

Data Protections for FAFSA Information

Overview

T F A _____ F S A FAFSA



What other agencies have access to FAFSA information?

There must be an explicit agreement in place whenever information is shared across federal agencies. Currently, the Department of Education shares information with the Department of Homeland Security (DHS) to confirm the status of students who apply for FAFSA as [eligible non-citizens](#). There are currently no agreements in place allowing DHS to use information collected as part of the FAFSA for the purposes of immigration enforcement. The Presidents' Alliance is developing a summary of all current data sharing agreements that will be available soon.

What laws protect FAFSA information?

The use of FAFSA information is governed by the [Privacy Act of 1974](#). The Privacy Act clarifies that PII cannot be disclosed without written consent. There are 12 exceptions to this. Of these 12 exceptions, two are especially relevant when it comes to FAFSA:

1. [FOIA Exemption 6](#): This allows agencies to share information for a designated set of purposes. These purposes must be published in the Federal Register.
2. [FOIA Exemption 7](#): This allows agencies to request information for civil or criminal law enforcement purposes. Such requests must be made in writing by either the agency head or officials at or above the "section chief" level.

FAFSA information is also protected by the Federal Educational Rights and Privacy Act of 1974 (FERPA). You can find more information about FERPA [here](#).

How will I know if regulations protecting PII change?

If the Department of Education establishes any new data sharing agreements, these will be published in the [System of Records Notices \(SORNs\)](#). The Presidents' Alliance is monitoring all active SORNs and will publish a summary of what data sharing they authorize. This will be kept up to date in the future and will be emailed out to our [FAFSA Updates listserv](#).

Is the paper FAFSA more secure?

The paper FAFSA is protected by the same policies that apply to the online FAFSA.

There is one main difference to consider. The paper FAFSA does not require contributors to check a box indicating that they do not have an SSN. There is an SSN field on the form, which you can leave blank or fill with zeroes. Contributors will still need to provide some PII, such as a name, mailing address, and financial information.

Should concerned students apply for a dependency override?

Students should only apply for a dependency override if they qualify. _____