



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

OFFICE OF HIGHER EDUCATION

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**Date:** January 31, 2024

**To:** Financial Aid Administrators Who Verify NYS Opportunity Programs (OP) Eligibility for OP Grant Aid Disbursement

**From:** Christopher Fernando, Supervisor of Higher Education Programs *CF*

**Re:** Use of Federal Tax Information (FTI) for NYS Opportunity Programs

The purpose of this memorandum is to communicate how FAFSA information is pertinent to the disbursement of NYS Opportunity Program Grant Aid.

The FAFSA Simplification Act and The FUTURE Act are two significant pieces of legislation recently implemented by the U.S. Government to streamline the financial aid process for students and their families. As outlined in a Dear Colleague Letter from the U.S. Department of Education dated May 12, 2023, the FAFSA Simplification Act allows institutions and state higher education agencies managing institutional and state-based financial aid to utilize FAFSA information, including federal tax information (FTI), in the application, awarding, and administration of financial aid.

The FUTURE Act facilitates the sharing of data between the IRS and Federal Student Aid (FSA), streamlining the administration of federal student aid programs. This Act specifically permits the disclosure of federal tax information (FTI) for determining an applicant's eligibility for, and the amount of, federal student aid.

New York State's Opportunity Programs such as College Discovery, SEEK, EOP, and HEOP provide opportunity program financial aid awards. In line with the objectives of both the FAFSA Simplification Act and the FUTURE Act, the New York State Education Department permits those who already have access to FTI data to use it for determining financial and economic eligibility for students applying to these programs.

For students whose families do not file taxes, alternative documentation will be required to demonstrate economic eligibility for these programs. This will continue to ensure that all students, regardless of their family's tax-filing status, have equitable access to financial aid opportunities and to New York State's Opportunity Programs. The emphasis on equitable access, especially in the context of New York State's Opportunity Programs, is a notable aspect of these reforms.

**Cc:** Dr. William Murphy, Deputy Commissioner  
Dr. Anael Alston, Assistant Commissioner  
SED Program Office Associates  
Opportunity Program Liaisons