



RESOLUTION No. 2011-12-6

AUTHORED BY: Haley du Bois, Student at Large

REFERRED TO: AS COUNCIL

ACTION APPROVED: April 2, 2012

SUBJECT: Resolution for a Ballot Initiative Considering the Free Application for Federal Student Aid (FAFSA)

WHEREAS, the Free Application For Federal Student Aid (FAFSA) does not offer support to unmarried students under the age of twenty-four whom support themselves completely and independently of their parents or legal guardians, and whose parents or legal guardians produce an income outside of the qualifications of FAFSA; and,

WHEREAS, the questionnaire determining dependency of the student by FAFSA is inadequate to encompass students outlined in the above situation. The questionnaire includes students who: “1) are enrolled in a Master’s program, Doctorate Degree, or graduate Certification program..., 2) have a child or children that are your legal dependent(s) (may have a family member etc. that is considered your dependent...he/she does not necessarily have to be a child), 3) are married, 4) are under the age of 24 and both parents are deceased, 5) were a ward of the state until 18 years of age, 6) are 24 years of age or older, 7) are a Veteran of the United States Armed Force, 8) were a foster child after the age of 13, 9) are an emancipated child as determined by a court judge, 10) are homeless or at risk of homelessness as determined by the director of a HUD approved homeless shelter, transitional program, or high school liaison”; and,

WHEREAS, the U.S. Department of Education’s qualifications outlined above fail to recognize students who provide 100% of their support as independent, despite conflicting with the U.S. Department of Treasury’s Internal Revenue Service’s (IRS) requirements for dependency.

WHEREAS, the IRS recognizes individuals who provide over half (50%) of their support as independent, regardless of age or marital status; and,

WHEREAS, the outcome of not receiving Federal Aid is detrimental to unmarried, independent students under the age of twenty-four with over-qualifying parents or legal guardians. Many of these students do not qualify for Federal loans through FAFSA either, and never attend a University, College, or other institution of higher education due to the lack of aid; and,

WHEREAS, other students in this position are forced into outrageous debt due to student loans. Many of these students never pay back their loans, contributing to the reported total student debt in the U.S. surpassing \$1 trillion in 2011. Student debt contributes more than 6% of the reported \$15 trillion in U.S. public debt; and,

WHEREAS, when faced with the option of committing fraud to obtain Federal Aide or not getting an education due to lack of funds, many students feel forced to report inaccurately low incomes in order to become eligible for Federal Aide. According to the U.S. Department of Education’s Office of Inspector

General's final audit report for the fiscal year 2011, "in the FAFSA/IRS Statistical Study it was stated that about 2.4 million or 15 percent of applicant records... did not match IRS data." With many securities in place to protect against fraud, students are caught and "if convicted, each count of loan fraud carries a maximum penalty of 30 years in prison and \$1,000,000 fine... [and] each count of education fraud [(e.g., the Pell Grant)] carries a maximum penalty of five years in prison and a \$20,000 fine."; and,

WHEREAS, Humboldt State University's Financial Aid Office does not provide adequate service to students outlined in the above situation, as they are not included in the Financial Aid eligibility special circumstances. HSU's Financial Aid's Office list of "situations that warrant exceptions include: loss of income/resources due to death, divorce, layoff, retirement, social security, unemployment, disability, veterans benefits, and child or spousal support"; and,

WHEREAS, Humboldt State University's Financial Aid Office does not recognize unmarried students under the age of 24 with parents who earned over qualifying income as independent, despite the student's tax filing status as reported by the IRS; and,

WHEREAS, HSU students have been afflicted by this, and several have voiced concerns regarding debt, fraud, and leaving the University; and,

WHEREAS, Humboldt State University's Financial Aid Office declares commitment to "assisting students seeking resources to finance their education" and "providing a fair... environment"; and,

WHEREAS, the members of Humboldt State University's Associated Students, and Students at Large alike believe in the democratic process of voting in an earnest effort to improve the quality of experience for themselves, their peers, and future students. Therefore, be it;

RESOLVED, that the following questions be placed on the Associated Students General Election Ballot for the election of 2012, during the days of April 17, 18 and 19:

Financial Aid

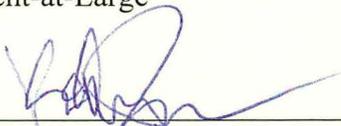
1. As a student at Humboldt State University, do you feel marginalized by FAFSA's qualifications to be considered independent?
 - a. Yes
 - b. No

2. If so, do you feel that your personal tax information would prove you eligible to receive more aid?
 - a. Yes
 - b. No

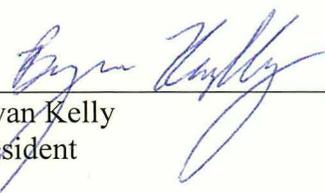
3. Would you support a national effort to revise the FASFA eligibility special circumstances guidelines?
 - a. Yes
 - b. No



Haley du Bois, Author
Student-at-Large



Kate Beyer
Legislative Vice President



Bryan Kelly
President