

NASFAA Presentation to NeASFAA
Data Sharing
March 20, 2026



Data Sharing

David Tolman, NASFAA
For NeASFAA, March 20, 2026

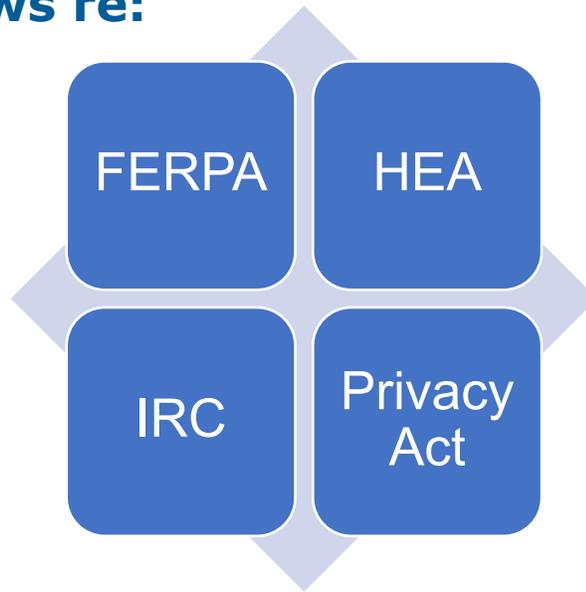


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Four Major Laws re: Student Data



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Family Educational Rights and Privacy Act

- Protects Personally Identifiable Information (PII) in student's education records
 - Requires written consent from student
 - Applies to students enrolled in, or previously attended, the institution
 - Includes records received, created, and maintained by the financial aid office

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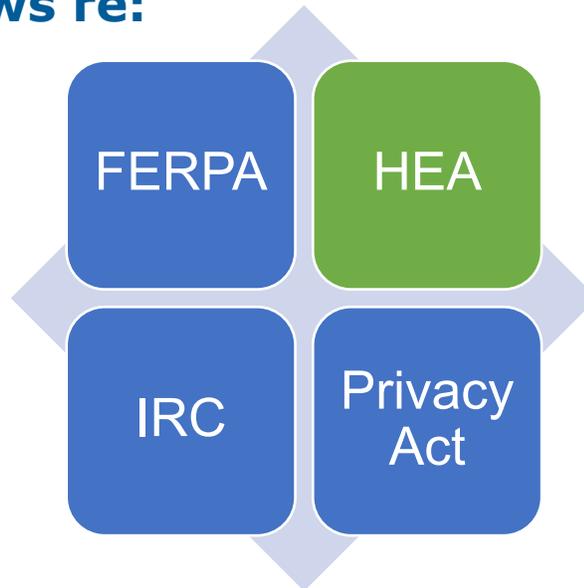
Family Educational Rights and Privacy Act

- PII in financial aid records include
 - Grades
 - Student course schedules
 - Financial aid applications
 - Financial aid history
 - Cost of attendance & adjustments made
 - Eligibility and disbursement of Title IV funds
 - SAP documents
 - Verification
 - Entrance & exit counseling records
 - Financial Records

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Four Major Laws re: Student Data



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Higher Education Act of 1965, as amended

- Further restrictions on FAFSA data, including:
 - Contributor information
 - Demographic information
 - Personal circumstances
 - Dependency status
 - Federal benefits receipt
 - Financial assets
 - Student eligibility information
 - Manually entered income and asset information

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Higher Education Act of 1965, as amended

- Further restrictions on derived FAFSA data, including:
 - SAI
 - Yes/No – Federal Pell Grant eligibility
 - Verification status
 - Discretionary net worth

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Higher Education Act of 1965, as amended

- Not included as FAFSA data:
 - Total awarded aid
 - Grant aid and/or loan receipt and amount by source
 - Unmet financial need
 - Loan disbursement records
 - COA
 - Other Financial Assistance
 - Enrollment period information

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Higher Education Act of 1965, as amended

483(a)(3)(E)

- FAFSA Data shall be used only for the application, award, and administration of financial aid to the applicant
 - ED → the administrative and business functions necessary to deliver federal, state, and institutional financial aid efficiently and effectively to students

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Higher Education Act of 1965, as amended 483(a)(3)(E)

- The administrative and business functions can include
 - Aid applications, eligibility, verification, and packaging;
 - Processing and disbursing financial aid;
 - Monitoring SAP and other eligibility requirements;
 - Mandatory reporting due to participation in aid programs;
 - Analyses necessary to administer aid and to estimate how financial aid will be allocated by school or state agency; and
 - Audits and program evaluations (often performed by outside agencies)

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Higher Education Act of 1965, as amended 494(c)

- Disclose to organization outside institution and contractors:
 - Scholarship-granting organization;
 - Organizations that assist students through application process;
 - Tribal Organization

Okay, but requires signed, written consent from student

Otherwise, cannot be disclosed to another organization, even with signed, written consent

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Higher Education Act of 1965, as amended

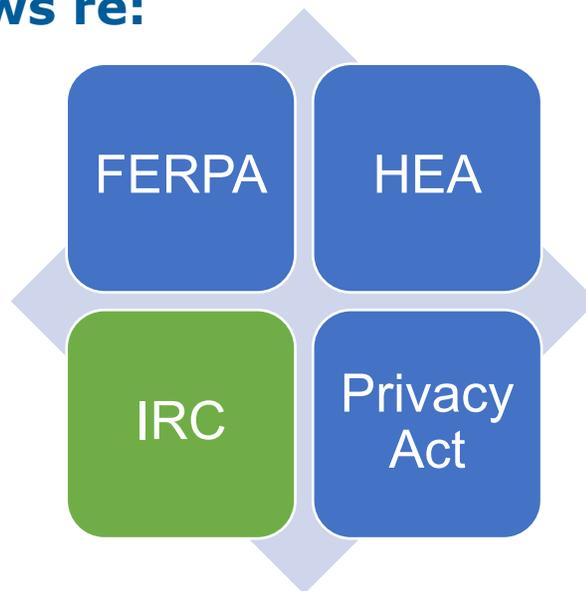
- Disclose for research:
 - Promote college attendance, persistence, and completion;

Personally identifiable information (PII) cannot be included for any applicant

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Four Major Laws re: Student Data



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Internal Revenue Code

- Most restrictive
- Use of federal tax information (FTI)
- Includes any tax return information received from the IRS via the FUTURE Act Direct Data Exchange (FA-DDX)

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Internal Revenue Code

- FTI includes
 - Tax year
 - Tax filing status
 - AGI
 - Exemptions & dependents
 - Education tax credits
 - Untaxed IRA distributions
 - IRA deductions and payments
 - IRS Response Code
 - Income Protection Allowances
 - Parent & Student Contributions
 - Parent & Student Available Income

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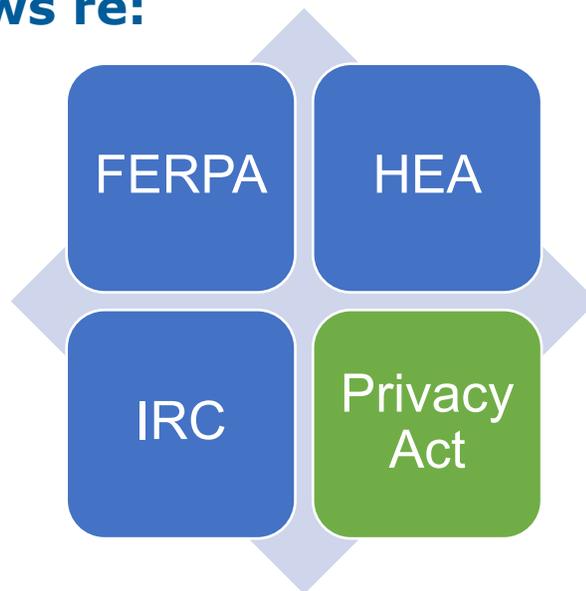
Internal Revenue Code

- Disclosure is limited to:
 - Application, award, or administration of financial aid, per ED's definition 1090(a)(3)(C)(i);
 - Consent not required
 - Scholarship-granting organization, tribal organization, or other organization assisting the applicant in applying for and receiving federal, state, local, or tribal financial assistance for COA components
 - Requires student consent

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Four Major Laws re: Student Data



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The Privacy Act

- Federal law governing the collection, maintenance, and use of records maintained by federal agencies and generally prohibits agencies from disclosing data contained in those records
- Applies to ED's student records to prevent the improper release of government held student PII

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Resources for More Information



- NASFAA Data Sharing Web Center
- (GEN-25-08) Guidance on the Use of Federal Tax Information (FTI), Free Application for Federal Student Aid (FAFSA®) Data, and Non-FAFSA Data
- (GENERAL-24-129) Guidance for State Grant Agencies and Institutions of Higher Education on the Access, Disclosure, and Use of FAFSA Data for the Application, Award, and Administration of Student Aid Programs (Updated Sept. 30, 2025)

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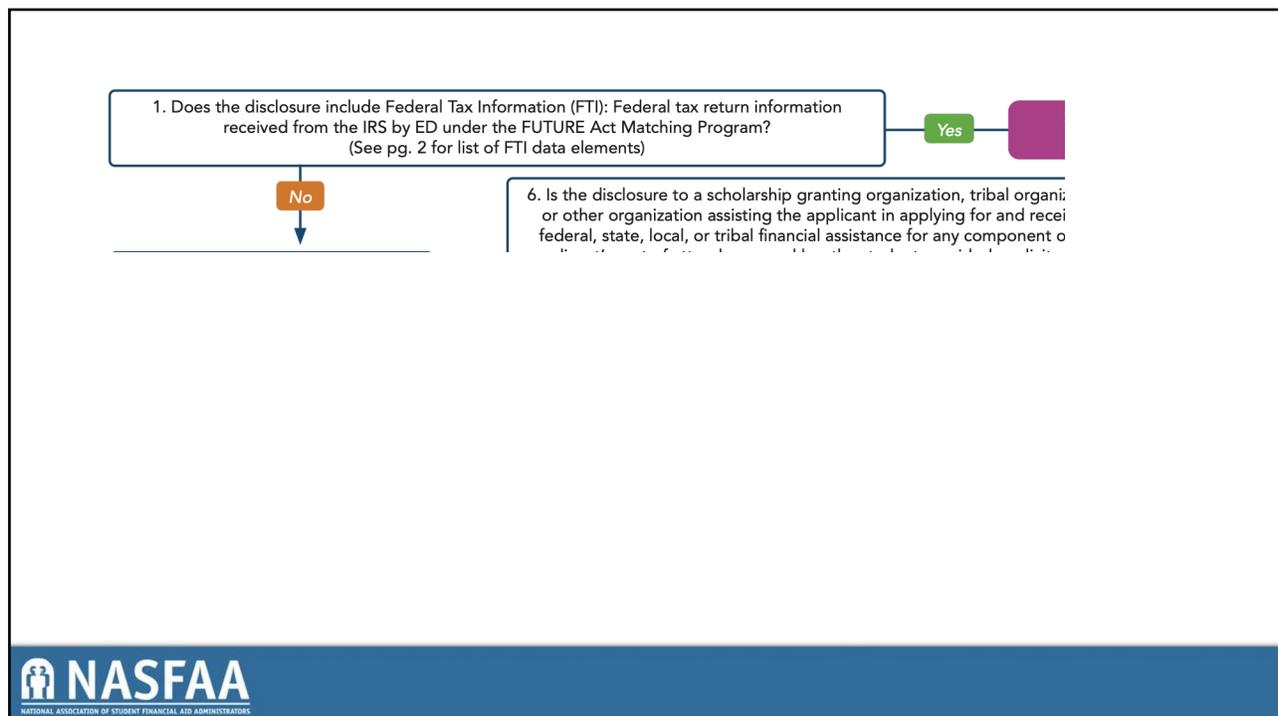
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Example 1

A private scholarship provider has requested information related to the student's SAI, COA, and other financial aid offers.

Can the school release the data?

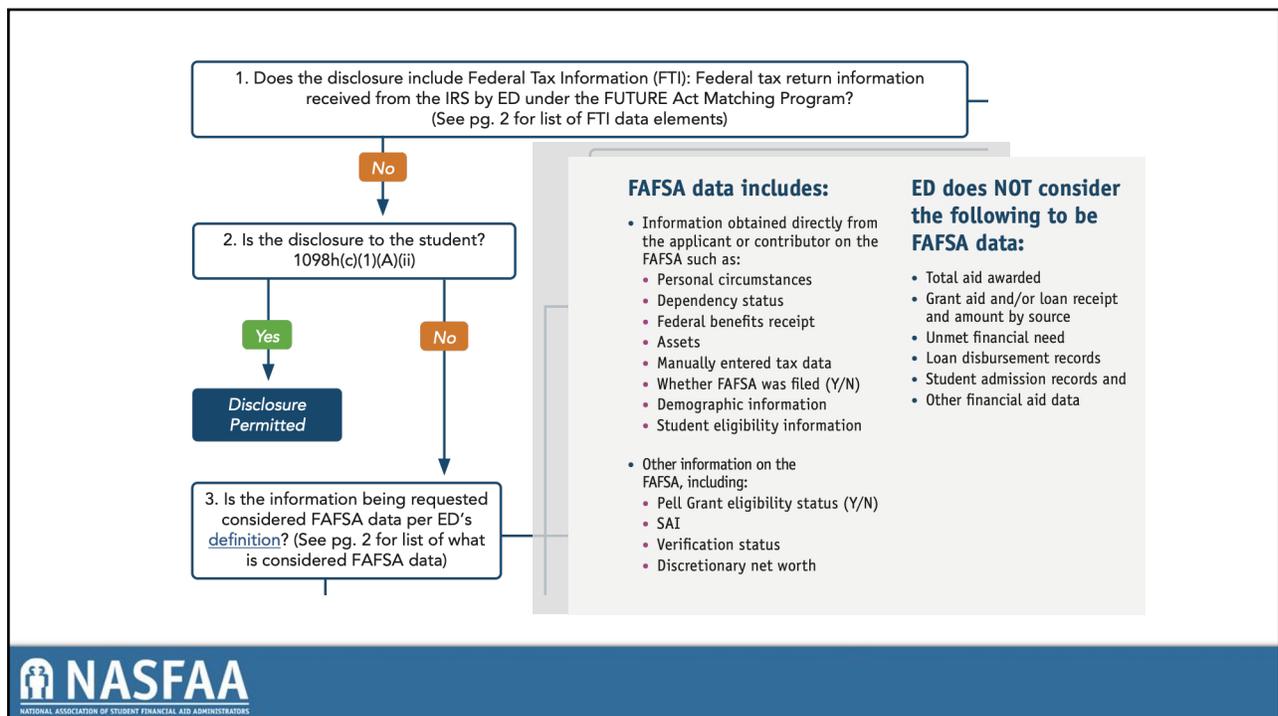
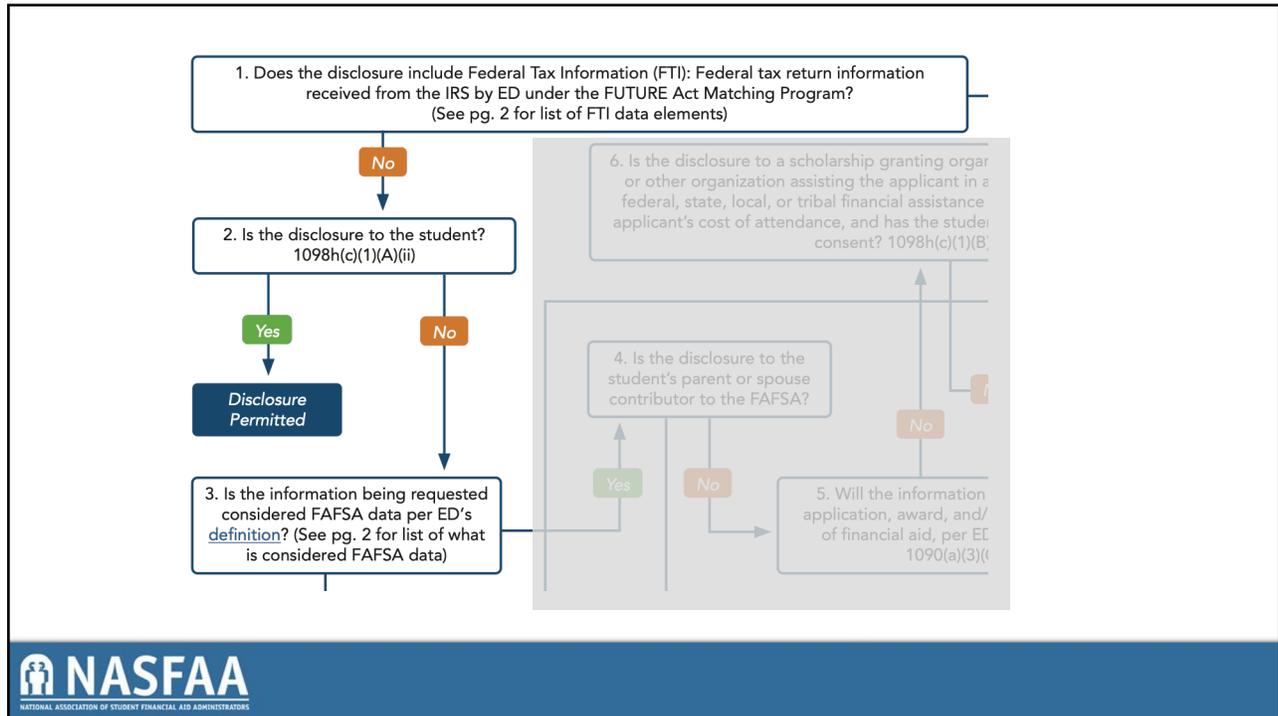
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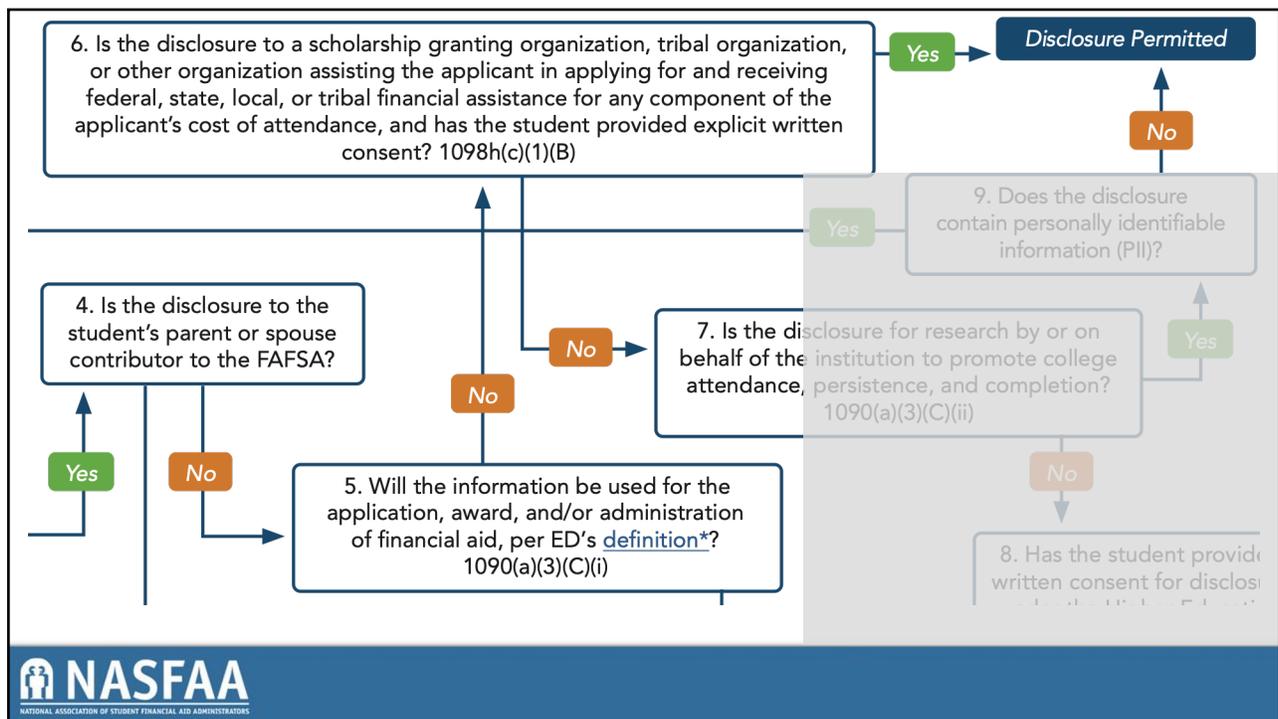
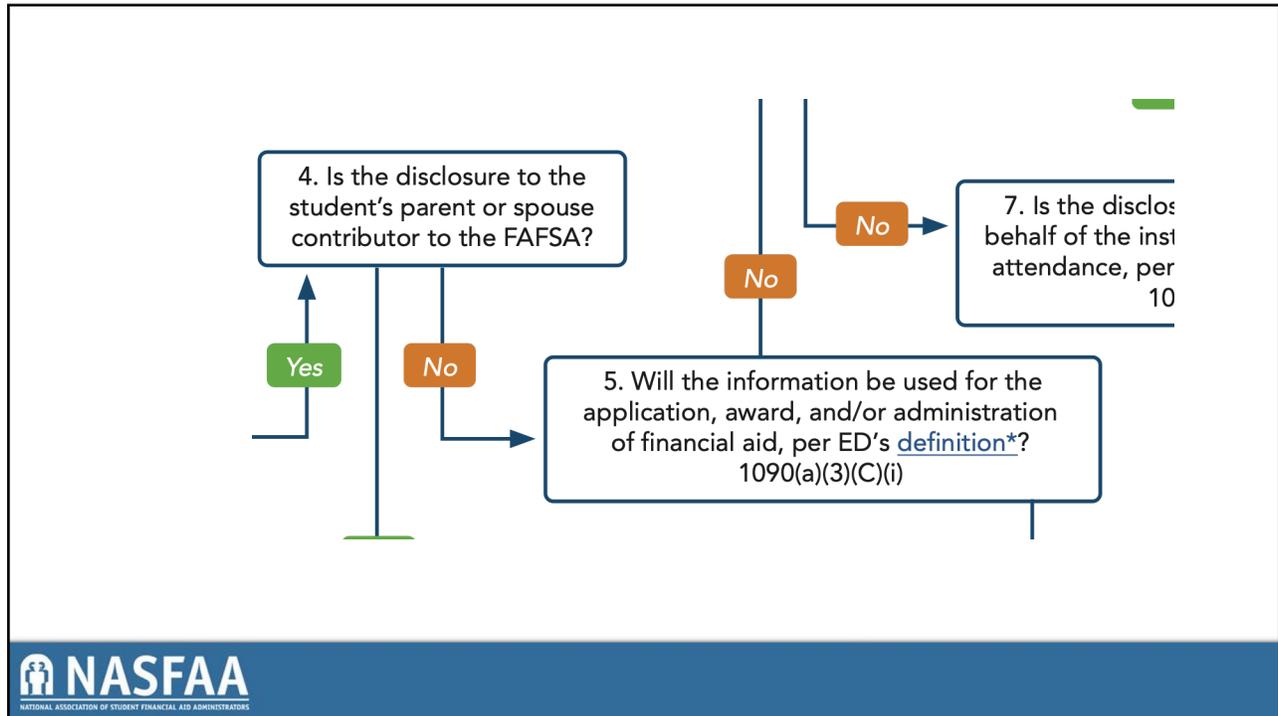
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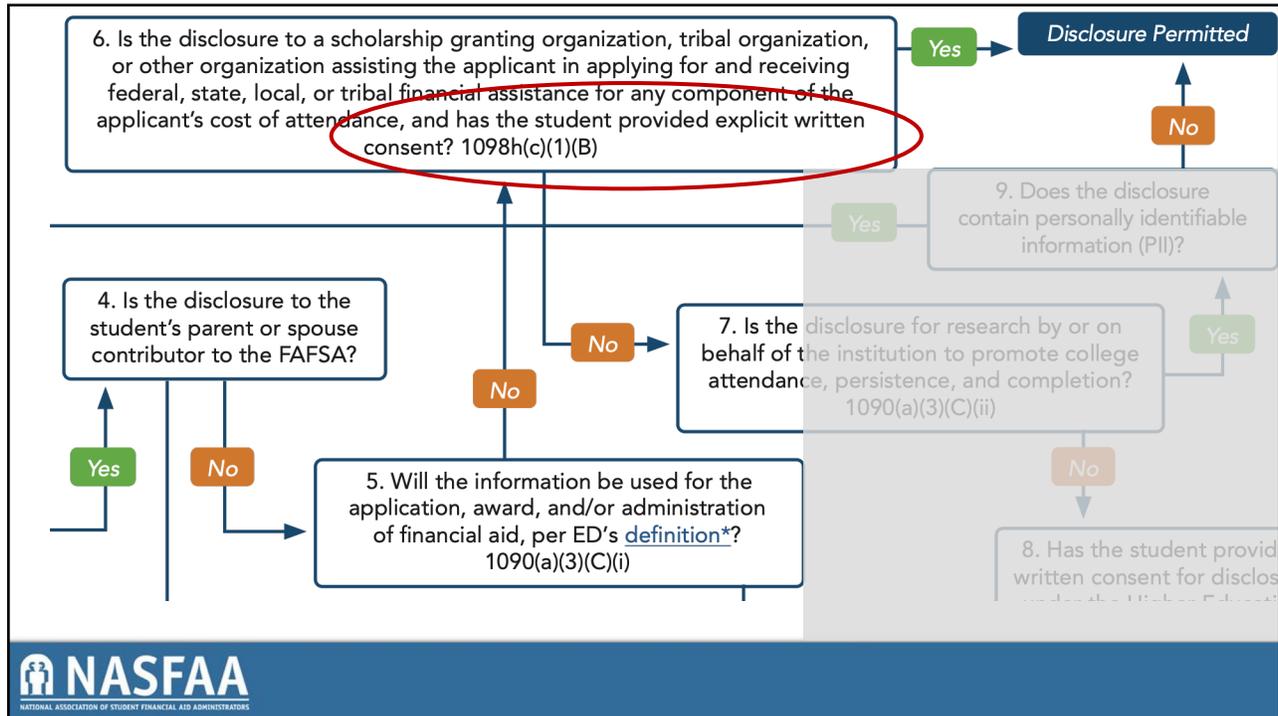
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Example 1

A private scholarship provider has requested information related to the student's SAI, COA, and other financial aid offers.

Can the school release the data? **Yes...**

- Scholarship-granting organization
- If student provides written authorization

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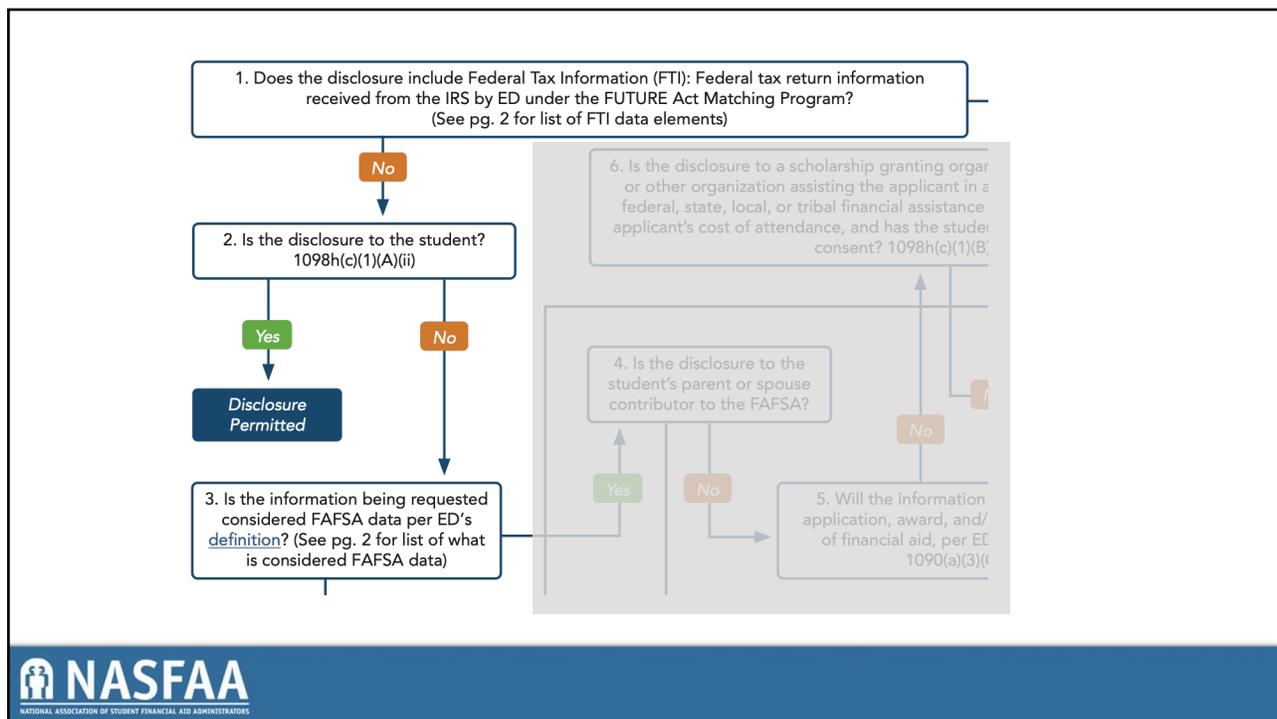
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Example 2

The institution's housing office requests financial aid packaging data to determine if a student qualifies for a housing fee deferral for pending financial aid disbursements.

Can the financial aid office release the data?

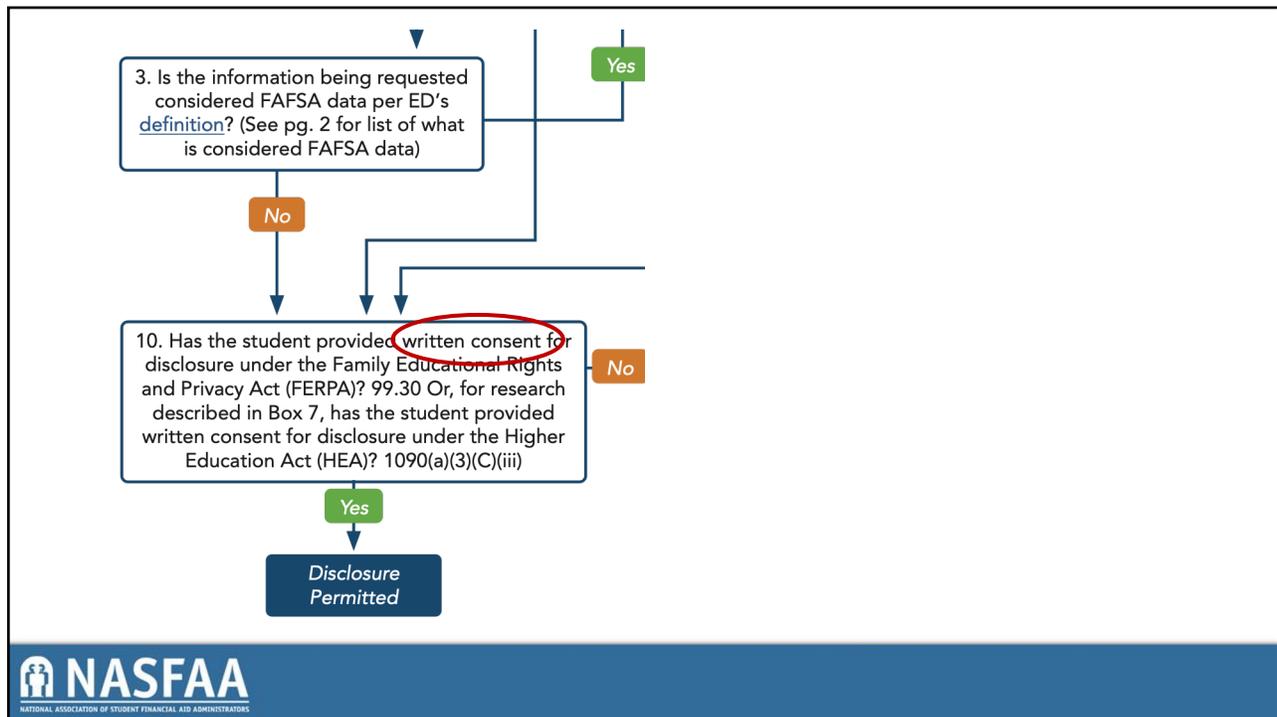
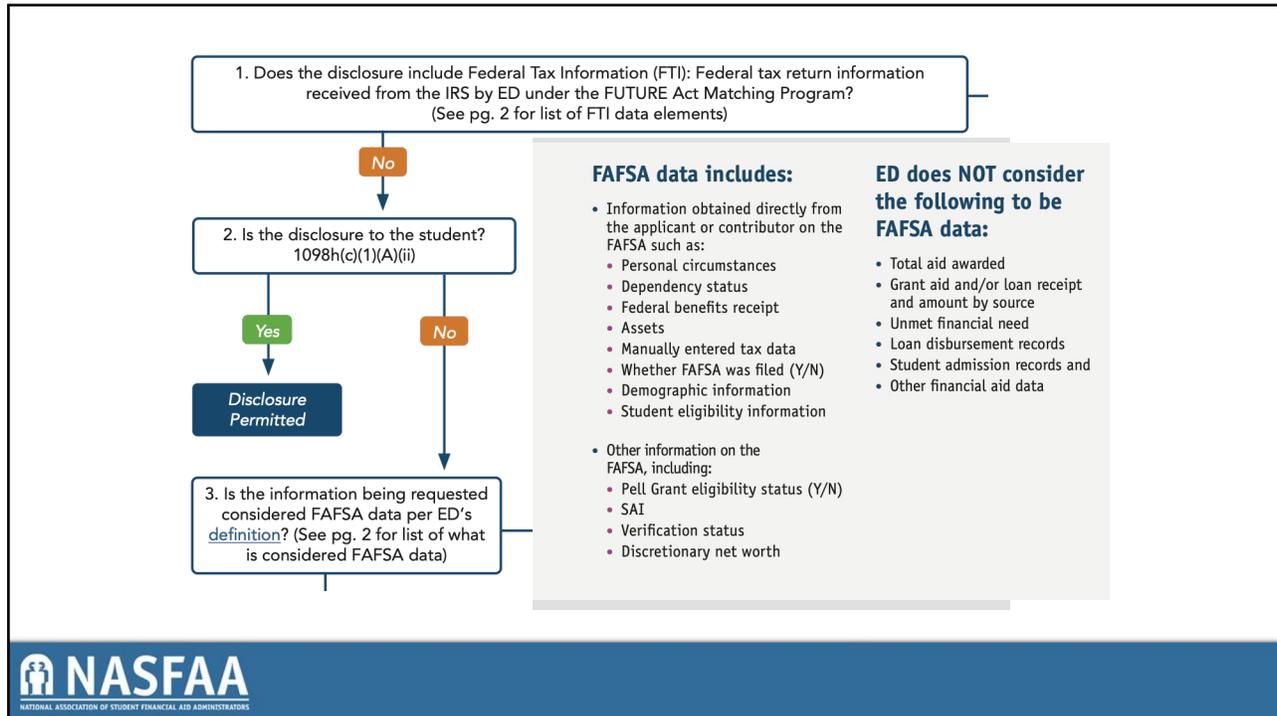
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Example 2

The institution's housing office requests financial aid packaging data to determine if a student qualifies for a housing fee deferral for pending financial aid disbursements.

Can the financial aid office release the data? **Yes...**

- Not FAFSA data
- If student provides written authorization

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Example 3

In spring 2026, the bookstore requests a list of all students who have submitted a 2026–27 FAFSA and are eligible for a Pell Grant. They want to provide these students with a 50% off coupon for a new iPhone 17.

Can the school release the data?

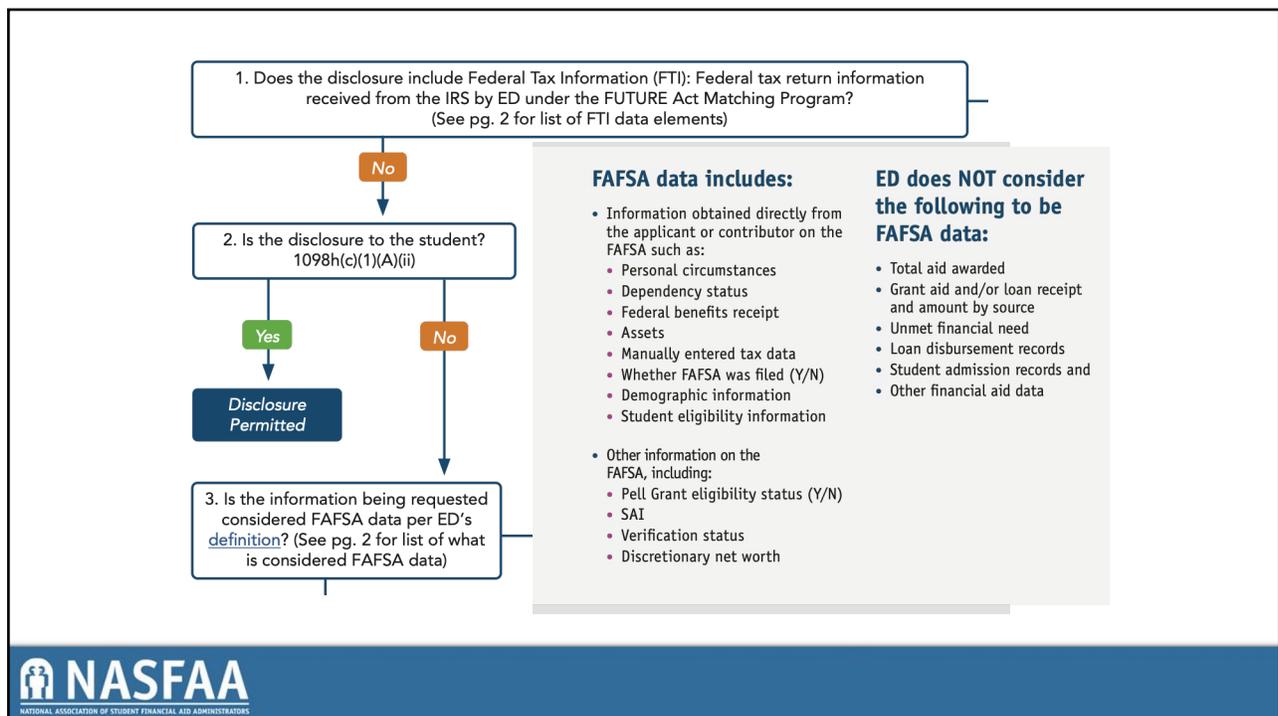
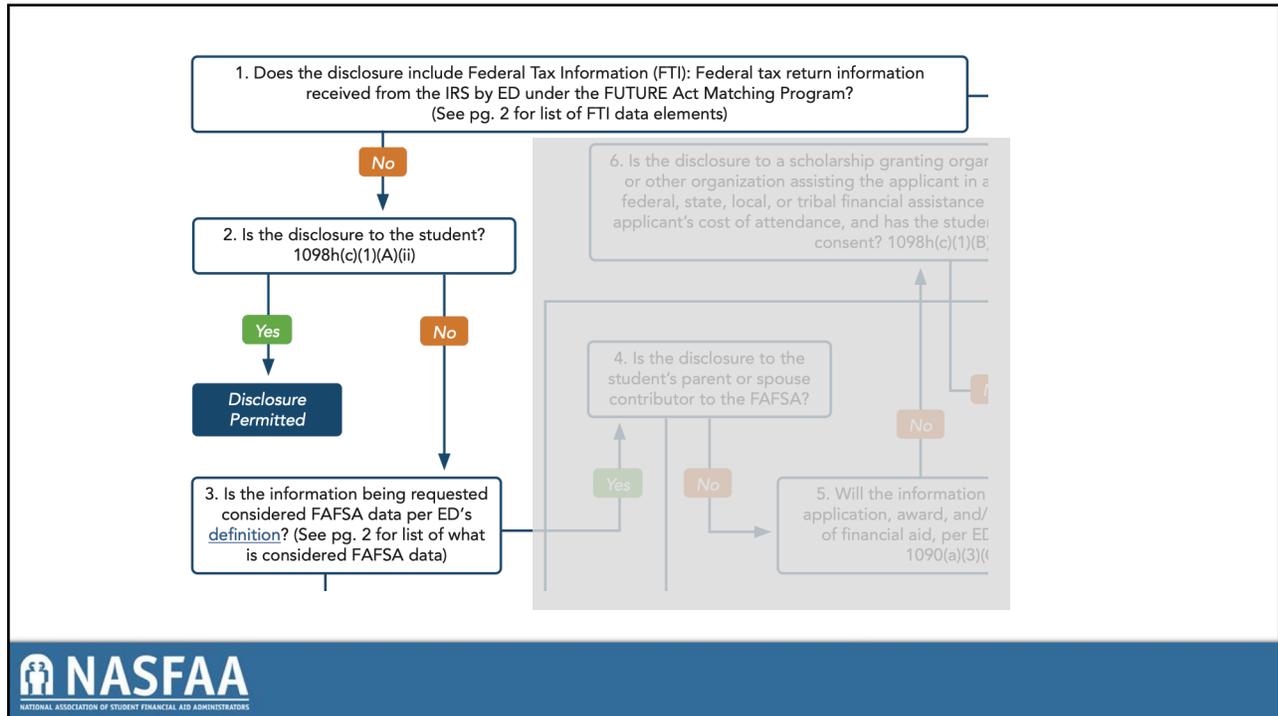
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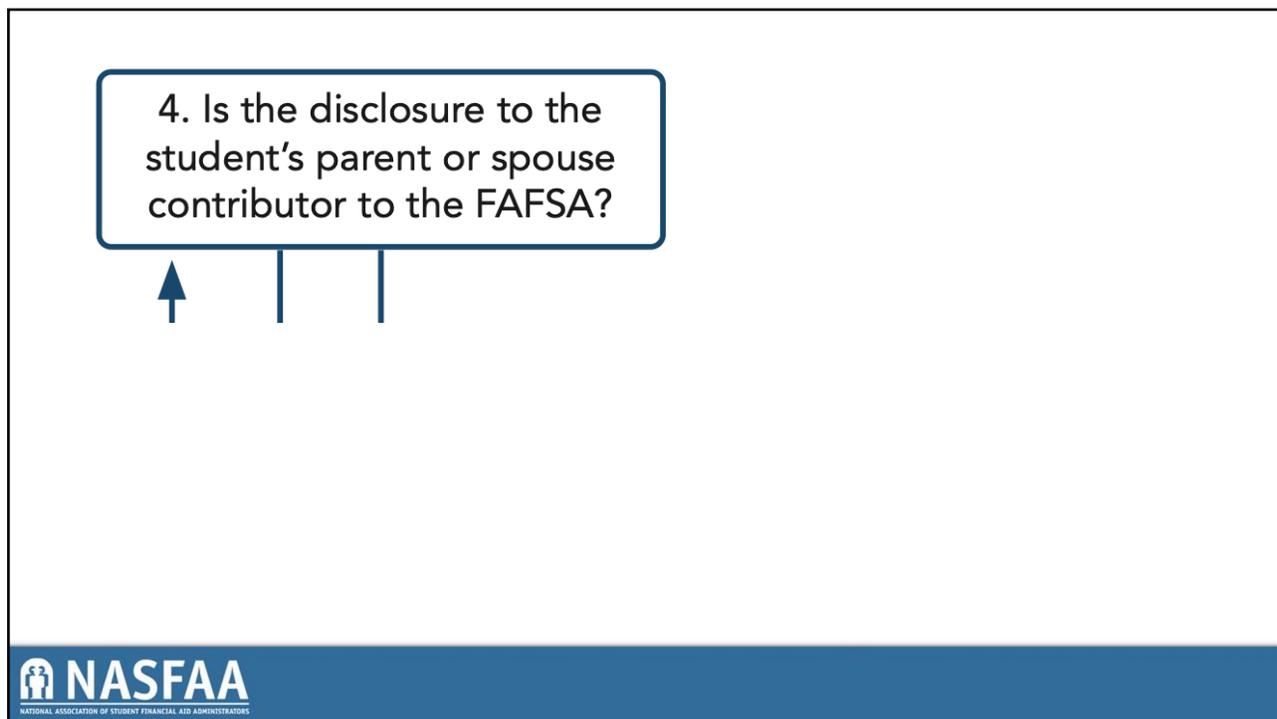
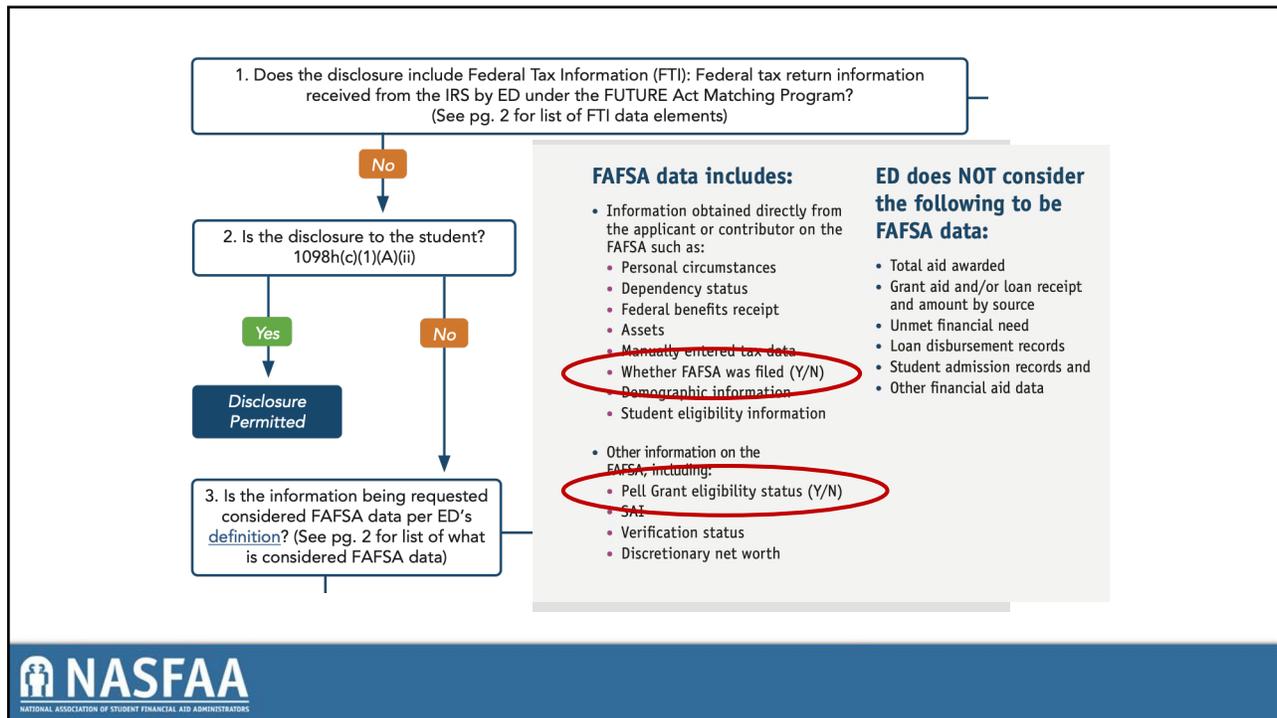
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5. Will the information be used for the application, award, and/or administration of financial aid, per ED's definition*? 1090(a)(3)(C)(i)

- Aid applications, eligibility, verification, and packaging;
- Processing and disbursing financial aid;
- Monitoring SAP and other eligibility requirements;
- Mandatory reporting due to participation in aid programs;
- Analyses necessary to administer aid and to estimate how financial aid will be allocated by school or state agency; and
- Audits and program evaluations (often performed by outside agencies)



6. Is the disclosure to a scholarship granting organization, tribal organization, or other organization assisting the applicant in applying for and receiving federal, state, local, or tribal financial assistance for any component of the applicant's cost of attendance, and has the student provided explicit written consent? 1098h(c)(1)(B)

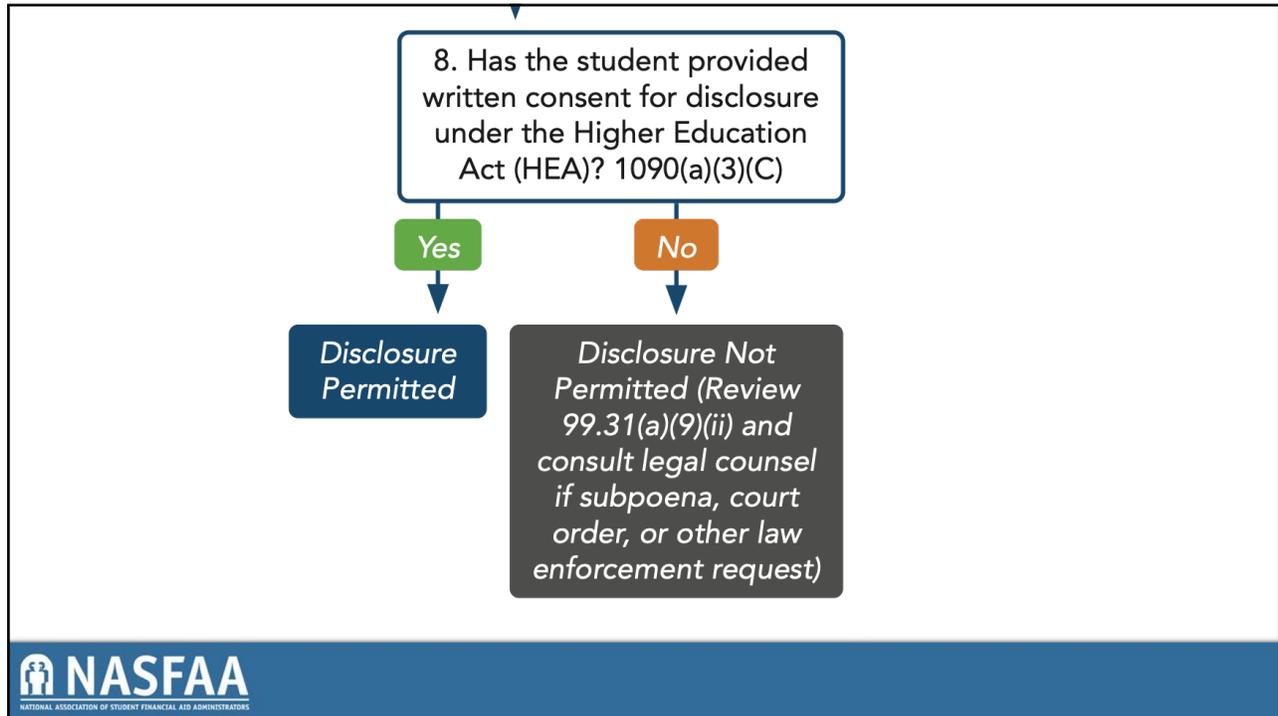
7. Is the disclosure for research by or on behalf of the institution to promote college attendance, persistence, and completion? 1090(a)(3)(C)(ii)



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Example 3

The institution's housing office requests financial aid packaging data to determine if a student qualifies for a housing fee deferral for pending financial aid disbursements.

Can the financial aid office release the data?

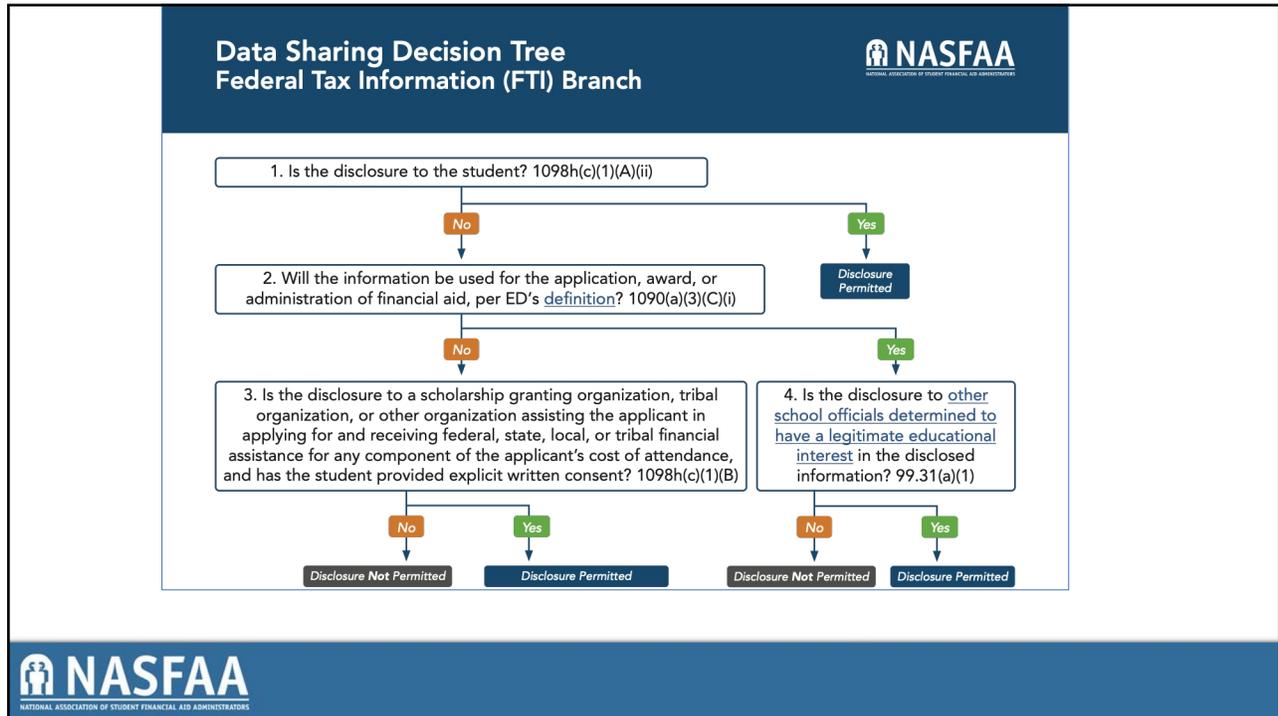
- Is FAFSA data
- If student provides written authorization –
 - How is it provided, how specific is it for this purpose?

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- FTI includes:**
- Tax year
 - Tax filing status, including whether a return was or was not filed
 - AGI
 - Number of exemptions & dependents
 - Income earned from work
 - Taxes paid
 - Education tax credits
 - Untaxed IRA distributions
 - IRA deductions and payments
 - Untaxed pension amounts
 - Tax exempt interest
 - Schedule C net profit/loss
 - Indicators for schedules A, B, D, E, F, and H
 - IRS response code
 - Total Parent Allowances Against Income
 - Parent Payroll Tax Allowance
 - Parent Income Protection Allowance (IPA)
 - Parent Employment Expense Allowance (PEEA)
 - Parent Available Income (PAI)
 - Parent Adjusted Available Income (PAAI)
 - Parent Contribution (PC)
 - Student Payroll Tax Allowance
 - Student Income Protection Allowance (IPA)
 - Student Allowance for Parents' Negative Adjusted Available Income
 - Student Employment Expense Allowance (SEEA)
 - Total Student Allowances Against Income
 - Student Available Income (StAI)
 - Student Contribution from Income (SCI)
 - Student Adjusted Available Income (SAAI)
 - Total Student Contribution from SAAI
 - Student total income
 - Parent total income
 - FISAP total income
-

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Example 4

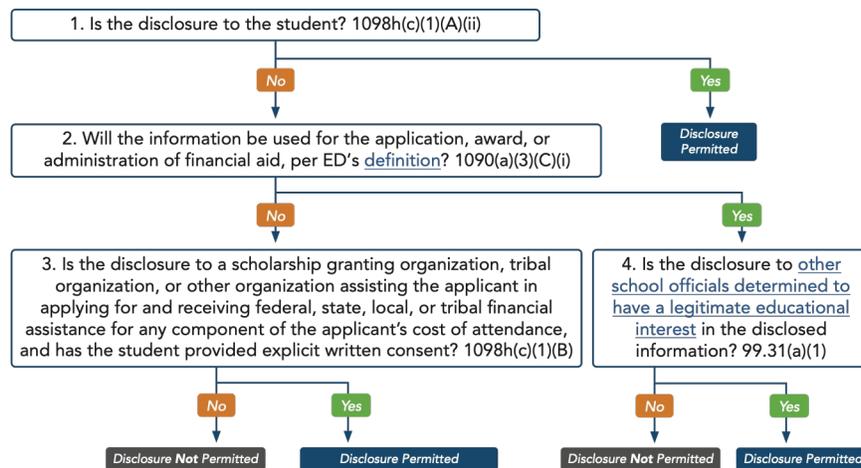
An institution contracts with a third-party servicer for assistance packaging student financial aid offers. The contractor needs access to students' ISIR records (including FTI).

Can the financial aid office release the data?

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Data Sharing Decision Tree Federal Tax Information (FTI) Branch



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Example 4

An institution contracts with a third-party servicer for assistance packaging student financial aid offers. The contractor needs access to students' ISIR records (including FTI).

Can the financial aid office release the data? **Yes**

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Thank you for your time!

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