



Office of the General Counsel

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Submitted Electronically

August 2, 2019

Director of the Information Collection Clearance Division
U.S. Department of Education
550 12th Street, SW, PCP, Room 9086
Washington, DC 20202-0023

**Re: Agency Information Collection Activities; Comment Request; 2020-2021
Free Application for Federal Student Aid (FAFSA)
Docket ID No. ED-2019-ICCD-0039**

Dear Sir or Madam:

Thank you for the opportunity to submit comments on the U.S. Department of Education's 2020-2021 Free Application for Federal Student Aid (FAFSA).

The United States Conference of Catholic Bishops ("USCCB") is a nonprofit corporation, the members of which are the active Catholic Bishops in the United States. Catholic schools comprise the nation's largest private educator, with almost 6,300 schools educating nearly 1.8 million children in the United States today.

The USCCB welcomes the opportunity to respond to the comment request on the 2020-2021 *Free Application for Federal Student Aid (FAFSA)*. Our comments offer advice on section (4) "how might the Department enhance the quality, utility, and clarity of the information to be collected."

Expected Family Contribution (EFC)

In the interest of promoting clarity and utility of the FAFSA process, guidance to the financial aid officers who make the determination about the Expected Family Contribution must include a directive to include all education expenses that the family incurs, including elementary and secondary tuition.

The Higher Education Amendments of 1998, P.L. 105-244, gave college financial aid administrators broad discretion to determine student aid through use of "professional judgment" and specified common special circumstances that merit professional judgment that included **tuition expenses at an elementary or secondary school**, medical or dental expenses not covered by insurance, unusually high child care costs, recent unemployment of a family member, the number of parents enrolled at least half-time in a degree, certificate, or other program leading to a recognized educational credential at a Title IV school, or other changes in the family's

income, assets, or student's status. Inexplicably, that directive "disappeared" years ago, with no congressional or departmental action to change the form.

Many private school guidance counselors who work with families seeking financial aid have indicated that they were unaware of the circumstances that trigger use of "professional judgment" and expressed an interest in restoring that directive to the FAFSA with a question alongside the request for other college tuition to include also the amount of money being spent by the family on K-12 tuition at private schools when calculating the EFC.

Restoring a question to the FAFSA form that asks about family education expenses that include K-12 tuition would give financial aid officers a fuller picture of a family's financial situation at the start rather than to have to re-calculate the EFC when the family asks for revision due to the application of this directive. Many families are making enormous sacrifices to provide their children with an independent or religious education. It stands to reason that a household's entire financial commitment to education should be considered in a financial aid award.

We understand and appreciate the desire to simplify the FAFSA form in order to make it more user-friendly. However, experience demonstrates that in this case, removing a question from the form did not equate to "simplification." Instead, parents have been left to find alternate ways of communicating the amount of money they spend on K-12 tuition, while financial aid officers have been left to wonder whether K-12 tuition should be considered. By restoring this question to the FAFSA form, this confusing situation will be rectified, and the FAFSA form will indeed have been made simpler for all parties.

Thank you for your consideration of this request.

Respectfully submitted,



Anthony R. Picarello, Jr.
Associate General Secretary & General Counsel



Hillary E. Byrnes
Director of Religious Liberty & Associate General Counsel