

United States Senate

WASHINGTON, DC 20510

May 27, 2020

The Honorable Betsy DeVos
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Dear Secretary DeVos:

We write to urge you to help ensure that students whose financial circumstances have changed as a result of the COVID-19 emergency receive the federal financial aid for which they now qualify. We appreciate the U.S. Department of Education's ("Department") effort to provide guidance regarding the financial aid disruptions resulting from this pandemic. Unfortunately, with the national unemployment rate at 14.7 percent and with fewer students applying for federal financial aid than last year, it is critical that the Department take additional steps to ensure that shifts in financial circumstances receive due consideration and that students have the information they need to continue to pursue postsecondary educational opportunities.

We are concerned that the current financial situation of students who recently filed, or are in the process of filing, their Free Application for Federal Student Aid (FAFSA) may not be accurately reflected. Students and families who have recently become unemployed or suffered a significant drop in income may fail to qualify for the support they need to afford college. To that end, we believe the Department plays an integral role in ensuring that students and financial aid administrators have the information and resources necessary to respond to the unique challenges that this global pandemic has created and exacerbated. While colleges currently have tools at their disposal to recalculate financial aid eligibility resulting from a loss of income, it is vitally important to make students and families aware of these options.

Financial aid administrators should have the support, guidance, and flexibility of the Department to fairly and efficiently execute "Professional Judgment," their authority under the Higher Education Act to recalculate financial aid eligibility when a student's expected family contribution has abruptly changed. We request that the Department reissue guidance similar to GEN-09-05 regarding Professional Judgment to clarify that income earned from work performed by recently unemployed students should be treated as zero. Additionally, due to the unemployment insurance (UI) application backlogs experienced by many states, the guidance document in question should include accommodations and documentation requirement flexibilities with respect to individuals who have applied for UI benefits but not yet received them. The Department should consider, for instance, allowing for unemployment verification through electronic confirmation of application for, or receipt of, UI benefits.

Furthermore, the Department should provide resources for state unemployment agencies to ensure that UI applicants know that federal financial aid and means-tested benefits are available to support them during this difficult time. The guidance should encourage aid administrators to proactively reach out to students on the availability of Professional Judgment if their own, or their family's income has changed significantly. In order to encourage such practices among administrators, the Department should publicly announce the adjustment of the selection process for Program Reviews for the 2020-21 and 2021-22 award years.

Additionally, to assist students and families during this time, we ask the Department to make important changes to the FAFSA website and FAFSA itself. As you know, the FAFSA collects tax data from two years prior and does not account for recent financial changes. We recommend making a few key changes to provide an additional opportunity for applicants to note recent changes to their income. To begin to help address this, the Department should highlight on the homepage of FAFSA/FAFSA App that there is an existing "dislocated worker question" on the FAFSA, and that those who have lost a job, those who have been laid off, and those who are receiving UI benefits should mark off the box for that question.

That said, we understand that the "dislocated worker question" may not capture those who were not laid off but still experienced a substantial income reduction, nor will it necessarily account for self-employed individuals who reduced their own pay to keep their businesses afloat. With that in mind, we request that the Department add a temporary question to the FAFSA for the 2020-2021 award year and the 2021-2022 award year that asks, "Was your income significantly reduced due to the COVID-19 emergency?" Aligned with this change, the Department should also update pages of the FAFSA website and the myFAFSA mobile application with guidance for students and families to follow up with a student aid administrator at the institution the student plans to attend in order to provide information about income changes.

At a time when students and their families across the country face economic uncertainty, the Department and institutions of higher education must do everything they can to ensure that students do not fail to matriculate or stop-out of their programs of study because they are unable to access the resources needed to do so. We appreciate your attention to this important matter.

Sincerely,



Margaret Wood Hassan
United States Senator



Tim Scott
United States Senator



Cory A. Booker
United States Senator



Kelly Loeffler
United States Senator