Plattsburgh State University Dependency Override Criteria (2005-2006)

The following guidelines summarize the criteria and documentation required for consideration of financial independence for federal and state aid eligibility purposes. Any information submitted is strictly confidential and considered on a case-by-case basis. If you would like to discuss your independence claim with a financial aid advisor before submitting documentation, feel free to come to the Financial Aid Office.

**FEDERAL AID** (Direct Loans, Pell, Work-study, SEOG, Perkins Loans) - The only automatic criteria for being considered independent for the purposes of receiving federal financial aid are as follows:

1. Born before January 1, 1982
2. A veteran of the U.S. Armed Forces
3. Graduate or married students
4. An orphan or a ward of the court until age 18
5. Having a dependent other than a spouse whom lives with you and for whom you provide more than ½ of his/her support.

If you do not meet one of the above automatic criteria but you believe you should be considered an independent student for 2005-2006, you must submit written materials that support your claim of independence as described below. Your Financial Aid Advisor can use professional judgment to render you independent for the purposes of receiving federal forms of financial aid. However, such a decision will be made only after you have presented documents demonstrating the following:

Detailed letter from you explaining under what circumstances you left your parents’ household and the facts supporting your claim to independence. Also, describe your living situation and method of support since leaving your parents’ home and provide appropriate documentation. You must submit letters from at least two reliable third parties (adults who are familiar with your situation, such as a counselor, teacher, clergy, attorney, adult relative besides parents) who can support and verify your circumstances and the reason(s) leading to it.

NOTE: The financial aid staff does not guarantee recognition of the independence of any student who does not meet the federal government’s automatic criteria for independence. In all cases where the automatic criteria do not apply, the federal government has left the final decision on independence to financial aid personnel at each college. You have the burden to prove your independence, to our satisfaction, and that it was either beyond your control or in the best interest of your physical and/or psychological well being.

Situations within your control (ie. parents did not like the person you were dating so you moved out) or merely the decision by your parents to not financially support your cost of education are examples of circumstances which will not be considered for independence.

**STATE AID** (Tuition Assistance Program (TAP)) - For purposes of the New York State TAP award financial independence refers to whether the income of the student’s parents must be used in the calculation of the TAP award. The conditions of financial independence are established in New York State Law and regulation, and differ from those used by the federal aid programs, such as the federal Pell grant and student loans.

1. If you are 35 years of age or older as of June 30, 2005, you are considered to be financially independent.
2. If you have been honorably discharged from the armed forces of the United States, were not claimed as a dependent by either parent on their state or federal income tax returns for 2004 and will not be so claimed for 2005, you are independent.
3. If you are under 35 and not a veteran:

   You cannot have lived in an apartment, house, or building owned or leased by your parents for more than 6 weeks in 2004, 2005 and 2006 and you must not be claimed as a dependent on your parents’ federal or state income tax return for 2004 or 2005 and you must not receive gifts, loans, or other financial assistance worth more than $750 from your parents in 2004, 2005, or 2006.

4. If you are under 22, in addition to meeting the three criteria listed in #3 above, you must meet certain special conditions. These relate to one or more of the following conditions:
   a. Your parents’ inability to support you due to physical/mental capacity.
   b. Your status (not your parents’) as a recipient of Public Assistance (TANF) payments (not simply Medicaid or food stamps).
   c. Your status as an orphan or ward of the court until age 18.
   d. A dissolution of your relationship with your parents under circumstances initiated by your parents which can be verified by reliable third parties such as guidance counselors, clergy, court officers, medical personnel, or other legal authorities.

You will be asked by the New York State Higher Education Services Corporation (HESC) to document your special conditions once you have identified yourself as “independent” on the TAP application by answering no to the questions outlined in numbers 1-3 above.

The TAP guidelines were written with the philosophy that people are dependent upon their parents at least until age 22 unless death or severe family problems intervene. Your narrative and supporting documentation from others must be very detailed, citing the details of problematic family interaction. Examples of such situations include physical, emotional, psychological abuse, illegal activities of parents (sale/use of drugs, prostitution, gambling ring), abandonment by parents (actually being ordered to leave the family home). Letters of support are often written by social agency caseworkers, high school personnel (teachers, guidance counselors, social workers, psychologists), lawyers, and/or medical personnel.

Documentation can include a restraining order, notice of court or police action, confirmation of long-term residential treatment or interaction with a mental health center.

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