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Cummings Announces Legislation to Improve Student Access to Federal Financial Aid

Senators Cardin and Van Hollen to Introduce Companion Bill in the Senate

Baltimore, MD (February 4, 2019)—Today, Congressman Elijah E. Cummings (MD-07) was joined by U.S. Senators Ben Cardin and Chris Van Hollen and Congressmen Dutch Ruppersberger and John Sarbanes to announce the introduction of the FAFSA Fairness Act of 2019. The legislation would simplify the process to apply for and receive federal student financial aid for students who do not have contact with their parents. U.S. Senators Cardin and Van Hollen will introduce companion legislation in the Senate.

“I firmly believe that all qualified students should be able to attend college and have access to the resources they need to succeed regardless of their financial or life circumstances,” **said Cummings**. “Students who have escaped abusive homes, have been abandoned, have parents who are incarcerated, or who have other special circumstances that limit contact with their parents should have the same opportunities as their classmates who have not faced these obstacles. Instead, these students frequently abandon their goal of attending college because of the often long and complicated process of applying for student aid. This bill will help prevent our financial aid process from continuing to be an unintended barrier to higher education.”

“We want all students to have an opportunity to achieve their dream of earning a college degree,” **said Cardin, a member of the Senate Finance Committee**. “Students that have faced difficult and abusive life circumstances that leave them unable to contact their parents should have the same chance as their peers to apply for federal student aid and make informed financial decisions and comparison shop for the highest quality, yet most affordable, option for college available to them. Team Maryland will continue to work together to eliminate obstacles that our most vulnerable students face when working towards their higher education goals.”

“Nobody should be denied the opportunity to attend college because they don’t have a big enough bank account. As part of our effort to make college more accessible, we must streamline and reform the process for applying for student financial aid. The current financial aid application process is broken, and I’m proud to support this legislation to make it easier for students to make informed decisions about their academic futures. I will continue working with Team Maryland to provide every individual with the desire to go to college the opportunity to do so,” **said Van Hollen.**

“Team Maryland is working hard to not only increase financial aid, but make it easier to apply. A student who may have left home due to an abusive environment or whose parents are incarcerated should not have to jump through extra hoops in order to achieve a quality education. I applaud Congressman Elijah Cummings as well as Senators Cardin and Van Hollen for their leadership on this issue and look forward to helping them get the FAFSA Fairness Act signed into law,” **said Ruppertsberger.**

“We must make it easier for every student in America to apply for and receive financial assistance to make informed decisions about higher education,” **said Sarbanes.** “The FAFSA Fairness Act will ensure that any student – regardless of financial situation or family dynamics – can have the same ease of access to the FAFSA application process. I want to thank Congressman Cummings for leading this important effort. I am proud to co-sponsor and reintroduce this bill.”

“This legislation will open the doors of education for many students who could not attend Baltimore City Community College because they lacked access to Federal student aid,” **said Sylvia Rochester, Baltimore City Community College Interim Vice President of Student Affairs.**

The bill’s key provision would allow students who do not have contact with their parents, or who meet other criteria established by educational institutions, to complete the Free Application for Federal Student Aid (FAFSA) as “provisionally independent” students. Currently, these students must undergo a “dependency override” at each institution they apply to before they are able to be considered for financial aid. This process can be extremely time consuming and a barrier to college access for students with these difficult personal and financial circumstances.

The bill would not increase the workload of college financial aid administrators or alter their discretion, but it would ease the financial aid application process for students and provide an incentive to complete the entire process and enroll in higher education.

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The FAFSA Fairness Act of 2019

The FAFSA Fairness Act would amend the Higher Education Act of 1965 (20 U.S.C. 1090) to increase access to federal student aid for students with uniquely difficult personal and financial circumstances, including students age 24 and under who:

- have left home due to an abusive family environment;
- are unable to locate their parents;
- have parents who are incarcerated; or
- meet other conditions determined by the institution to which they are applying that prevent them from accessing parental financial information.

Students with special circumstances like these are currently unable to complete the Free Application for Federal Student Aid (FAFSA). Instead, they must contact the institutions to which they are applying to undergo an arduous “dependency override” process before the institutions will prepare financial aid packages for them. The “dependency override” process can vary between institutions, and some students abandon completing their college applications because of the complexity and difficulty of the override process.

- Under this bill, students with no parental contact can fill out the FAFSA and immediately receive a provisional determination of their Federal financial aid award, including an Federal Pell grant, as if they had already been determined independent.
- Under the proposed changes in the FAFSA Fairness Act, students would complete the override process only at the institutions at which they intend to enroll, instead of at every institution they apply to.

By enabling students to know the financial aid for which they would qualify at each of the education institutions to which they are applying, this bill would help students to make informed choices about institutions in which they choose to enroll and ensure they are incentivized to complete the federal aid override process.

- This bill adds specific guidelines on how the institution the student applies to must notify and communicate with the student regarding all requirements the institution has in place to determine whether they receive independent status.

By providing a list of verification processes that the institution can consider adequate in determining whether a student qualifies, the bill places safeguards to avoid fraud and establish a standard for handling these special circumstances.