



## **SB 1386: Dependency Override Form**

**Patrons:** Senator Deeds

**Ask:** Support Bill.

**Status:** Passed Senate Unanimously

### **Summary:**

Requires public universities in Virginia to publicly publish forms and information on the dependency override process. The bill requires schools to disclose:

1. The purpose of a dependency override;
2. Potential circumstances that may or may not qualify a student for a dependency override;
3. Acceptable documents typically submitted with a dependency override application;
4. The option to apply for a dependency override based on (i) a student's estrangement from his parent or legal guardian, including estrangement as result of the student's membership in or relationship to a protected class, (ii) abuse, (iii) parental incarceration, or (iv) a student's inability to contact or locate their parents.

Recent federal changes will require schools to disclose the existence of a dependency override process, but they do not mandate additional public disclosure requirements.

The bill does not alter the dependency override process itself. Instead, the bill requires schools to post additional information on the process on their financial aid websites.

### **Background:**

Under current federal law, [most students](#) need-based federal financial aid packages are determined by their Expected Family Contribution, which assumes students pursuing higher education will be financially supported by their family. For students who have unusual circumstances, they may be able to obtain a [dependency override](#). Evaluated on an case-by-case basis, the dependency override process is designed for students whose circumstances “[make it inappropriate to expect a parental contribution](#),” including abuse, estrangement, an inability to contact parents, or incarceration.

### **Problem:**

Unfortunately, many schools in Virginia provide no information or incomplete information on the dependency override process. **The lack of public information on the dependency override process harms prospective applicants who may be in unusual circumstances.**

### **Solution:**

The disclosure requirements required by the bill would resolve much of the complexity in the current system and ensure that those who may qualify for a dependency override can access the process. Moreover, it would ensure universities provide accurate information to prospective applicants, allowing them to make informed financial decisions.

### **Additional Resources:**

[Comparison: Federal vs. State Policy](#)

[Dependency Override Information Provided By Virginia Schools](#)

For more information, please contact [policy@prideliberation.org](mailto:policy@prideliberation.org). The Pride Liberation Project is a student-led LGBTQIA+ rights advocacy group based in Virginia.



## Comparison: Federal vs. State Policy, [SB 1386](#)

### Relevant Resources:

[Federal Regulation Update: FAFSA Simplification Act Changes One Pager](#)

### Summary of Proposed State Changes:

The proposed state changes build on federal guidance by imposing additional public disclosure requirements for institutions. **The bill does expand the dependency override process: it merely requires public disclosure.** These public disclosure requirements are intended to ensure that students who may qualify for a dependency override are aware of the process and inform prospective college applicants of their financial aid options. Details on the current information provided by Virginia institutions of higher education are available on the next page.

<b>Summary of Key Differences</b>	
<b>FEDERAL LAW</b>	<b>PROPOSED STATE LAW</b>
Institutions are required to publicly post an option on their website for students to request a dependency override based on unusual circumstances.	Institutions are required to publicly post an option on their website for students to request a dependency override based on unusual circumstances.
No comparable federal requirement.	Institutions must clarify on their website potential circumstances that may qualify a student for a dependency override (lines 21 - 22).
No comparable federal requirement.	Institutions must clarify on their website common circumstances that <b>do not</b> qualify for a dependency override (lines 21 - 22).
No comparable federal requirement.	Institutions must clarify on their website the supporting documentation that is typically submitted with dependency override applications (lines 23 - 41)
No comparable federal requirement.	Institutions must clarify that applicants can apply for a dependency override based on: <ul style="list-style-type: none"> <li>● The student's estrangement from his parent or legal guardian, including estrangement as result of the student's membership in or relationship to a class of individuals protected from discrimination pursuant to subdivision B 1 § 2.2-3900 (lines 45 - 46)</li> <li>● The abuse of the student by his parent or legal guardian (line 47)</li> <li>● The incarceration of the student's parent or legal guardian (line 48)</li> <li>● The student's inability to contact or locate his parent or legal guardian (line 49)</li> </ul>



<b>Current Information On Dependency Override Process Provided By Institutions of Higher Education In Virginia</b>	
Institutions that do <b>not</b> publicly disclose the option to apply for a dependency override	<a href="#">University of Mary Washington</a> , <a href="#">Norfolk State University</a> , <a href="#">University of Virginia</a> , <a href="#">Virginia Military Institute</a> , <a href="#">Laurel Ridge Community College</a> , <a href="#">Mountain Empire Community College</a> , <a href="#">George Mason University</a> , <a href="#">Mountain Gateway</a> , <a href="#">Patrick Henry</a> , <a href="#">Virginia Peninsula Community College</a> , <a href="#">Virginia Western Community College</a> , <a href="#">Southside Community College</a> , <a href="#">Southwest Virginia Community College</a> , <a href="#">Danville Community College</a> , <a href="#">Rappahannock Community College</a> , <a href="#">Radford University</a> , <a href="#">Central Virginia Community College</a>
Institutions that do <b>not</b> clarify acceptable documentation or limit acceptable documentation outlined by federal law	<a href="#">James Madison University</a> , <a href="#">Longwood University</a> , <a href="#">Old Dominion University</a> , <a href="#">Bridgpoint Community College</a> , <a href="#">Reynolds Community College</a> , <a href="#">CAMP Community College</a> , <a href="#">Virginia State University</a> , <a href="#">Eastern Shore Community College</a> , <a href="#">Tidewater Community College</a> , <a href="#">Blue Ridge Community College</a>
Institutions that provide an option or example for a person to apply for a dependency override based on estrangement	<a href="#">Virginia Tech</a> , <a href="#">Old Dominion University</a> , <a href="#">Blue Ridge</a> , <a href="#">New River Community College</a> , <a href="#">Northern Virginia Community College</a> , <a href="#">Wythewille Community College</a>
Institutions that provide an option or example for a person to apply for a dependency override based on abuse	<a href="#">Christopher Newport University</a> , <a href="#">Virginia Tech</a> , <a href="#">James Madison University</a> , <a href="#">Longwood University</a> , <a href="#">William and Mary</a> , <a href="#">Brightpoint Community College</a> , <a href="#">VCU</a> , <a href="#">CAMP Community College</a> , <a href="#">Blue Ridge</a> , <a href="#">New River Community College</a> , <a href="#">Northern Virginia Community College</a> , <a href="#">Wythewille Community College</a>
Institutions that provide an option or example for a person to apply for a dependency override based on incarceration	<a href="#">James Madison University</a> , <a href="#">VCU</a> , <a href="#">Reynolds Community College</a> , <a href="#">CAMP Community College</a> , <a href="#">Blue Ridge</a> , <a href="#">New River Community College</a> , <a href="#">Northern Virginia Community College</a> , <a href="#">Wythewille Community College</a>
Institutions that provide an option or example for a person to apply for a dependency override based on inability to contact parents or abandonment	<a href="#">Christopher Newport University</a> , <a href="#">Virginia Tech</a> , <a href="#">Longwood University</a> , <a href="#">William and Mary</a> , <a href="#">VCU</a> , <a href="#">CAMP Community College</a> ,
No university specifies that estrangement, including estrangement based on a student's identification with a protected class, is potentially grounds for a dependency override.	

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