

## **Better FAFSA Fix Needed to Ensure Low-Income, First-Generation Students Retain Access to the Federal TRIO Programs!**

### OVERVIEW

Previously, virtually all TRIO undergraduate programs – i.e., Student Support Services (SSS) and Ronald E. McNair Post-Baccalaureate Achievement (McNair) – relied on federal tax information supplied by their institutions' financial aid offices to determine student eligibility to participate in the programs. However, due to changes in federal financial aid forms (i.e., the Better FAFSA), TRIO programs are no longer able to access this crucial financial data. This is clearly an unintended consequence of the Better FAFSA and must be remedied as soon as possible.

### THE PROBLEM

Before the introduction of the Better FAFSA, college TRIO programs relied on student aid data provided by their institutions' financial aid offices to determine student eligibility. TRIO law stipulates that to qualify as a "low-income individual," potential participants must demonstrate that their family's taxable income did not exceed 150% of federal poverty guidelines. Although various methods for determining this eligibility exist (e.g., signed statement from a parent/guardian, signed income tax return, or verification from another governmental source), the vast majority of TRIO students and programs relied on data provided by their institutional financial aid offices. *A recent survey showed that 83% of TRIO SSS and McNair programs previously relied on the information provided by their institutions' financial aid offices to determine student eligibility.*

In the past, many financial aid offices provided a list of eligible students to TRIO programs as regular practice to ease in program recruitment and admission. However, *under the Better FAFSA, TRIO programs are prohibited from gaining access to students' financial data in this way.* Now, to obtain the information needed to determine students' eligibility, TRIO programs must ask students to submit a waiver to their financial aid offices consenting to the release of their Federal Tax information (FTI) to the student. The student must then return to the TRIO office with this information, which the program will then use to determine program eligibility. This is very cumbersome process that adds additional barriers to students' participation in TRIO. It is particularly challenging for SSS programs that typically serve about 200 students annually. This current situation is neither an efficient nor effective solution to this problem.

### THE FIX

To make students' financial data readily available to TRIO programs, Congress must (1) authorize TRIO programs to access students Federal Tax Information under the Internal Revenue Code and (2) amend the Higher Education Act to permit consent to the sharing of this Federal Tax Information to avoid conflicts with federal privacy laws. By instituting small technical changes to each of these statutes, Congress could easily remove this inadvertent barrier to students' TRIO access.

## NEXT STEPS

If you support TRIO programs and student access, please contact the leadership of the relevant Committees (information below) and request that swift action be taken to fix this crisis.

### House Committee Education and the Workforce

Rep. Virginia Foxx (R-NC), Chair  
Staffer: Solomon Chen, Policy Advisor  
[Solomon.chen@mail.house.gov](mailto:Solomon.chen@mail.house.gov), (202) 225-4527

Rep. Bobby Scott (D-VA), Ranking Member  
Staffer: Emanuel Kimble, Professional Staff Member  
[Emanuel.kimble@mail.house.gov](mailto:Emanuel.kimble@mail.house.gov), (202) 225-3725

### Senate Committee on Health, Education, Labor and Pensions

Chair Bernie Sanders (I-VT)  
Julianna Collado, Professional Staff Member  
[Julianna\\_collado@help.senate.gov](mailto:Julianna_collado@help.senate.gov), (202) 224-5375

Ranking Member Bill Cassidy (R-LA)  
Patrick Fox, Professional Staff Member  
[Patrick\\_fox@help.senate.gov](mailto:Patrick_fox@help.senate.gov), (202) 224-5375

### House Committee on Ways and Means

Chair Jason Smith (R-MO)  
Sean Clerget, Oversight Counsel  
[Sean.Clerget@mail.house.gov](mailto:Sean.Clerget@mail.house.gov), (202) 225-3625

Ranking Member Richie Neal (D-MA)  
Karen McAfee, Minority Staff Director, Subcommittee on Oversight  
[Karen.mcafee@mail.house.gov](mailto:Karen.mcafee@mail.house.gov), (202) 225-4021

### Senate Committee on Finance

Chair Ron Wyden (D-OR)  
Patricio Gonzalez, Senior Investigator  
[Patricio\\_gonzalez@finance.senate.gov](mailto:Patricio_gonzalez@finance.senate.gov), (202) 224-4515

Ranking Member Michael Crapo (R-ID)  
Don Snyder, Tax Counsel  
[Don\\_snyder@finance.senate.gov](mailto:Don_snyder@finance.senate.gov), (202) 225-4515