1. Is the disclosure to the student?
   - YES: Disclosure Permitted
   - NO: 2. Does the disclosure consist of de-identified aggregate statistics?
     - YES: Disclosure Permitted
     - NO: 3. Is the information being requested considered FAFSA data (includes ISIR data, EFC, award history)?
       - YES: 3a. Will the information be used for the application, award, and/or administration of Title IV funds, state aid, and/or institutional aid programs under HEA 483(a)(3)(E)?
         - YES: Disclosure Permitted
         - NO: 4. Has the student provided written consent for disclosure? 99.30
           - YES: Disclosure Permitted
           - NO: 5. Is the information being requested considered directory information (if the student hasn’t opted out)? 99.31(a)(11)
             - YES: Disclosure Permitted
             - NO: 6. Is the disclosure to other school officials determined to have a legitimate educational interest in the disclosed information? 99.31(a)(1)
               - YES: Disclosure Permitted
               - NO: 7. Is the information being requested as a result of a judicial order or subpoena, 99.31(a)(9), or in relation to financial aid for which the student has applied or received under 99.31(a)(4)(i)?
                 - YES: Disclosure Permitted
                 - NO: 8. Is the disclosure to officials of another school where the student seeks or intends to enroll, or where the student is already enrolled for purposes related to the student’s enrollment or transfer? 99.31(a)(2)
                   - YES: Disclosure Permitted
                   - NO: 10. Is the disclosure to authorized representatives of the Comptroller General of the United States, The Attorney General of the United States, the Secretary, or state and local educational authorities? 99.31(a)(3)
                     - YES: Disclosure Permitted
                     - NO: 11. Is the disclosure to an accrediting agency to carry out their accrediting functions? 99.31(a)(7)
                       - NO: Disclosure Permitted
                       - YES: 12. Is the disclosure to the parent of a dependent student, as defined in section 152 of the Internal Revenue Code of 1986? 99.31(a)(8)
                         - NO: Disclosure Permitted
                         - YES: 13. Is the disclosure otherwise permitted under 99.31?
                           - NO: Disclosure Not Permitted
                           - YES: Disclosure Permitted

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This decision tree is intended to assist financial aid administrators in their evaluation of the permissibility of common data requests under HEA 483(a)(3)(E) and the Family Educational Rights and Privacy Act. It does not include data requests under 485B(d)(2) of the HEA, which prohibits the use of NSLDS data for non-governmental research and marketing purposes, or the Privacy Act, which applies to the Department’s student records to prevent the improper release of government-held student personally-identifiable information.

For further discussion and references, please see NASFAA’s white paper Financial Aid Data Sharing and the Department of Education’s paper Guidance on the Use of Financial Aid Information for Program Evaluation and Research.