Student Financial Services

Professional Judgement Policy

Effective date	September 2023
Office responsible	Foreign Loans Unit, Student Financial Services
Approved by	Odette Collard-Woolmer, Head of Financial Operations
Data Policy and Procedure was last reviewed	November 2026 (K.Newman, Foreign Loans Officer/ Primary-DPA)
Data Policy and Procedure was last revised	July 2024 (K.Newman, Foreign Loans Officer/ Primary-DPA)

What is Professional Judgement?
When there are unusual situations or circumstances that impact your federal student aid eligibility, federal regulations give a financial aid administrator discretion or professional judgement on a case-by-case basis and with adequate documentation to make adjustments to the data elements on the Free Application for Federal Student Aid (FAFSA®) form that impact your Student Aid Index (SAI) to gain a more accurate assessment of your family's ability to contribute to your cost of education. The Department of Education does not have the authority to override a school's professional judgement (PJ) decision.

Financial Aid Administrator (FAA) can exercise the discretion:

- Adjust components of a student's Cost of Attendance (CoA) or the data that determines a student's SAI to account for a student's special circumstances.
- Students unusual circumstances that warrant making a dependent student an independent student.
- To determine if a student should be classified as an unaccompanied homeless youth
- Resolve a discrepancy after receiving conflicting information for a student
- Students or employee who have been guilty of fraud should be reported to the Department of Education.

Special Circumstances
An FAA may use PJ on a case-by-case basis to adjust the components of a student's cost of attendance or the data used to calculate their SAI. This adjustment is valid only at the school making the change.

The law gives some examples of special circumstances that **may** be considered (HEA Sec. 479A):

- Change in employment status, income, or assets;
- Change in housing status (e.g., homelessness);
- Tuition expenses at an elementary or secondary school;
- Additional family members enrolled in college;

- Medical, dental, or nursing home expenses not covered by insurance;
- Child or dependent care expenses;
- Severe disability of the student or other member of the student's household; and
- Other changes or adjustments that impact the student's costs or ability to pay for college.

Unusual Circumstances
FAAs to assist applicants with unusual circumstances to adjust dependency status on the FAFSA form to reflect students' situations more accurately, referred to as 'dependency override'.

Unusual circumstances do include (but are not limited to):

- Human trafficking, as described in the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);
- Legally granted refugee or asylum status;
- Parental abandonment or estrangement; or
- Student or parental incarceration.

Unusual circumstances do not include:

- Parents refuse to contribute to the student's education.
- Parents will not provide information for the FAFSA or verification.
- Parents do not claim the student as a dependent for income tax purposes.
- Student demonstrates total self-sufficiency.

An aid administrator may override only from dependent to independent.

Process for requesting a PJ review:
Students receiving Direct Loans may request a review of their Federal Aid eligibility in certain special circumstances or unusual circumstances. FAA's may make adjustments that are appropriate to each students situation with appropriate documentation.

- To request a PJ review, you must email the Foreign Loans Office at foreignloans@kent.ac.uk and provide the following information:
    - A personal statement to explain your circumstances
    - Evidence/Documentation in support of your statement
- The Foreign Loans Office will review your statement and supporting documentation and if necessary, we may ask you for further information, supporting documentation and/or clarification no later than 14 calendar days from the receipt of your request.
- Your PJ review will be discussed and reviewed by the Foreign Loans office as practicable, but no later than 60 days after the student enrols.
- The student will be sent a letter detailing the outcome of the panel's decision.
- **An FAA's decision is final and cannot be appealed by the student**
- **An FAA's decision is final and cannot be appealed by the US Department of Education.**

Foreign Loans Office responsibilities when processing PJ review request

- The Foreign Loans Office will access students on a case-by-case basis without regard to how broadly an event may affect its student population.
- The Foreign Loans Office will document PJ determinations.
- The Foreign Loans Office will review all requests as quickly as practicable, but no later than 60 days after the student enrols.
- The Foreign Loans Office will retain all documentation related to the adjustment for at least 6 years after the students last term of enrolment.
- The Foreign Loans Office will assume that any adjustment to determine a student independent will remain independent for each subsequent award year at the same institution unless the student informs the institution that their circumstances have changed.
- The Foreign Loans Office is not permitted to make a PJ for a student after that student has ceased to be eligible, including when a student is no longer enrolled.
- The Foreign Loans Office's decision regarding adjustments is final and cannot be appealed to the US Department of Education.