Student Aid* (FAFSA). A change that will be included on the 2014-2015 FAFSA is the collection of information from both of a dependent student's legal parents, without regard to the marital status or gender of those parents, if the parents live together.

Change:

Beginning with the 2014-2015 FAFSA, dependent students will be required to include on the FAFSA income and other information from the dependent student's legal parents (biological or adoptive) regardless of the parents' marital status or gender, if those parents live together. The information provided on the FAFSA will be used in the calculation of the student's expected family contribution (EFC), which in turn, will determine the student's eligibility for aid from the federal Title IV, HEA need-based student financial assistance programs (i.e. the Federal Pell Grant Program, Federal Direct Subsidized Loan Program, and Federal Campus-Based programs).

Discussion:

The FAFSA has long been constructed to collect information about both of a student's parents only if the parents are married, and has used the gender-specific terms "mother/stepmother," and "father/stepfather." As a result, the FAFSA has excluded income and other information from one of the student's legal parents when the parents are unmarried, even if those parents are living together. It is critical that, to the extent they are able, both of a dependent student's parents help pay the educational expenses of their child.

830 First St. N.E., Washington, DC 20202  
[www.FederalStudentAid.ed.gov](http://www.FederalStudentAid.ed.gov)  
1-800-4-FED-AID

Collecting parental information from both of a dependent student's legal parents will result in fair treatment of all families by eliminating longstanding inequities that were based on the relationship of the parents with each other rather than on the parents' relationship with their child. This change will ensure that limited taxpayer resources are directed to students with the most need, regardless of the student's parents' marital status or gender, when those parents reside in the same household. It also recognizes the diversity of today's American families.

#### The Law:

The collection of information from both of a dependent student's parents is statutorily supported in the section of the Higher Education Act (HEA) that provides the information to be used in the calculation of a dependent student's expected family contribution (EFC). HEA section 475 includes the terms "parent" and "parents" and not gender specific terms such as "mother" and "father".

This change does not impact the longstanding and statutorily required provision that when a dependent student's parents are divorced, only information on the parent that the student resided with for the greater portion of the 12 months preceding the date of completing the FAFSA is to be reported. Collecting information from the unmarried legal parents of a dependent student will mirror that provision by not requiring the second legal parent's information when the student's unmarried parents do not live together. However, in both circumstances, if the other parent provides financial support to the student, that support should be reported on the FAFSA in the "Untaxed Income" section (i.e., 2014-2015 FAFSA questions 45j).

#### Impact of Change:

The collection of FAFSA information for both of a dependent student's unmarried parents when both parents are living together will not impact the majority of federal student aid applicants.

Almost 60 percent of FAFSA filers are independent and therefore not impacted (except for those independent students who, for non-federal student aid purposes, choose to provide parental information on their FAFSA). Another 20 percent, while dependent, are not impacted since their parents are married. Some expected large portion of the remainder also will not be impacted because the parent with whom the student lives (or who provides more than half of the student's support) does not live with the student's other legal parent.

While most students will be unaffected by these FAFSA and EFC changes, the eligibility of some dependent students will change with the collection of information from both legal parents, when the two parents are unmarried and living together. In most of these instances, the amount of need-based Title IV aid these students will receive will decrease because of the additional income and other resources used in the calculation of the student's EFC. In a small number of instances, there will be more Title IV eligibility because the offset for an additional person in the parents' household, a factor in calculating the EFC, will exceed the income of the second parent.

#### The FAFSA Form and FAFSA on the Web:

Beginning with the 2014-2015 FAFSA, a new response of "Unmarried and both parents living together" will be included as a response to the question about the marital status of the dependent student's parents. Thus, the possible responses to the question: "As of today, what is the marital status of your legal parents?" will be, in this order, "Never married", "Unmarried and both parents living together", "Married or remarried", "Divorced or separated", and "Widowed". The FAFSA will instruct a dependent student to provide information about both of the student's legal parents regardless of the parents' marital status or gender, if the parents live together. The FAFSA instructions will define a legal parent as the student's biological or adoptive parent.

The federal "Defense of Marriage Act" provides that for federal purposes, including for the federal student aid programs, the word marriage means "a legal union between one man and one woman as husband and wife". Therefore, a student's same sex parents who are married under the authority of a state or foreign country would respond to the question about parents' marital status as "Unmarried and both parents living together" if the parents are the student's legal (biological or adoptive) parents and they live together.

Because of the "smart logic" capabilities of FAFSA on the Web (FOTW), responses other than the new "Unmarried and both parents living together" will result in the same customized follow-up questions and instructions as is currently the case for the 2013-2014 FOTW. Only if the response to the parents' marital status question is "Unmarried and both parents living together" will FOTW present newly worded follow-up questions, instructions, and help. For example, because unmarried parents may be of the opposite sex or of the same sex, when the response to the parents' marital status question is "Unmarried and both parents living together," follow-up questions will refer to the parents as "Parent 1 (father/mother)" and "Parent 2 (father/mother)" or simply "parents".

Also, since parents who are not married could not have filed a joint IRS tax return together, FOTW will provide instructions on how the family should respond to questions such as "tax filing status" and "type of tax return", and to the Adjusted Gross Income (AGI) and other tax return questions. We note that this also applies to married parents (and married independent students) whose response to the new 2014-2015 FAFSA "IRS filing status" question is "Married filing separately".

As is presently the case for married parents who file taxes separately, parents who are unmarried will not be presented the option of using the IRS Data Retrieval Tool because neither the IRS Data Retrieval Tool nor FOTW is able to collect financial information separately for each of those parents.

Please make sure to monitor our Information for Financial Aid Professionals (IFAP) website ([ifap.ed.gov](http://ifap.ed.gov)) for additional information on this FAFSA collection change.

Sincerely,



Jeff Baker, Director  
Policy Liaison and Implementation  
Federal Student Aid

Attachments: Attachment A – Comparison of Parental Data Collected on FAFSA and Used in the EFC

Attachment B – Questions and Answers (Q&As)