

*Counselors*

## **Higher Education Act Reauthorization**

**Last Update: May 27, 2008**

### **BACKGROUND:**

The Higher Education Act authorizes many programs at the secondary and post-secondary level to assist low-income students to pursue and succeed in college. These programs include the TRIO and GEAR-UP programs, as well as financial aid programs.

### **LEGISLATIVE UPDATE:**

Both the U.S. House of Representatives and the U.S. Senate have passed their Higher Education Act reauthorization bills, Hr. R. 4137 and S. 1642. A conference committee is currently working to reconcile differences between the bills and create final legislation.

In September 2007, the President signed H.R. 2669, the College Cost Reduction and Access Act. Included within this legislation are amendments to expand the definition of independent student in the Free Application for Federal Student Aid (FAFSA) to include unaccompanied homeless youth; youth who are in foster care at any time after the age of 13 or older; or youth who are emancipated minors or are in legal guardianships as determined by an appropriate court in the individual's state of residence.

The legislation allows youth to be considered independent students if they are verified as unaccompanied and homeless during the school year in which the application is submitted, or as unaccompanied, at risk of homelessness, and self-supporting. Verification must be made by a McKinney-Vento Act school district liaison; a HUD homeless assistance program director or their designee; a Runaway and Homeless Youth Act program director or their designee; or a financial aid administrator. The law thus removes barriers to accessing financial aid for unaccompanied youth in the year in which they experienced homelessness, and in subsequent years, provided they are still unaccompanied, self-supporting, and at risk of homelessness.

In addition, the legislation clarifies and expands the conditions under which financial aid administrators may use discretion in calculating the expected student or family contribution by including an independent student's loss of employment, or a change in a student's housing situation that results in homelessness.

The College Cost Reduction and Access Act also allows financial aid administrators to make a determination of independence based on a documented determination of independence by another financial aid administrator in the same year.

### **NEXT STEPS:**

The provisions for homeless and foster youth do not go into effect until July 1, 2009 because of other costs that are incurred in this section of the legislation, and for which funding is provided in FY2008 budget. NAEHCY encourages liaisons, service providers, advocates, and others to share information about these newly passed FAFSA provisions with financial aid administrators in order to help facilitate and encourage earlier implementation.

## **TIP SHEET**

A tip sheet that can be shared with liaisons, service providers, and financial aid administrators on strategies to help unaccompanied youth access FAFSA is available [here](#).