



PRA Coordinator
Strategic Collections and Clearance Governance and Strategy Division
Office of Chief Data Officer
Office of Planning, Evaluation and Policy Development
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

June 30, 2022

Re: Docket No.: ED-2022-SCC-0024

To Whom It May Concern:

This letter is submitted on behalf of the 16 undersigned members and partners of the Postsecondary Data Collaborative (PostsecData) in response to proposed changes to the Free Application for Federal Student Aid (FAFSA). PostsecData is a nonpartisan coalition of organizations committed to the use of high-quality postsecondary data to improve student success and advance educational equity. This letter outlines recommendations to the U.S. Department of Education (ED) to ensure that the FAFSA, as a tool for allocating and awarding federal financial aid, is structured so that it supports student success and equity.

In particular, the signatories of this letter strongly oppose deleting the question on students' legal sex from the 2023-24 FAFSA. Additionally, we recommend not requiring incarcerated students to complete a different FAFSA than non-incarcerated students.

Do Not Delete the Existing FAFSA Question About Students' Legal Sex

It is critical that ED retain the existing FAFSA question asking aid applicants to provide their legal sex. ED has proposed removing the sex question on the 2023-24 FAFSA and adding it back to the 2024-25 FAFSA. This proposed one-year elimination of the sex question is counterproductive, especially because the [Consolidated Appropriations Act 2021](#) requires the FAFSA to include these questions beginning in 2024-25. Not only does deleting this question move in the opposite direction of this legislatively mandated collection, it also will create problematic data gaps and information discontinuities in several ED products. Many commenters identified this problem during the 60-day comment period, and ED's response notes a phased implementation of the new legislative requirements. While phased implementation is reasonable, doing so does not justify the removal of crucial information about applicants' sex.

Retaining this question will ensure continuity of information on applicants' sex, and provide information needed to understand the intricacies of sex equity in postsecondary education access, affordability, and success. For example, women tend to enroll in college at higher rates but still [earn less](#) than men after school, and the ability to identify students' legal sex is critical to understanding the trends in and severity of these disparities. Removing the question from the 2023-24 FAFSA will create gaps in information needed to assess trends in these patterns over time.

Furthermore, not having the sex question for a single year would create continuity issues with other ED data products that use FAFSA data, including the National Postsecondary Student Aid Survey (NPSAS) and College Scorecard, making it difficult to measure trends over time. For instance, FAFSA data is used to disaggregate student outcomes—including student debt and post-school earnings—by sex in the College Scorecard. Failing to collect information on applicants’ sex will have long term ramifications as it will create a one-year gap in sex-disaggregated student earnings and debt data. Furthermore, the sex question on the FAFSA feeds into the NPSAS, the nation’s preeminent survey on postsecondary student aid. The NPSAS is conducted only once every four years, and 2023-24 is the next scheduled NPSAS administration. Deleting the sex question from the FAFSA in this particular year will unnecessarily harm data quality in a way that will have long-lasting impacts on the ability of policymakers, institutions, and researchers to accurately analyze college affordability and student financing.

Do Not Use a Separate Form for Incarcerated Students if it is Not Tailored to Their Experiences and Needs

The current proposal introduces a separate form for incarcerated students that is not tailored to those students’ needs, which risks adding unnecessary complexity to the aid application process for these students, adding to the stigma these students already experience, and does not benefit those students in the ways a revised and tailored form would. PostsecData recommends that ED eliminate the use of a separate form for incarcerated students for the 2023-24 aid year, if they decide to not develop a new form that would streamline the process and make student aid more accessible for this population.

Incarcerated students already face numerous barriers in their educational careers. ED proposed the use of a separate version of the FAFSA for incarcerated students that requires identical information to the standard FAFSA. The introduction of a separate, but identical form, contributes to the stigma that many justice-impacted students already face and could create an unnecessary barrier to accessing federal financial aid if they complete the wrong version of the form. Further, it is unclear what purpose a separate form serves if it collects identical information, and ED’s response to similar objections raised in the 60-day comment period does not explain the objectives or purpose of a separate form for incarcerated students.

Because incarcerated students typically face unique circumstances and challenges in pursuing higher education, [a revised FAFSA tailored to the needs of this group](#) could benefit these students by reducing barriers to financial aid. We urge ED to update the FAFSA for incarcerated students such that it only asks relevant questions and requests information readily available to such applicants; if ED cannot make these changes so that the new form is appreciably different from the FAFSA used for all other students for the 2023-24 aid year, there is no benefit to the use of a separate form, even for a single year.

PostsecData appreciates the opportunity to weigh in on proposed changes to the 2023-24 FAFSA and hopes ED will reconsider these changes. Doing so will ensure continued access to important information regarding sex-based disparities in access and success and avoid further stigmatization of incarcerated students.

If you have any questions, please contact Mamie Voight, President at the Institute for Higher Education (mvoight@ihep.org).

Sincerely,

AccuRounds

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The Education Trust
The New Growth Group, LLC
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CC:

Jordan Matsudaira, Deputy Under Secretary at U.S. Department of Education
Clare McCann, Senior Policy Advisor at U.S. Department of Education
Tracy Hunt-White, Project Officer, National Postsecondary Student Aid Study at U.S. Department of Education