

Overview

The use of student financial aid data is restricted based on the Higher Education Act of 1965 (HEA). These restrictions limit the purposes for using student-specific financial aid data, and the disclosure of the identity of financial aid recipients. These restrictions are in addition to [FERPA guidelines](#) that apply to student data more broadly and to critical data storage guidelines from the Gramm-Leach-Bliley Act (GLBA). More information is in **Appendices B, C, D, and E** below.

Based on guidance from [IU University Student Financial Aid](#) and the [National Association of Student Financial Aid Administrators \(NASFAA\)](#), Institutional Analytics/Compliance & Reporting (IA) ¹ makes *student-level* financial aid data available to IU financial aid staff and IU Institutional Analytics staff. Staff who have unit-record access need to complete annually the [IR FA Data User Agreement](#), shown below in **Appendix A** below. Here are reporting guidelines that expand on the IR FA Data User Agreement:

1. Use the data for purposes of administering Federal Title IV, state, or institutional student financial aid programs, or programmatically (not individually) to improve processes that can promote student retention and graduation.
2. Use the data in aggregate whenever possible. When that is not possible, use the data in a way that obscures the identity of recipients.
3. When sharing data beyond your office, provide the minimum data needed to administer Federal Title IV, state, or institutional student financial aid programs or improve student outcomes without targeted, student-specific intervention. Here are some examples:
 - a. The following is appropriate: Notate eligibility for state grants in student advising records to make advisors aware a student must pass 30 credits each year in order to maintain eligibility for the 21st Century Scholars award.
 - b. In IA Tableau reports, data are aggregated, and small cell sizes of < 11 are masked. Details for this are in a separate [IR FA Data Technical Guide for Report Developers](#). Also, the Data Warehouse tables, views, and columns that are subject to these student privacy guidelines are listed in the Excel file [IR FA Data Elements – Tables, Views, and Columns](#).
 - c. When providing an Excel data set, aggregated figures are provided whenever possible.
 - d. If unit-record data (by student) are requested, here are additional guidelines:
 - i. Leverage the [IR Financial Aid Sharing Decision Tree](#) for responding to inappropriate data requests.
 - ii. If exceptions are requested, consult a campus financial aid director or the [University Financial Aid Director](#) to discuss what is appropriate.
 - iii. Whenever possible, exclude personally identifiable information (PII), including combinations of data elements that would disclose the identity of recipients.

¹ Since summer 2022, Institutional Analytics/Compliance & Reporting (<https://iua.iu.edu/>) is the formal name for University Institutional Research and Reporting (UIRR) .

Appendix A – [Financial Aid Data User Agreement](#)

The Department of Education’s Privacy Technical Assistance Center (PTAC) provides guidance on the use of student data in order to comply with the Family Educational Rights and Privacy Act (FERPA), Section 483(a)(3)(E) of the Higher Education Act (HEA) regarding students’ Free Application for Federal Student Aid (FAFSA) and aid information, and the Privacy Act.

De-identified, aggregate, descriptive statistics about program participants is a permitted use of FAFSA data, Institutional Student Information Record (ISIR) data, and related award information.

Under HEA restrictions, individual or personally identifiable information (PII) about FAFSA data and aid eligibility may only be used for the application, awarding, and administration of federal, state, and institutional aid programs.

Examples

Inappropriate:

Providing a list to facilitate contacting all Federal Pell Grant recipients to offer free tutoring, or discounted campus Counseling and Psychological Services (CAPS) appointments.

Acceptable alternative:

Advertise services to all students and mention that discounts are available for Federal Pell Grant recipients. Let the students disclose their status directly.

Inappropriate:

Send names of O’Bannon Grant recipients with the Academic Honors incentive award to the Chancellor so she can congratulate them.

Acceptable alternative:

Disclose the percentage of O’Bannon Grant recipients with the bonus to highlight how the academic achievements of some students can make college more affordable.

Appropriate:

Notate eligibility for state grants in student advising records to make advisors aware that a student must pass 30 credits each year to maintain eligibility for the 21st Century Scholars award.

Additional Resources

- [IR Financial Aid Data Sharing and Reporting Guide](#)
- [IR Financial Aid Data Sharing Decision Tree](#)
- [Data Sharing Decision Tree – NASFAA](#)
- [Protecting Student Privacy – US Department of Education](#)
- [Use of FAFSA Data to Administer Federal Programs](#)
- [PTAC guidance on Use of Financial Aid Information – US Department of Education](#)

I acknowledge that the student financial aid data entrusted to me has more stringent federal privacy restrictions than other student data described in the IU Acceptable Use Agreement. I agree to share or provide only de-aggregated data with no personally identifiable information to requestors who require that



data to fulfill the duties of their jobs. Personally identifiable data will only be shared with the express consent from a campus financial aid director or the University Financial Aid Director, for the purpose of the application, awarding, and administration of federal, state, and institutional aid programs, or other uses expressly allowed by the U.S. Department of Education.

☐ **Electronic Acknowledgement (*required)**

(By checking this box, you acknowledge the above)



Appendix B – Excerpts from [NASFAA Financial Aid Data Sharing Whitepaper](#) (June 2019)

Applicable Laws

Federal Student Aid programs are authorized by the Higher Education Act of 1965 (HEA)², as amended, which was last reauthorized by Congress in 2008. The implementing regulations are primarily found in Title 34 of the Code of Federal Regulations³. Some of the statutory provisions found in the HEA, including the provision restricting the use of FAFSA and NSLDS data, do not have corresponding regulations because Congress has limited the U.S. Department of Education’s authority to further regulate the application and need analysis process.

Section 483(a)(3)(E) of the HEA specifically restricts the use of the FAFSA data, and states that data collected on the FAFSA form shall be used only for the application, award, and administration of aid awarded under Title IV student aid programs, state aid, or aid awarded by eligible institutions or such entities as ED may designate. In March 2018, the fiscal year (FY) 2018 omnibus appropriations bill that included appropriations for education programs included a provision adding that an institution may, with explicit written consent from the student, share FAFSA data with scholarship-granting organizations or tribal organizations. Subsequently, in September 2018, the FY 2019 Labor-HHS appropriations bill further expanded the HEA data sharing language to permit institutions of higher education to share FAFSA data—again, with explicit written consent from the student—with an organization assisting the applicant in applying for and receiving federal, state, local, or tribal assistance for any component of the student’s cost of attendance. Section 485B(d)(2) of the HEA prohibits the use of NSLDS data for non-governmental research and marketing purposes.

Scope of the HEA Restriction on Releasing Data from the FAFSA

Section 483(a)(3)(E) of the HEA limits the use of FAFSA application data. Without a student’s written consent, institutions can only share FAFSA data for the purpose of applying for, awarding, and administering Title IV funds, state aid, and institutional aid programs. PTAC⁴ guidance states that ED’s interpretation of the “administration of aid” release provision includes audits and program evaluations necessary for the efficient and effective administration of the student aid programs. This includes mandatory federal reporting, such as to the Integrated Postsecondary Education Data System (IPEDS).

With a student’s written consent, however, institutions can share FAFSA data with scholarship granting organizations, tribal organizations, or other organizations assisting the applicant in applying for and receiving federal, state, local, or tribal financial assistance for any component of the applicant’s cost of attendance. It is important for financial aid offices to keep this data separate from other data collected from the student to ensure that it is only used for the awarding and administration of financial aid.

FAFSA data is easy to identify; it comprises answers to the 100+ questions students and parents are required to answer on the FAFSA. However, PTAC’s guidance clarifies that the HEA restriction applies broadly to FAFSA data, ISIR data, key processing results, expected family contribution, awards, and the student’s financial aid history, as reflected in NSLDS. The PTAC guidance goes on to say that use of the ISIR data to determine award

² <https://www.govinfo.gov/content/pkg/PLAW-110publ315/html/PLAW-110publ315.htm>

³ <https://www.ecfr.gov>

⁴ U.S. Department of Education’s Privacy Technical Assistance Center (PTAC):
<https://studentprivacy.ed.gov/resources/guidance-use-financial-aid-information-program-evaluation-and-research>



eligibility, and the resulting awards and disbursement data, including information contained in the Common Origination and Disbursement (COD) System, are covered by the same restrictions that apply to the FAFSA data.

Similar or identical data collected by the institution through a source other than the FAFSA, such as the CSS Profile, is not subject to the same HEA restriction. However, data collected through a source other than the FAFSA would be part of the education record and therefore subject to the FERPA regulations.

Scope of the HEA Restriction on Releasing NSLDS Data

Section 485B(d)(2) of the HEA contains a provision that specifically prohibits the release of PII from NSLDS to non-governmental researchers and policy analysts and also prohibits use of NSLDS data for marketing purposes. These restrictions also apply to NSLDS data on the student's ISIR.

Appendix C – Gramm-Leach-Bliley Act Summary from the [IU FERPA Tutorial](#)

The Gramm-Leach-Bliley Act (GLBA) Safeguards Rule pertains to the safeguarding of customer financial information. The rule requires financial institutions, including colleges and universities, to develop plans and establish policies to protect such information.

Examples of services or activities that IU may offer which result in the creation of customer information covered under GLBA could include but are not limited to:

- Financial aid (FAFSA data/tax returns for verification)
- Direct deposit banking information
- Making/Servicing/Collecting loans/tuition, including payment plans
- From 12 CFR § 225.28: employee benefits counseling/financial counseling (401k programs)
- Career counseling services for those seeking employment in finance, accounting, or auditing
- Life, Health, liability, or disability insurance provisioning services
- Check cashing services
- Real-estate appraisals

Customer information may include:

Names and addresses, bank account numbers, payment card numbers, social security numbers, applications for student loans or grants, tax return information, credit history or credit reports.

This data is classified as critical and must include all of the safeguards outlined for critical data.

For more information or questions about how to manage and store this information, see the [Critical Data Guide](#) or contact the IU Chief Privacy Officer, at privacy@iu.edu



Appendix D – Indiana University Student Records Code of Conduct from the [IU FERPA Tutorial](#)

As an employee of Indiana University with access to private, confidential student records information, I will adhere to the following code of conduct:

1. I will not award degrees, update records or change grades for students with whom I have a personal relationship. With the exception of items available through self-service, I will not change my personal student record in any way.
2. I will not use student records data for personal gain or curiosity. I will use student records information only for the purpose for which it is intended.
3. I will not discuss the academic progress or the financial records of any student with anyone other than the student or an authorized school official without the student's consent.
4. I understand the university reserves the right to audit my access and actions within university systems.
5. I will adhere to the Family Educational Rights and Privacy Act (FERPA). Detailed information is available at <https://ferpa.iu.edu/> and <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.
6. I will not accept any cash, gift, or benefit of any value from any student or anyone acting on the student's behalf.
7. I will disclose any involvement, interest in, or potential conflict of interest with any entity with which the institution has a business relationship by following Indiana University Conflict of Interest policy. This policy is located at <http://policies.iu.edu/policies/categories/human-resources/conduct/coi.shtml>.
8. I will follow the Principles of Ethical Conduct (<http://principles.iu.edu>), including carefully managing public, private and confidential information and following any relevant data security policies and procedures.
9. If I am responsible for ensuring final degree requirements are met:
 1. I will not make any exceptions to these requirements that are not approved or supported by department policies or established standards.
 2. I will ensure that all degree requirements have been met and applicable exceptions are authorized and recorded.
 3. I will ensure the final degree requirements are archived and retrievable for each student.
10. If I serve on scholarship committees, I will recuse myself from making award recommendations for students with whom I have a personal relationship.

I acknowledge my understanding and acceptance of my responsibilities identified in this document to preserve the security and confidentiality of student records information I access at Indiana University. I understand that a violation of this Code of Conduct may result in sanctions relating to my use of information technology resources (such as suspension or termination of access), my employment (up to and including immediate termination of employment in accordance with applicable university policy); civil or criminal liability; or any combination of these.

Appendix E – IU Data Management and Sharing Policies

- <https://datamanagement.iu.edu/data-classifications/critical-data/index.html>
- <https://informationsecurity.iu.edu/report-incident/sensitive-data-breaches.html>
- <https://policies.iu.edu/policies/usss-05-release-student-information/index.html>
- <https://policies.iu.edu/policies/dm-02-disclosing-institutional-information/index.html>
- <https://policies.iu.edu/policies/dm-01-management-institutional-data/index.html>

