

Dependency questions FAFSA Questions 45-57

Purpose: These questions are used to determine, according to law, whether you are a dependent or an independent student for purposes of calculating an EFC.

If you answer —No to all of these questions, you are a dependent student, even if you do not live with your parents.

A financial aid administrator (FAA) may make an otherwise dependent student independent:

- on a case-by-case basis,
- if he or she can document in the student's file that the student's individual circumstances warrant the decision
- The reason must relate to that individual student and not to an entire class of students.
- The FAA's decision is final and cannot be appealed to the U.S. Department of Education.

A dependent student moves on to Questions 58-92, and provides information about his or her parents. On the 2011-2012 FAFSA on the Web application, student only and parent/student combined pages are blue and parent only pages are purple.

An independent student skips Questions 58-92 and picks up with Question 93 and continues through to the end of the application.

You must answer —Yes or —No to each of the following questions:

45. Were you born before January 1, 1988?

Note that if you were born on January 1, 1988, you should answer —No.

46. As of today, are you married?

Answer —Yes if you are legally married on the date you complete the application.

Answer —Yes if you are separated but not divorced

- ⚙ Marital status cannot be projected.
- ⚙ Married does not mean living together unless your state recognizes your relationship as common-law marriage.
- ⚙ Same-sex marriage is not recognized for federal financial aid.

47. At the beginning of the 2011-2012 school year, will you be working on a master's or doctorate program (such as an MA, MBA, MD, JD, Ph.D., EdD, graduate certificate, etc.)?

You should answer —Yes if you will be enrolled in a master's or doctorate program in the initial term you attend in 2011-2012.

If you incorrectly report that you are a graduate or professional student, you will need to correct this answer to receive any of the federal grants as an undergraduate student.

⚙ A graduate or professional student is not eligible for a Federal Pell Grant or Federal Supplemental Educational Opportunity Grant.

48. Are you currently serving on active duty in the U.S. Armed Forces for purposes other than training?

Answer —Yes if you are currently serving in the U.S. Armed Forces or are a National Guard or Reserve enlistee who is on active duty for **other than** state or training purposes.

Answer —No if you are a National Guard or Reserve enlistee who is on active duty for state or training purposes.

49. Are you a veteran of the U.S. Armed Forces?


You should answer —Yes if

You have engaged in active duty in the U.S. Armed Forces (Army, Navy, Air Force, Marine Corps, or Coast Guard), or you were a member of the National Guard or Reserve who **was called to active duty** for purposes **other than** state or training purposes, or you were a cadet or midshipman at one of the service academies, **and**

You were released under a condition other than dishonorable.

 **Box 24 of the DD214 indicates the Character of Service.**

- If anything other than —dishonorable appears in that box, you should answer —Yes to this question, as long as you were called to active service.
- If —dishonorable appears in box 24, you must answer —No to Question 49.

 There is no minimum amount of time the student has to have served to be considered a veteran for federal student aid purposes, but the service does have to be considered —active service.

You should also answer —Yes if you are not a veteran now but will be one by June 30, 2012.

You should answer —No (you are not a veteran) if


you have never engaged in active duty in the U.S. Armed Forces,

you are currently an ROTC student or a cadet or midshipman at a service academy, or

you are a National Guard or Reserve enlistee activated only for training purposes.


Note that if you are currently serving in the U.S. Armed Forces and will continue to serve through June 30, 2012, you should answer —No to this particular question.

50. Do you have children who receive more than half of their support from you between July 1, 2011 and June 30, 2012?

 Note that the support is the issue here; it does not matter whether the child lives with you or not.

Support includes

- money,
- gifts,
- loans,
- housing,
- food,
- clothes,
- car payments or expenses,
- medical and dental care, and
- payment of school costs

 An applicant whose unborn child will be born before the end of the award year (June 30, 2012) may answer —Yes if the child will receive more than half of his or her support from you throughout the award year.

51. Do you have dependents (other than your children or spouse) who live with you and who receive more than half of their support from you, now and through June 30, 2012?

- In this question, the people supported must live with you throughout the award year.
- Again, the FAFSA is asking about —support that includes money, gifts, loans, housing, food, clothes, car payments or expenses, medical and dental care, and payment of school costs.

52. 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?

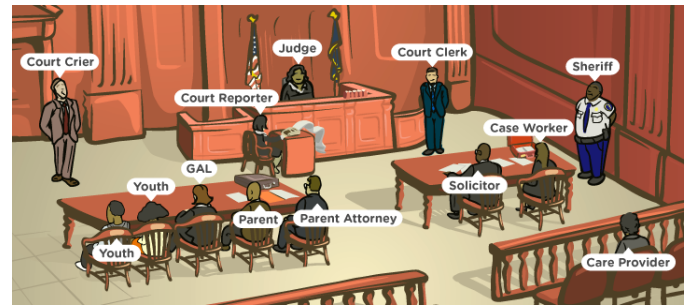
You should answer —Yes if you

- had no living parent (biological or adoptive) at any time since you turned age 13 or older,
☀ even if you are now adopted
- were in foster care at any time since you turned age 13,
☀ even if you are no longer in foster care as of today
- were a dependent or ward of the court at any time since you turned age 13,
☀ even if you are no longer a dependent or ward of the court as of today

Note that the financial aid administrator at your school may require you to provide proof that you were in foster care or were a dependent/ward of the court.

☀ **What is a ward of the court and what makes a child a ward of the court?**

A ward of the court is someone under the protection of the courts.



1. An important aspect of ward of the court status is determining who has legal custody of the child.
2. The child is a ward of the court if the court has taken custody of the child.
3. The court might assume custody of the child because it found that
 - a. the parents are unable to properly care for the child or
 - b. the minor will be subject to abuse or neglect if they remain with the parent or
 - c. if both of the student's biological or adoptive parents are deceased
4. The ward of the court may have a legal guardian appointed by the court.
 - A legal guardian must have been appointed by the court and the parent's rights terminated for the child to be a ward of the court.
 - The parent no longer has the authority to revoke the guardianship when a guardian is appointed by the court and the parent's rights terminated.
 - The legal guardian, appointed by the court, is not personally liable for the

ward's expenses and is not liable to third parties for the ward's debts.

- In short, legal guardians are not financially responsible for a ward of the court.

5. Notes:

- ⚙ A child can be a ward of the court and still have contact with his or her biological parents or even still be living with the parents (albeit under court supervision).
- ⚙ The biological parents, however, are no longer empowered to make any decisions on behalf of the child.
- ⚙ Some states use "ward of the state" synonymously with "ward of the court", usually referring to a foster child in the custody of a public child welfare agency. In other states, however, "ward of the state" refers to individuals who are or were incarcerated

⚙ **What does not make a child a ward of the court?**

1. Having a legal guardian does not automatically make the child a ward of the court.
2. A **Voluntary Placement Agreement** (VPA) generally does not make one a ward of the court, as the parent or legal guardian retains legal custody of the child.
3. If the child remains in the legal custody of the parents, the child is not a ward of the court even if the court imposes its authority over the child.
4. Incarceration of a student does not qualify a student as a ward of the court.

For example, a child does not automatically become a ward of the court upon being incarcerated.

- a. In some states the court may impose its authority over a juvenile who remains in the legal custody of her/his parents; such a student is not a ward of the court.
- b. Incarceration of the student does not make the student independent.
- c. One needs to be careful to distinguish "confinement" from "legal custody", as the two are different concepts that should not be confused.

53. Are you or were you an emancipated minor as determined by a court in your state of legal residence?

Emancipation is when a child is released from control of a parent or a guardian. It occurs when the child is no longer under the legal authority and control of another.

Answer —Yes if you can provide a copy of a court's decision that as of today you are an emancipated minor.

Also answer —Yes if you can provide a copy of a court's decision that you were an emancipated minor immediately before you reached the age of being an adult in your state.

- ⚙ The court must be located in your state of legal residence at the time the court's decision was issued.

Answer —No if you are still a minor and the court decision is no longer in effect or the court decision was not in effect at the time you became an adult.

Note that the financial aid administrator at your college may require you to provide proof that you were an emancipated minor.

54. Are you or were you in legal guardianship as determined by a court in your state of legal residence?

Answer —Yes if you can provide a copy of

- a court's decision that as of today you are in legal guardianship.
- a court's decision that you were in a legal guardianship immediately before you reached the age of being an adult in your state.

⚙ The court must be located in your state of legal residence at the time the court's decision was issued.

Answer —No if you are still a minor and the court decision is no longer in effect or the court decision was not in effect at the time you became an adult.

55. At any time on or after July 1, 2010, did your high school or school district homeless liaison determine that you were an unaccompanied youth who was homeless?

56. At any time on or after July 1, 2010, did the director of an emergency shelter or transitional housing program funded by the U.S. Department of Housing and Urban Development determine that you were an unaccompanied youth who was homeless?

57. At any time on or after July 1, 2010, did the director of a runaway or homeless youth basic center or transitional living program determine that you were an unaccompanied youth who was homeless or was self-supporting and at risk of being homeless?

For Questions 55-57, answer —Yes if you received a determination at any time on or after July 1, 2010, that you were an unaccompanied youth who was homeless, or for question 57, self-supporting and at risk of being homeless.

Note that the financial aid administrator at your college may require you to provide a copy of the determination if you answered —Yes to Question 55, 56, or 57.

Answer —No if you are not homeless, self-supporting and at risk of being homeless, or do not have a determination from a district liaison, director of a cited program, or your financial aid administrator.

Homeless means lacking fixed, regular, and adequate housing, which includes living in shelters, motels, or cars, or temporarily living with other people because you had nowhere else to go.

Unaccompanied means you are not living in the physical custody of your parent or guardian.

Youth means you are 21 years of age or younger or you are still enrolled in high school as of the day you sign this application.

If you answered —Yes to any of the questions 45-57, you should now skip to Question 93.

If you answered —No to every one of these questions, continue with Question 58.

