

# HEROES Waivers

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The Higher Education Relief Opportunities for Students (HEROES) Act of 2003, requires the Department to publish waivers or modifications to statutory or regulatory provisions applicable to the Title IV federal student aid programs to assist “affected individuals” who are also federal student aid applicants and recipients. Extensions of the existing waivers were scheduled to expire Sept. 30, 2012. The Department modified the waivers effective Sept. 27, 2012, and established a new expiration date of Sept. 30, 2017.

## Groups of Affected Individuals

“Affected individuals” refers to individuals who meet any of the following criteria:

1. Currently serving on active duty during a war or other military operation or national emergency.
2. Performing qualifying National Guard duty during a war or other military operation or national emergency.
3. Resides or is employed in an area that is declared a disaster area by any federal, state or local official in connection with a national emergency.
4. Suffered direct economic hardship as a direct result of a war or other military operation or national emergency, as determined by the Department of Education.

*Note: A national emergency only qualifies if it is declared by the President of the United States.*

**Category 1: The following waivers apply to affected individuals in all groups outlined above:**

**Need Analysis**

*HEA Sec. 480*

Requirement	Waiver
<p>In the expected family contribution (EFC) calculation, “total income” equals adjusted gross income (AGI) plus untaxed income and benefits for the preceding tax year minus excludable income.</p>	<p>Allows a school to substitute adjusted gross income plus untaxed income and benefits received in the first calendar year of the award year, in order to reflect more accurately the financial condition of an affected individual and his or her family. The school has the option of using the applicant’s original EFC or the modified EFC based on the data from the first calendar year of the award year.</p> <p>A school that chooses to use the modified EFC should use the administrative professional judgment procedures established by the Department.</p> <p>This waiver applies to any affected individual, and for his or her spouse and dependents, if applicable.</p>

Professional Judgment <i>HEA Sec. 479A</i>	
Requirement	Waiver
<p>The financial aid administrator (FAA) has the authority to use professional judgment to make case-by-case adjustments to the cost of attendance or to the values of the items used in calculating the EFC to reflect a student’s special circumstances.</p>	<p>PJ adjustments do not need to be made solely on a case-by-case basis for affected individuals.</p> <p>The Department encourages FAAs to use professional judgment to reflect more accurately the financial need of affected individuals using the method listed below that is the most beneficial:</p> <ul style="list-style-type: none"> <li>• By using the adjusted gross income (AGI) plus untaxed income and benefits received in the first calendar year of the award year.</li> <li>• By using professional judgment.</li> <li>• By making no modifications. (For example, in some cases, an individual’s income will increase as a result of serving on active duty or performing qualifying National Guard duty.)</li> </ul>
Return of Title IV Funds – Grant Overpayments Owed by the Student <i>HEA Sec. 484B(b)(2)</i> <i>34 CFR 668.22(h)(3)(ii), 668.22(h)(4)</i>	
Requirement	Waiver
<p>A student must return or repay unearned grant funds for which the student is responsible under the Return of Title IV Funds calculation.</p>	<p>A student who withdraws from a school because of his or her status as an affected individual is not required to return or repay any overpayment of grant funds based on the Return of Title IV Funds provisions.</p> <p>Therefore, a school must not apply any Title IV credit balance to the grant overpayment prior to:</p> <ul style="list-style-type: none"> <li>• Using a credit balance to pay authorized charges.</li> <li>• Paying any amount of the Title IV credit balance to the student, or parent in the case of a parent PLUS loan.</li> <li>• Using the credit balance to reduce the student’s Title IV loan debt (with the student’s authorization).</li> </ul>
<p>A school must notify the student of a grant overpayment and the actions the student must take to resolve the overpayment.</p>	<p>As a result of the waiver of the requirement to repay unearned grant funds, a school is not required to:</p> <ul style="list-style-type: none"> <li>• Contact the student.</li> <li>• Notify the National Student Loan Data System</li> <li>• Refer the overpayment to the Department.</li> </ul> <p>However, the school must document in the student’s file the amount of any overpayment as part of the documentation of the application of this waiver.</p>
<p>A student who owes a grant overpayment and does not take action to resolve the overpayment is not eligible for Title IV aid.</p>	
<p>A school must refer a grant overpayment to the Department under certain conditions.</p>	

Verification of AGI and U.S. Income Tax Paid	
<i>34 CFR 668.57(a)(3)(ii)</i>	
Requirement	Waiver
<p>If an individual who is required to file a U.S. income tax return has been granted a filing extension by the Internal Revenue Service (IRS), a school must accept, in lieu of income tax documentation for verification of AGI or income tax paid:</p> <ul style="list-style-type: none"> <li>• A copy of IRS Form 4868, “Application for Automatic Extension of Time to File U.S. Individual Income Tax Return,” or a copy of the IRS’s approval of an extension beyond the automatic six-month period.</li> <li>• A copy of each IRS Form W–2 that the individual received for the specified year or, for a self-employed individual, a statement signed by the individual certifying the amount of AGI for the specified year.</li> </ul>	<p>For affected individuals, a school must accept, in lieu of income tax documentation for verification of AGI and taxes paid:</p> <ul style="list-style-type: none"> <li>• A signed statement from the individual certifying that he or she has not filed an income tax return or a request for a filing extension because he or she was called up for active duty or for qualifying National Guard duty during a war or other military operation or national emergency; and</li> <li>• A copy of each W–2 received for the specified year or, for a self-employed individual, a statement signed by the individual certifying the amount of AGI for the specified year.</li> </ul> <p>The school may, if its policy dictates, require the individual to provide the tax information (via tax transcript or IRS Data Retrieval tool) once the return is filed. If the school’s policy requires this documentation, the school must then verify the income information.</p>

Category 2: The following waivers apply to affected individuals in groups 1, 2 and 3 outlined on page 1.

Return of Title IV Funds – Post-withdrawal Disbursement of Loan Funds	
<i>34 CFR 668.22(a)(6)(iii)(A)(5), 668.22(a)(6)(iii)(D)</i>	
Requirement	Waiver
<p>The school must provide a post-withdrawal disbursement of a Title IV loan if the student (or parent) responds to the school’s post-withdrawal disbursement notification within 14 days of the date it was sent by the school, or a later deadline set by the school. If the student (or parent) submits a late response, the school may, but is not required to, make the post-withdrawal disbursement.</p>	<p>For a student who withdraws because of his or her status as an affected individual in this category and who is eligible for a post-withdrawal disbursement, the Department extends the usual 14-day response deadline for students and parents to 45 days, or to a later deadline set by the school. If the student (or parent) submits a response after the designated period, the school may, but is not required to, make the post-withdrawal disbursement. In all cases, the funds must be disbursed no later than 180 days after the date the school determined the student withdrew.</p>

Leaves of Absence	
<i>34 CFR 668.22(d)(3)(iii)(B)</i>	
Requirement	Waiver
<p>To be granted an approved leave of absence, a student must, prior to the LOA, provide a signed and dated written LOA request, which includes the reason for that request. However, if the student is unable to provide a prior written request, the school may grant the student’s LOA request if the school documents its decision and collects the written request at a later date.</p>	<p>The school does not need to collect a written LOA request for affected individuals who have difficulty providing a written request as a result of being an affected individual. The school’s documentation of its decision to grant the leave of absence must include, in addition to the reason for the leave of absence, the reason for waiving the requirement that the leave of absence be requested in writing.</p>

Treatment of Title IV Credit Balance When a Student Withdraws	
<i>34 CFR 668.164(e), 668.165(b)(i)</i>	
Requirement	Waiver
A school must pay any Title IV credit balance to the student (or parent in the case of a parent PLUS loan) within 14 days after the balance occurred.	For students who withdraw because they are affected individuals in this category, the school is considered to have met the 14-day requirement if, within that timeframe, the school attempts to contact the student (or parent) to suggest that the school be authorized to return the credit balance to the loan program(s).
If the student (or parent) provided authorization, a school may use a Title IV credit balance to reduce the borrower's total Title IV loan debt, not just the loan debt for the period for which the Return of Title IV Funds calculation is performed.	If a school chooses to attempt to contact the student (or parent) for authorization to apply the credit balance to reduce the student's Title IV loan debt, it must allow the student (or parent) 45 days to respond. If there is no response within 45 days, the school must promptly pay the credit balance to the student (or parent) or return the funds to the Title IV programs if the student or parent cannot be located.
Cash Management – Borrower Request for Loan Cancellation	
<i>34 CFR 668.165(a)(4)(ii) – (iii)</i>	
Requirement	Waiver
A school must return loan proceeds or cancel the loan, or both, if the school receives a loan cancellation request from a borrower: <ul style="list-style-type: none"> <li>• Within 14 days after the date of the school's notice to the borrower of his right to cancel all or a portion of a loan.</li> <li>• By the first day of the payment period if the school sends the notice more than 14 days before the first day of the payment period.</li> </ul>	For an affected individual in this category, a school must allow at least 60 days, rather than the stated 14 days, for the student to request the cancellation of all or a portion of a loan for which proceeds have been credited to the student's account at the school.
If a school receives a late loan cancellation request from a borrower, the school may, but is not required to, comply with the request.	If a school receives a loan cancellation request from a borrower after the 60-day period, the school may, but is not required to, comply with the request.
Cash Management – Student and Parent Authorizations	
<i>34 CFR 668.164(c)(3)(i), 668.165(b)(1)</i>	
Requirement	Waiver
A school must obtain affirmative consent from a student (or parent, for a parent PLUS loan) to disburse Title IV funds to a bank account designated by the student or parent.	A school may accept affirmative consent and any authorization provided by a student (or parent for a parent PLUS loan) orally, rather than in writing, if the student (or parent) is prevented from providing a written affirmative consent or authorization because of his or her status as an affected individual in this category. The school must document the oral consent or authorization.
A school must obtain written authorization from a student (or parent), as applicable, to: <ul style="list-style-type: none"> <li>• Use Title IV funds to pay for educationally related charges incurred by the student at the school, other than charges for tuition and fees and, as applicable, room and board; and</li> <li>• Hold on behalf of the student or parent any Title IV funds that would otherwise be paid directly to the student or parent.</li> </ul>	

Satisfactory Academic Progress	
<i>34 CFR 668.34(a)(9)(ii)</i>	
Requirement	Waiver
A school may allow a student to appeal the school’s determination that he or she is not meeting satisfactory academic progress standards.	Schools may, in cases where a student failed to meet satisfactory academic progress standards as a direct result of being an affected individual in this category, consider the student’s status as an affected individual in appeal decisions.
Borrowers in a Grace Period	
<i>HEA Sec. 428(b)(7)(D), 464(c)(7)</i> <i>34 CFR 674.31(b)(2)(i)(C), 682.209(a)(5), 685.207(b)(2)(ii), 685.207(c)(2)(ii)</i>	
Requirement	Waiver
Excludes from a Title IV borrower’s initial grace period any period during which a borrower who is a member of an Armed Forces reserve component is called or ordered to active duty for a period of more than 30 days.	Excludes from a Title IV borrower’s initial grace period, a period not to exceed three years, during which a borrower is an affected individual in this category. Any excluded period must include the time necessary for the affected individual to resume enrollment at the next available enrollment period.
The statutory and regulatory provisions further require that any single excluded period may not exceed three years and must include the time necessary for the borrower to resume enrollment at the next available regular enrollment period.	
Any borrower who is in a grace period when called or ordered to active duty is entitled to another six- or nine-month grace period, as applicable, upon completion of the excluded period of service.	
Borrowers in an “In School” Period	
<i>HEA Sec. 428(b)(7), 464(c)(1)(A)</i> <i>34 CFR 674.31(b)(2), 682.209(a), 685.207(b), (c), (e)(2)-(3)</i>	
Requirement	Waiver
When a Title IV loan borrower ceases to be enrolled at an eligible school on at least a half-time basis, the borrower is obligated to begin repayment of the loan after a six- or nine-month grace period, depending on the Title IV loan program and the terms of the borrower’s promissory note.	Loan holders must maintain the loan in an “in school” status for borrowers that are affected individuals in this category. The extension of the “in-school” status will not exceed three years, including the time necessary for the borrower to resume enrollment in the next regular enrollment period, if the borrower is planning to return to school.  The Department will pay interest that accrues on a subsidized Stafford Loan as a result of the extension of a borrower’s in-school status under this modification.

## Borrowers in an In-School or Graduate Fellowship Deferment

*HEA Sec. 427(a)(2)(C)(i), 428(b)(1)(M)(i), 428B(a)(2) and (d)(1), 428C(b)(4)(C), 455(f)(2)(A), 464(c)(2)(A)(i) 34 CFR 674.34(b)(1), 682.210(b)(1)(i) and (ii), 682.210(s)(2)- (3), 685.204(b)(1)(i)(A)-(B),*

Requirement	Waiver
<p>A Title IV loan borrower is eligible for a deferment on the loan during the repayment period on the loan when the borrower is:</p> <ul style="list-style-type: none"> <li>Enrolled and in attendance as a regular student on at least a half-time basis (or full-time, if required by the terms of the borrower’s promissory note) at an eligible institution.</li> <li>Enrolled as a regular student in a course of study that is part of a graduate fellowship program.</li> <li>Engaged in graduate or post-graduate fellowship-supported study outside the United States.</li> </ul> <p>The borrower’s deferment period ends when the borrower no longer meets one of the above conditions.</p>	<p>For Title IV loan borrowers who were required to interrupt a graduate fellowship or who left school because of their status as an affected individual in this category, a loan holder is required to maintain the loan in the graduate fellowship deferment or in-school deferment status. This status remains in place for a period not to exceed three years during which the borrower is an affected individual in this category. This period includes the time necessary for the borrower to resume his or her graduate fellowship program or resume enrollment in the next regular enrollment period if the borrower returns to school.</p> <p>The Department will pay interest that accrues on a subsidized Stafford Loan as a result of extending a borrower’s eligibility for deferment under this waiver.</p>

## Forbearance

*HEA Sec. 464(e) 34 CFR 674.33(d)(2)-(3), 682.211(i)(1), 682.210(t)(9), 685.204(e)(7), 674.34(h)(7)*

Requirement	Waiver
<p>A school may grant no more than three cumulative years of forbearance on a Federal Perkins Loan.</p>	<p>Any period of forbearance based on a borrower’s status as an affected individual in this category is excluded from the three-year cumulative limit.</p>
<p>A school must receive a request and supporting documentation from a Federal Perkins Loan borrower before granting the borrower a forbearance, the terms of which must be in the form of a written agreement.</p>	<p>Schools must grant forbearances based on the borrower’s status as an affected individual in this category based on a written or oral request of the borrower, a member of the borrower’s family, or another reliable source.</p> <p>The forbearance lasts for a one-year period, plus a three-month “transition period” immediately following, for a total of 15 months. The purpose of the three-month transition period is to assist borrowers so that they will not be required to reenter repayment immediately after they are no longer affected individuals in this category.</p> <p>In order to grant the borrower forbearance beyond the initial twelve- to fifteen-month period, the school must obtain supporting documentation from the borrower, a member of the borrower’s family, or another reliable source.</p>

Forbearance (continued)	
<p>A FFEL borrower who requests forbearance because of a military mobilization must provide the loan holder with documentation showing that he or she is subject to a military mobilization.</p>	<p>A borrower who is not otherwise eligible for the military service deferment can receive forbearance at the request of the borrower, a member of the borrower’s family, or another reliable source, without providing the loan holder with documentation.</p> <p>The forbearance lasts for a one-year period, plus a three-month transition period, for a total of 15 months. In order to grant the borrower forbearance beyond this period, the loan’s holder must obtain documentation supporting the borrower’s military mobilization.</p> <p>The Department will apply the forbearance waivers and modifications in this section to loans held by the Department of Education, both FFELP loans held by ED under the PUT provisions and loans made under the Federal Direct Loan Program.</p>

<b>Collection of Defaulted Loans</b> <i>34 CFR 674-subpart C, 682.410(b)(6)</i>
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Requirement	Waiver
<p>Schools and guaranty agencies must attempt to recover amounts owed from defaulted Federal Perkins and FFEL borrowers, respectively.</p>	<p>Schools and guaranty agencies may cease collection attempts on defaulted loans for the time period during which the borrower is an affected individual in this category plus a three-month transition period.</p> <p>Schools or guaranty agencies may stop collection activities upon notification by the borrower, a member of the borrower’s family, or another reliable source that the borrower is an affected individual in this category. Collection activities must resume after the borrower has notified the school or guaranty agency that he or she is no longer an affected individual and the three-month transition period has expired.</p> <p>The loan holder must document in the loan file why it has suspended collection activities on the loan; the holder is not required to obtain evidence of the borrower’s status while collection activities have been suspended.</p> <p>The Department will apply the waivers described in this paragraph to loans held by the Department of Education, both FFELP loans held by ED under the PUT provisions and loans made under the Federal Direct Loan Program.</p>

Loan Cancellation	
<i>HEA Sec. 428J, 428L, 460(b)(1), 465(a)(2)(A)–(M) 465(a)(3)</i> <i>34 CFR 674.53, 674.55, 674.55(b), 674.56, 674.57, 674.58, 674.60, 682.216, 685.217</i>	
Requirement	Waiver
<p>Depending on the loan program, borrowers may qualify for loan cancellation if they are employed full-time in specified occupations, such as a teacher, as a civil legal assistance attorney, or in law enforcement. Generally, to qualify for loan cancellation, borrowers must perform uninterrupted, otherwise qualifying service for a specified length of time or for consecutive periods of time.</p>	<p>The service period required for the borrower to receive or retain a loan cancellation for which he or she is otherwise eligible will not be considered interrupted by any period during which the borrower is an affected individual in this category, plus the three-month transition period.</p> <p>The Department will apply the waivers described in this paragraph to loans held by the Department of Education, both FFELP loans held by ED under the PUT provisions and loans made under the Federal Direct Loan Program.</p>
Rehabilitation of Defaulted Loans	
<i>HEA Sec. 428F(a), 464(h)(1)(A)</i> <i>34 CFR 682.405, 685.211(f)</i>	
Requirement	Waiver
<p>A Direct Loan or FFEL Loan borrower must make nine on-time, monthly payments over ten consecutive months to rehabilitate a defaulted loan.</p>	<p>Payments made to rehabilitate a loan do not need to be consecutive or made within a ten-consecutive month period. Loan holders should not treat any payment missed during the time that a borrower is an affected individual in this category, or the three-month transition period, as:</p> <ul style="list-style-type: none"> <li>• An interruption in the number of monthly, on-time payments required to be made consecutively.</li> <li>• The number of consecutive months in which payment is required to be made, for loan rehabilitation.</li> </ul>
<p>A Federal Perkins Loan borrower must make nine consecutive, on-time monthly payments to rehabilitate a defaulted Federal Perkins Loan.</p>	<p>If there is an arrangement or agreement in place between the borrower and loan holder and the borrower makes a payment during this period, the loan holder must treat the payment as an eligible payment in the required series of payments. When the borrower is no longer considered to be an affected individual in this category, and the three-month transition period has expired, the required sequence of qualifying payments may resume at the point they were discontinued as a result of the borrower's status.</p> <p>The Department will apply the waivers described in this paragraph to loans held by the Department of Education, both FFELP loans held by ED under the PUT provisions and loans made under the Federal Direct Loan Program.</p>

**Reinstatement of Title IV Eligibility**  
 HEA Sec. 428F(b), 464(h)(2)  
 34 CFR 668.35(a)(2), 674.2(b), 682.200(b), 685.102(b)

Requirement	Waiver
<p>A defaulted Title IV borrower who makes six consecutive, monthly, on-time payments to reestablish eligibility for Title IV student financial assistance is considered in a “satisfactory repayment arrangement.”</p>	<p>Borrowers who are affected individuals in this category do not need to make consecutive payments in order to reestablish eligibility for Title IV student financial assistance. Loan holders should not treat any payment missed during the time that a borrower is an affected individual in this category as an interruption in the six consecutive, monthly, on-time payments required for reestablishing Title IV eligibility. If there is an arrangement or agreement in place between the borrower and loan holder and the borrower makes a payment during this period, the loan holder must treat the payment as an eligible payment in the required series of payments.</p> <p>When the borrower is no longer considered to be an affected individual and the three-month transition period has expired, the required sequence of qualifying payments may resume at the point they were discontinued as a result of the borrower’s status.</p> <p>The Department will apply the waivers described in this paragraph to loans held by the Department of Education, both FFELP loans held by ED under the PUT provisions and loans made under the Federal Direct Loan Program.</p>

**Consolidation of Defaulted Loans**  
 34 CFR 685.102(b)

Requirement	Waiver
<p>A defaulted FFEL or Direct Loan borrower who wishes to consolidate the defaulted loan in the Direct Consolidation Loan Program must make three consecutive, monthly on-time payments on the loan.</p>	<p>Borrowers who are affected individuals in this category do not need to make consecutive payments in order to establish eligibility for defaulted loans to be consolidated.</p> <p>FFEL loan holders should not treat any payment missed during the time that a borrower is an affected individual in this category as an interruption in the three consecutive, monthly, on-time payments required for establishing eligibility to consolidate a defaulted loan in the Direct Consolidation Loan Program. If there is an arrangement or agreement in place between the borrower and loan holder, and the borrower makes a payment during this period, the loan holder must treat the payment as an eligible payment in the required series of payments.</p> <p>When the borrower is no longer considered to be an affected individual in this category or in the three-month transition period, the required sequence of qualifying payments may resume at the point they were discontinued as a result of the borrower’s status as an affected individual.</p> <p>The Department will apply the waivers described in this paragraph to Direct and FFEL loans held by the Department of Education and to commercially held FFEL loans.</p>

## Annual Reevaluation Requirements for Direct Loan and FFEL Borrowers Under the Income-Based Repayment (IBR), Income-Contingent Repayment (ICR) and Pay As You Earn Plans

HEA Sec. 493C(b)(6), 493C(c)

34 CFR 682.215(e), 682.221(e), 685.209

Requirement	Waiver
<b>NEW WAIVER EFFECTIVE SEPT. 27, 2012.</b>	
<p>Borrowers must annually confirm eligibility for income-based repayment, including verification of annual income and the annual amount due on the total amount of the borrower's loans.</p> <p>If a borrower no longer has a partial financial hardship, the maximum monthly payment amount the borrower will be required to pay is an amount that does not exceed the monthly amount paid under the standard repayment plan based on a ten-year repayment period.</p> <p>Borrowers repaying under the IBR or ICR plan must be evaluated annually to determine if the borrower continues to have a partial financial hardship, if applicable, and whether the borrower's monthly payment amount under the IBR or ICR plan should be recalculated based on changes in the borrower's income or family size. Borrowers are required to provide information about their annual income and family size to the loan holder each year by the deadline specified by the holder. A borrower who fails to provide the required information would have his or her monthly payment amount adjusted to the amount the borrower would pay under the ten-year standard payment plan.</p>	<p>Loan holders must maintain an affected borrower's payment at the most recently calculated IBR or ICR monthly payment amount for up to a three-year period, including a three-month transition period immediately following, if the borrower's status as an affected individual in this category has prevented the borrower from providing documentation of updated income and family size by the specified deadline for the holder's receipt of that information.</p>

Category 3: The following waivers apply to affected individuals in groups 1 and 2 outlined on page 1.

**Institutional Charges and Refunds**

34 CFR 668.18, 668.22(g)

Requirement	Waiver
<p>Schools may, but are not required, to establish refund policies for institutional charges, such as tuition and fees.</p> <p>Before a school makes a refund of institutional charges, it must perform the required Return of Title IV Funds calculations based upon the originally assessed institutional charges.</p>	<p>The HEROES Act encourages schools to provide a full refund of tuition, fees, and other institutional charges for the portion of a period of instruction that a student was unable to complete, or for which the student did not receive academic credit, because he or she was called up for active duty or for qualifying National Guard duty during a war or other military operation or national emergency. Alternatively, the Department encourages schools to provide a credit in a comparable amount against future charges.</p> <p>After determining the amount that the school must return to the Title IV aid programs, any reduction of institutional charges may take into account the funds that the school is required to return. In other words, the Department does not expect that a school would both return funds to the federal programs and provide a refund of those same funds to the student.</p>
<p><b>NEW WAIVER EFFECTIVE SEPT. 27, 2012.</b></p>	
<p>Schools must adhere to regulations requiring readmission of service members.</p>	<p>The HEROES Act recommends that schools consider providing easy and flexible reenrollment options to students who are affected individuals in this category. At a minimum, a school must comply with the readmission requirements for service members under certain conditions. A school also <i>may</i> provide readmission support to affected individuals other than those who are called up to active duty or for qualifying National Guard duty during a war or other military operation or national emergency.</p>

Category 4: The following waivers apply to the dependents and spouses of affected individuals in groups 1 and 2 outlined on page 1.

**Verification – Signature Requirements**  
*34 CFR 668.57(b)-(c)*

Requirement	Waiver
Students (and applicable parents) must provide a signed statement to verify the number of family members in the household and the number of family members enrolled in postsecondary institutions.	A dependent student does not need to obtain a parent signature when no responsible parent can provide the required signature because the parent is an affected individual in this category.

**Required Signatures on the Free Application for Federal Student Aid (FAFSA), Student Aid Report (SAR), and Institutional Student Information Record (ISIR)**

Requirement	Waiver
Generally, when a dependent applicant for Title IV aid submits the FAFSA or submits corrections to a previously submitted FAFSA, at least one parental signature is required on the FAFSA, SAR, or ISIR.	<p>A dependent student does not need to obtain a parent signature when there is no responsible parent who can provide the required signature because the parent is an affected individual in this category.</p> <p>In these situations, a student’s high school counselor or the FAA may sign on behalf of the parent as long as the applicant provides adequate documentation concerning the parent’s inability to provide a signature due to the parent’s status as an affected individual in this category.</p>

The following waivers were not extended beyond Sept. 30, 2012.

**Return of Title IV Funds – Amounts of Unearned Funds Owed by the Institution**  
*HEA Sec. 484B(1)*  
*34 CFR 668.22(g)*

Requirement	Waiver
A school must return the lesser of (1) the total amount of unearned aid to be returned; or (2) an amount equal to the student’s total institutional charges for the payment period or period of enrollment multiplied by the percentage of unearned aid. The total (initial) amount of institutional charges is used even if the school fully refunds or otherwise adjusts the amount of institutional charges after the student withdraws.	For a student who withdraws because of his or her status as an affected individual, schools will exclude from the amount of a student’s total institutional charges any institutional charges that the school is required to cover, and has covered, with non-Title IV sources of aid.

<b>Military Deferment</b> <i>HEA Sec. 455(f)(4)</i> <i>34 CFR 674.35(c)(1), 674.36(c)(1), 674.37(c)(1), 674.38(a)(1), 682.210(a)(4), 682.210(b)(2), 685.204(d)</i>	
Requirement	Waiver
<p>Certain borrowers are eligible for a deferment on their Title IV loans for periods, not to exceed 3 years, during which the borrower is on active duty status in the United States Armed Forces. This provision includes a member of the National Guard or the Reserves serving a period of full-time active duty in the Armed Forces.</p>	<p>Affected individuals are excluded from the 3-year time limit. The Department will pay interest that accrues on subsidized Stafford Loans during an extended period of deferment under this modification.</p>
<p>A borrower must request the deferment and provide the institution or lender with supporting documentation to receive a deferment.</p>	<p>Loan holders must grant deferments based on the borrower’s status as an affected individual in this category based on a request from a member of the borrower’s family or another reliable source.</p> <p>Loan holders also must grant affected individuals a military deferment for a one-year period without documentation. In order to grant a military deferment beyond the initial period, supporting documentation from the borrower, a member of the borrower’s family, or another reliable source is required.</p> <p>The Department will apply the waivers described in this paragraph to loans held by the Department of Education</p>