



DATA SHARING POLICY

Data sharing aims to enhance collaboration, decision-making, and analysis by making data accessible to a wider audience. Data sharing may occur internally within AU or externally with other third-party contractors.

Financial Aid Administrators (FAAs) collect, manage, and have access to a vast amount of confidential student and parent data. This data includes information from the FAFSA/ISIR, NSLDS, tax returns, professional judgment documents, student progress data, and other private and sensitive information.

There are four federal laws that control the release of student data that AU must adhere to:

- Higher Education Act (HEA) of 1965, as amended
- Family Educational Rights and Privacy Act (FERPA) of 1974, as amended
- Privacy Act of 1974, as amended
- Internal Revenue Code (IRC) of 1986, as amended (6103(l)(13))

Below are important terms related to federal data sharing with their acronyms:

- *Institution of Higher Education (IHS)* – postsecondary education institutions that participant in the Title IV, HEA programs.
- *State Higher Education Agency* – state agencies authorized to administer state-based financial aid program(s).
- *Federal Tax Information (FTI)* – federal return information received from the IRS by the Department of Education (ED) under the FUTURE Act Matching Program. FTI is not considered FAFSA data! The accessing, usage, and disclosure of FTI data are implicated under the IRC (6103(l)(13)) and further restricted under HEA (483 and 494).
- *Controlled Unclassified Information (CUI)* – the U.S. National Archives and Records Administration (NARA) classification for federal tax information (FTI) related to returns and return information submitted, gathered, or generated by taxpayers. In accordance with the confidentiality protections of Section 6103(l)(13) of the Internal Revenue Code (IRC) and in accordance with all applicable privacy laws, regulations, and policies, ED will label FTI fields on the ISIR and the FTI must be labelled as CUI//SP-TAX by our partners. **These labels must follow FTI wherever it is accessed, stored, or redisclosed with express written consent. This includes documents that are electronically stored or printed to ensure individuals who access the information are aware that they are viewing FTI that is protected under the Internal Revenue Code (IRC).**

DESTINATION POINT ADMINISTRATOR (DPA) – The Executive Director of Financial Aid is our DPA and “must ensure that all Federal Student Aid applicant information (including FTI) is protected from access by or disclosure to unauthorized personnel.” The [Federal Student Aid User of Electronic Services Statement](#) clarifies who can access and use FAFSA data. It also explains the responsibilities of the electronic services user.

DATA USAGE – The following data shall be used only for the application, awarding, and administration of aid awarded under Title IV student aid programs, State aid, or aid awarded by eligible institutions or such entities as the Secretary may designate. (HEA 20 USC 1090 Section 483(a)(3)(E))

- **FAFSA Data** – Information *provided by an applicant or contributor* on the FAFSA including personally-identifiable, demographic, income and asset, and student eligibility information. FAFSA data may be disclosed and used by other internal institutional offices if the data is used solely for the application, awarding, and administration of aid. FAFSA data may be used for research purposes to promote college attendance, persistence, and completion, only if the individually identifiable information is not released on any applicant. Educational records cannot be shared with other entities without the written consent of the applicant unless the use/disclosure meets a FERPA exception.
- **FTI Data** – Includes any federal return information received from the IRS by ED under the FUTURE Act Matching Program. Internal disclosures of FTI data are permitted without written consent solely for the application, awarding, and administration of federal, state, and institutional financial aid programs. If the access, use, or disclosure is for another purpose, it is prohibited (HEA 26 USC 6103(l)(13)).
- **Derived FAFSA Data** – Includes information calculated or derived from the FAFSA to determine financial aid eligibility, such as a student's SAI and Pell Grant eligibility. It may be disclosed to internal institutional offices *with the written consent of the applicant* for purposes such as, but not limited to, student success referrals to support their persistence and completion. SAI, while being covered under HEA, may be disclosed to the Business Office if they are carrying out duties consistent with the application, awarding, and administration of student financial aid programs.
- **Institutional Data** – Institutional data such as student records, account balances, financial aid awards and offer information is not considered FAFSA data and thus is regulated by FERPA rather than HEA.

THIRD-PARTY CONTRACTOR – AU is permitted to disclose student-level FTI with a contractor to carry out the application, awarding, and administration of student financial aid programs. Disclosure is permitted under IRC 26 USC 6103(l)(13)(D)(iv)(II). Contractors shall not use nor disclose FTI for any other purpose!

AUDITORS – AU is permitted to disclose student-level FTI if the student record is requested as a part of the annual audit. Disclosure is permitted under IRC 26 USC 6103(l)(13)(D)(iv)(I).

WRITTEN CONSENT – A written document that is signed and dated by an applicant which states the purpose for which the information is being disclosed and that the information may be used for said purposes alone. Further disclosure of FTI that requires written consent to other entities must be done on a case-by-case basis and consistent with the permitted disclosures and uses of the data under IRC 26 USC 6103(l)(13) and more specifically under HEA 494(20 USC 1098h(c)). Even with written consent of the applicant, FTI data may only be disclosed or used to assist the applicant in applying for and receiving aid towards COA or to permit another party to participate in discussions that include FTI data (20 USC 1098h).

FAFSA and derived FAFSA data, such as the SAI and Pell eligibility status, may be further redisclosed to other internal institutional offices *with the written consent of the applicant* for purposes such as, but not limited to, student success referrals to support their persistence and completion.

ACCESS TO COLLEAGUE FINANCIAL AID FORMS – Access to FAFSA, FTI, or derived FAFSA data such as a student’s SAI or Pell Grant eligibility data, within the Ellucian Colleague ERP system will be limited to individuals employed by the Offices of Financial Aid, Student Accounts, and Payroll as well as our auditors and IT personnel. Access may be considered for other University personnel on a case-by-case basis and approved as deemed necessary. Individuals may request access using AU’s *Colleague Access Request* form in Etrieve (<https://ashlandcentral.etrieve.cloud/Index#/form/69>).

DATA REQUESTS – AU faculty and departments may submit data requests to the Financial Aid Office through Etrieve (<https://ashlandcentral.etrieve.cloud/#/form/184>). The individual requesting the data must explain why they need the data and confirm that it will be used for the sole purpose of the application, awarding, and administration of aid. Requests will be considered on a case-by-case basis.

- **Releasing Data** – As a general rule, the disclosure of FAFSA data with another office or individual **depends entirely on the data being shared and how that individual or office intends to use that data.**
 - The FAA must refer to the [NASFAA Data Sharing Decision Tree](#) to ensure disclosure of FAFSA, FTI, or Derived FAFSA data is permitted.
 - The disclosure and use of **FAFSA data** to other internal offices (e.g., Admissions) from the financial aid office is permissible under the HEA for the application, awarding, and administration of federal, state, and institutional financial aid programs.
 - Admissions Office - if a student elected to have their FAFSA sent to the institution, the institution’s admissions office then may use FAFSA filing status information to contact the individual about the application and admission process in the event the student has not applied for admission to the institution.
 - Financial Aid Office – may use the individual’s FAFSA information provided on the FAFSA to communicate about the financial aid process at the institution, including but not limited to, proposed financial aid award information, verification requirements, and necessary steps to receive financial aid in a timely manner.
 - FAFSA data and FAFSA derived data may not be used to market to students or for recruitment efforts, but rather generally used to administer student financial aid effectively and efficiently.
 - **FTI Data** may be disclosed and used by other internal offices, such as an admissions staff executing job duties and business functions related to the application, awarding, and administration of student aid programs, which might include discussing special circumstances due to a job loss that implicates FTI.
 - Otherwise, the further redisclosure and use of FTI must be consistent with 20 USC 1098h(c)(1) and (2), which states written consent is required if providing FTI and FAFSA data to an organization assisting the applicant in applying for and receiving federal, state, local, or tribal assistance.
 - Otherwise, the disclosure of FTI for any other purpose is prohibited.

- **Restricting Data** – A person receiving information with respect to an applicant shall not use the information for any purpose other than the express purpose for which consent was granted by the applicant and shall not disclose such information to any other person without the express permission of, or request by, the applicant. (*HEA 20 USC Section 1098h(c)(3)*)