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To Whom It May Concern

The undersigned organizations submit these public comments on the 2023-2024 Free Application for Federal Student Aid (FAFSA) with a specific focus on youth experiencing homelessness and youth with experience in foster care.

Our organizations have extensive expertise in the FAFSA, as well as direct experience assisting young people to fill out the FAFSA and responding to questions from K12 educators, service providers, child welfare agencies, and financial aid administrators. We have witnessed the trauma and stress caused by burdensome FAFSA requirements, and the negative impact on college access and retention for these vulnerable but resilient and talented young people. The pandemic and associated economic crises have exacerbated youth homelessness and the barriers that homeless and foster youth face in obtaining documentation and in receiving the in-person assistance they need to complete the FAFSA. Yet higher education remains their strongest path to a more secure future.

If implemented robustly, the FAFSA Simplification Act (enacted as part of the Consolidated Appropriations Act, 2021) will remove many of the barriers faced by youth experiencing homelessness and youth with experience in foster care. While most of the implementation of the FAFSA Simplification Act has been pushed back to the 2024-2025 award year, Congress expressly gave permission to the U.S. Department of Education (ED) in the Consolidated Appropriations Act, 2022 to implement provisions for homeless and foster youth as soon as the 2023-2024 award year.

We urge ED to take every possible step to implement these provisions as soon as possible, including incorporating them on the 2023-2024 FAFSA. In particular, we urge that the following FAFSA Simplification changes be reflected on the 2023-2024 FAFSA.

1. Presumption of independent student status in subsequent years.

Currently, youth must document that they are an unaccompanied homeless youth, or unaccompanied, at risk of homelessness, and self-supporting, each year that they apply for financial aid. This requirement delays aid, and is often retraumatizing for students who must re-explain and re-document their situation. Students with experience in foster care must similarly provide documentation each year despite the fact that their status by definition does not change.

Under the FAFSA Simplification Act, any student who is determined to be an unaccompanied homeless youth, or a former foster youth, for a preceding award year is presumed to be independent for each subsequent year at the same institution, unless the student informs the institution that circumstances have changed, or the institution has specific conflicting information about the student's independence, and has informed the student of this information.

The homelessness questions as drafted ask if a youth received a determination of their status “on or after July 1, 2022.” We believe that a “prior prior” award year would be an appropriate interpretation of “preceding” award year for purposes of receiving a renewal in accordance with the FAFSA Simplification Act. **We therefore urge ED to change the date to “on or after July 1, 2021.”**

The FAFSA Docket indicates that answers to questions 52-54 for youth experiencing homelessness or at risk of homelessness are “renewal eligible,” but it is unclear if this means “will be renewed” or “can be renewed.” Further, it is unclear how this information will be conveyed to students. **We urge that the Notes section of the FAFSA provide clear information on previous year determinations.**

In addition, the Consolidated Appropriations Act, 2022 allows for the presumption of independent status to be carried over from year to year for both foster youth and homeless students. **We urge that in addition to questions 52-54 being renewal eligible, question 49 (At any time since you turned age 13, were both your parents deceased, were you in foster care or were you a dependent or ward of the court?) be treated similarly.**

2. Additional officials and programs are authorized to verify that an applicant is an unaccompanied homeless youth (and therefore an independent student).

Homeless youth receive services from an array of providers and educators, yet many providers were not previously authorized to verify a youth’s status as an unaccompanied homeless youth. Under the FAFSA Simplification Act, the following individuals are authorized to verify this status:

- School district homeless liaisons, or a designee of the liaison;
- The director or a designee of a director of an emergency or transitional shelter, street outreach program, homeless youth drop-in center, or other program serving individuals who are experiencing homelessness.
- The director or a designee of a director of a program funded under a TRIO or Gaining Early Awareness and Readiness for an Undergraduate program (“GEAR UP”) grant;
- A financial aid administrator at the same or another institution who previously made a determination.

These changes make it easier for youth to receive a determination of homelessness from the types of individuals they are most likely to be in contact with, rather than the highly restrictive sources available under current law.

The current FAFSA docket only describes the old sources of determination and, therefore, could significantly delay the benefit of the FAFSA Simplification Technical Corrections Act, which specifically allows these reforms to go online on time in 2023-24. **We therefore urge ED to change the text of questions 52-54 on the paper FAFSA, and the screening questions on FAFSA on the Web, to be updated to reflect the new sources of determination. Even if only the online text can be updated for now, just as was done [in 2016](#) with the change for homeless youth, this is a critical update.**

3. Determination by a Financial Aid Administrator (FAA).

It is unclear what renewal would occur if a student got a determination through an FAA in a preceding award year. Since all the questions are now renewal eligible, a previous determination by an FAA should be listed and then carried over. However, Screen 2 does not list an FAA option. If a student who previously got an FAA determination selected “None of the above,” it would then take them to Screen 3, which begins with “Your financial aid administrator can decide that you meet...” language. That would be confusing for a student who had already received such an FAA determination, and should not have to follow up with their FAA to receive a renewal, and may lead them to take an incorrect action. **We ask that ED add an FAA option to the list of determination sources after question 54, and Screen 2.**

4. Renewal for transfer students.

Similar to above, the FAFSA Simplification Act and the FAFSA Simplification Technical Corrections Act expand the possibility of a financial aid administrator to use a determination from another institution to a preceding award year—not just the same award year. **We urge that the FAFSA reflect this new option for students who are transferring institutions in either the body of the FAFSA, the help text, or both.**

5. Help text.

The associated “help text” on FAFSA for the Web for questions 52-54 is also an important source of information for applicants and should be reviewed, adjusted, and simplified. For example, the text should be different for students submitting a renewal FAFSA vs. a first-time filer, with renewal FAFSAs indicating the new policies described above regarding earlier determinations or that determinations from another institution in a prior award year can be used. Since the current docket implies everything is derived from the 2022-23 FAFSA on the Web, we are concerned the help text is not going to be updated to reflect the changes in the FAFSA Simplification Act.

Thank you for the opportunity to submit these comments. We look forward to working with you to help ensure that youth with experience of homelessness or foster care benefit from the provisions of the FAFSA Simplification Act.

[Education Law Center](#)

[John Burton Advocates for Youth](#)

[The Hope Center for College, Community, and Justice](#)

[SchoolHouse Connection](#)

[The Institute for College Access & Success \(TICAS\)](#)

[Youth Law Center](#)