DATA SHARING POLICY

The Importance of Data Sharing

Data sharing makes data accessible to a wider audience in order to enhance collaboration, assist in decision-making, and provide comprehensive analysis. Data sharing may occur *internally* within the university or *externally* with other third-party contractors or outside entities.

Federal Laws

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

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

Important Terms

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.

- *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 the 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 as CUI//SP-TAX, and the CUI label must follow the federal tax information 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 Types

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, NSLDS, Federal Tax Information (FTI), professional judgment documentation, student progress data, and other private and sensitive information.

As outlined in GEN-25-08, there are three types of data.

- *FTI Data* – Includes any federal return information received from the IRS by ED under the FUTURE Act Matching Program.

- *FAFSA Data* – Any information *provided by an applicant or contributor* on the FAFSA—including personally-identifiable, demographic, income and asset, and student eligibility—**or** derived from the FAFSA to determine financial aid eligibility.

FAFSA DATA EXAMPLES						
EXAMPLES OBTAINED FROM THE FAFSA				EXAMPLES OF DERIVED FAFSA DATA		
Personal Circumstances	Dependency Status	Federal Benefits Received	Assets	SAI	Pell Grant Eligibility Status	Verification Status

  - Derived data includes a student's SAI, Pell Grant eligibility status, and verification status.

  - The Pell Grant eligibility "status" is considered FAFSA data because it is part of the ISIR. However, the receipt of or the amount awarded for Pell is not considered FAFSA data because it originates from the school rather than from the ISIR.

- *Non-FAFSA, Institutional or School Data* – Information originated by schools or other entities. It is not considered FAFSA data because it does not originate from the ISIR and thus is regulated by FERPA rather than the HEA.

INSTITUTIONAL DATA EXAMPLES									
PII			ACADEMIC RECORDS				FINANCIAL RECORDS		
Name, Address, Phone	Date or place of birth	SSN	Grades	Class Schedule	Academic Standing	Enrollment Status	Total Aid Awarded	Grant and Loan Receipt and Amounts	Unmet Financial Need

  FERPA protects the privacy of student educational records and requires written consent from the parents or "eligible students"—students who are at least 18 years of age or attending a postsecondary institution—to release personally identifiable information (PII) from education records.

TYPES OF USAGE

When determining whether a use or disclosure is allowable, the most restrictive statute applies.

Usage Without Additional Student Consent – Students and their contributors already approved the disclosure and use of the data they entered on the FAFSA—as well as the FTI transferred from the IRS—for determining eligibility for federal student aid.

- Ashland University (AU) may receive and use FTI and FAFSA data **solely for the application, awarding, and administration of financial aid** as consistent with the HEA, *Privacy Act*, FERPA, and as outlined in our school's SAIG agreement. It is not to be used for other purposes without explicit consent.
  HEA 20 USC 1090 Section 483(a)(3)(E)

- The Department interprets "the application, awarding, and administration of aid" to be the administrative and business **functions** necessary to deliver federal, state, and institutional financial aid efficiently and effectively to students. EA GEN-25-08

- Administrative and business **functions** may include, but are not limited to: EA GEN-25-08

  - Managing aid applications—eligibility, verification, packaging, helping students through the steps.
  - Processing and disbursing federal, state and institutional financial aid.
  - Monitoring aid recipients' academic progress and enforcing requirements such as Satisfactory Academic Program (SAP).
  - Completing required reporting for aid programs, like IPEDS and Net Price Calculator updates.
  - Using FAFSA and FTI data to analyze, estimate and model financial aid allocations.
  - Conducting audits and program evaluations needed to effectively administer aid programs.

- Ashland University is selective as to who has access to FAFSA or FTI data in order to minimize potential security risks and ensure CUI security standards are upheld.

- AU and any third-party servicer that already has access to student FAFSA data due to their role in the application, award, and administration of aid may use **FAFSA data (but not FTI)** to perform research on attendance, persistence, and completion *without consent* as long as students are not individually identifiable.

- In the absence of the written consent, FERPA permits an educational agency or institution to disclose PII from an education record if the disclosure meets one of more of the conditions outlined in 20 U.S.C. § 1232g(b) and (h)– (j) and 34 CFR § 99.31). Refer to the **FERPA Exceptions Summary** for more details.

Usage Requiring Student Consent – Ashland University must receive written consent from the student if and when access, use, or disclosure of FTI and FAFSA data is for any purpose other than **the application, awarding, and administration of financial aid.**

- AU may share **both FAFSA and FTI data** with the student's written consent to the following entities. However, for external entities, it can only disclose if the information is used to assist the student with receiving financial assistance (not non-monetary assistance) for any component of the COA.

  - Students
  - Advisor or another individual chosen by the student.
  - Government agencies (federal, state, or local) – for example means-tested benefits
  - External scholarship-granting organization (including tribal organizations)

- Schools cannot disclose FAFSA or FTI data to TRIO programs because they are considered non-monetary assistance. TRIO programs should be referred to their state higher education agency.

- With the student's written consent, AU can release **FAFSA data only (not FTI)** with *external* organizations— other than third-party servicers—for research on attendance, persistence, and completion.

- AU must ensure that any disclosure of FTI data complies with CUI security standards. See details on Page 1.

- Information disclosed with the student's written consent may only be used for the specific purposes authorized by the student and cannot be shared further without the student's express written permission.

WRITTEN CONSENT

Written consent requirements and where those requirements reside are shown below. EA GEN-25-08

Requirements	HEA	FERPA
Must be a separate, written document *(case-by-case basis)*	✔	
May be in an electronic format.	✔	✔
Must be signed and dated by the applicant.	✔	✔
Must identify which records may be shared. ○ If permission is given for the release of FTI, it must specifically say so.	✔	✔
Must include the reason for sharing the information.	✔	✔
Must state who the information may be shared with.		✔
Must state that the information may only be used for this purpose.	✔	

Consent is required to release FAFSA and/or FTI data when:

- **Parents** wish to discuss financial aid-related details about their child with a FAA. FERPA rules
- **Other school officials** are requesting data for purposes *other than* the application, awarding, and administration of aid— such as, but not limited to, student success referrals to support persistence and completion.
- **External scholarship-granting agencies** are requesting data to award scholarships.
- **Means-Tested Benefits Agencies** are requesting data to determine eligibility for financial assistance for any component of the COA.

Methods to collect consent for data sharing include:

- Financial aid platforms or other sites hosted by the institution that provide information about scholarship opportunities.
- Course registration and learning management platforms.
- Student loan entrance counseling.

DATA ACCESS AND REQUESTS

Data access and requests must be reviewed on a case-by-case basis. The FAA must determine what data is being requested and how the individual or office intents to use the data.

- *Data Access in Colleague Financial Aid Screens* – Access to FTI or FAFSA data—including derived data such as a student's SAI or Pell Grant eligibility status—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*). 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.** FAFSA 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. The FAA must refer to and use the NASFAA Data Sharing Decision Tree to ensure disclosure of FTI or FAFSA data is permitted and if written consent from the student is required.

RESTRICTING DATA

Anyone who receives FTI and/or FAFSA data for a student must use it solely for the specific purpose the student agreed to. The information cannot be shared with anyone else unless the student gives explicit written permission.

RESOURCES

- **GEN-25-08** *Guidance on the Use of Federal Tax Information (FTI), Free Application for Federal Student Aid (FAFSA) Data, and Non-FAFSA Data* (replaces EA GEN-24-129).
- **GEN-24-149** *Guidance on Consent for FAFSA Data Sharing and Automatic IDR Certification.*
- NASFAA's Data Sharing Decision Tree.
- *Federal Student Aid User of Electronic Services Statement*.
- FERPA Exceptions Summary.