

# CHAPTER 10

## PROFESSIONAL JUDGMENT AND APPEALS

Imperial Valley College . 380 E. Aten Road . Imperial Valley, California . 92251

10.1

### PROFESSIONAL JUDGMENT OUR POLICIES

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- The Financial Aid Administrator may use professional judgment (PJ) on a case-by-case basis to alter the data elements used to calculate the EFC or to adjust a student's cost of attendance.
- The professional judgment adjustments made by the FAA at Imperial Valley College are valid only at IVC and cannot be transferred to another institution.
- The reasons for an adjustment must be documented in the student's financial aid file and must relate to the special circumstances that differentiate that individual from all other applicants. An aid administrator's decision regarding adjustments is final and cannot be appealed to the Department of Education.
  - Common areas in which professional judgment may apply include dependency overrides, as well as cost of attendance, income, and asset adjustments. However, nothing in the federal regulations limits the authority of the aid administrator to make adjustments for special circumstances.
  - Examples of special circumstances for which professional judgment may apply are:
    - Unusually high medical/dental expenses not covered by insurance
    - Unusually high child care costs
    - Recent unemployment
    - Dramatic reduction in income or assets
    - IRA conversions
    - Professional judgment may also apply for those students seeking independent status due to unusual circumstances. However, the conditions listed below DO NOT qualify as unusual circumstances meriting an override:
      - Parents refuse to contribute to the student's education
      - Parents are unwilling to provide information on the FAFSA or for verification
      - Parents do not claim the student on their income tax returns
      - Student demonstrates total self-sufficiency
      - Unusual circumstances may include an abusive family environment or abandonment by parents.
- A determination of unusual circumstances must be made every award year. The financial aid administrator must affirm in the subsequent year that the conditions continue to exist.
- All requests for professional judgment consideration with supporting documentation must be maintained in the student's financial aid file.

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10.2

### APPEAL PROCESS OUR PROCEDURES

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#### IVC PROCEDURES

- IVC considers requests for review submitted in writing with supporting documentation.
  - All circumstances and reasons for decisions made by the Financial Aid Office must be carefully documented.
- If a file is selected for Verification, it must be verified before making an income adjustment PJ appeal decision.
- **Appeal Process:**
  - Student inquires at the Financial Aid Office, and is informed to submit requests in writing with supporting documentation, using applicable appeal form.
  - If warranted, the student could be requested to submit a signed statement about the circumstances and signed letter of explanation from a third party who can attest to the circumstances.
  - Appeal documentation is reviewed by a specialist and approved by director
  - To record the decision and the reason for the decision, document student's appeal form and make notation on student's Banner record.
  - Notify student of results of appeal:
  - Use the resulting EFC for all FSA funds awarded to that student.
  - If approved, all Professional Judgment adjustments must be submitted through CPS FAA Access by a staff member from the Financial Aid Office.
- **Documentation Required:**
  - Students with unusual circumstances who wish to be considered for a professional judgment adjustment/override must complete the form appropriate to the situation and attach appropriate documentation, which includes but is not limited to the following:
    - Dependency Overrides: Requires a signed statement by the student detailing unusual circumstances. In addition, a statement from a family member or friend and a statement by a third party (counselor, teacher, member of the clergy.) who knows the student's situation. In cases where a third-party statement is not available, the student statement will suffice.
    - Unaccompanied Homeless Youth Determination: Requires either Third-Party documentation or documented interview with the student.
    - Income Adjustment: Requires a statement detailing the reason for the adjustment request and documentation if available such as a termination notice. In addition, documentation is required to support estimated year income, such as bank statements, check stubs, unemployment payment documentation. The estimated year is the calendar year following the base year however the current award year (July 1 to June 30) may also be used.
    - Unusually High Medical/Dental/Childcare Costs: Documents may include doctor's statement, invoices, and statements of associated costs.
    - IRA Conversion: Requires copies of the paperwork associated with the transfer of funds.
  - Individual situations may require additional documents based on the specific circumstances.
- **Notification Process:**
  - Notify student of results of appeal:
    - If the appeal is approved, provide a revised offer to the student.
    - If the appeal is denied, specialist informs student in person.