



Written by [Ty Bodden](#) on December 17, 2025

## FAFSA Mandates: Federal Overreach Masquerading as Help for Students

Across the country, lawmakers are quietly advancing a new front in federal control over education by mandating that high-school seniors complete the [Free Application for Federal Student Aid \(FAFSA\)](#) as a condition of graduation. Under the guise of “helping students afford college,” states such as Oklahoma and Pennsylvania have pushed legislation compelling families to disclose sensitive financial information to the federal government. Other states, such as [Alabama](#), [California](#), [Connecticut](#), [Illinois](#), [Indiana](#), [Kansas](#), [Maryland](#), [Nebraska](#), [New Jersey](#), [New York](#), and [Texas](#) have similar laws on the books, but [Louisiana](#) and [New Hampshire](#) have repealed such laws.



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These measures — Oklahoma’s [Senate Bill 93 \(SB93\)](#) and Pennsylvania’s [Senate Bills 750 and 310 \(SB750 and SB310\)](#), which are included in *The New American’s* [state Legislative Scorecards](#) — may sound benign, but they warrant serious scrutiny. Each contains a nominal “opt-out” provision; however, the underlying principle remains unchanged: government coercion in personal financial decisions and deeper federal entanglement in local education. Together, these bills illustrate how the [unconstitutional](#) U.S. Department of Education continues to expand its reach — not to educate, but to control. The department itself finds no authorization in [Article I, Section 8](#) of the U.S. Constitution. Moreover, forced-FAFSA mandates raise grave constitutional concerns, implicating the [Fourth](#), [Fifth](#), [Ninth](#), [10th](#), and [14th Amendments](#) by compelling financial disclosure, undermining parental authority, and eroding the limits of federal power.

### Mandating Federal Compliance

Oklahoma’s [SB93](#), passed in 2023, requires every public-school student to complete or formally opt out of the FAFSA as a condition of graduation. Pennsylvania’s [SB750](#), passed by the state Senate the same year, but never enacted, would have imposed a similar statewide requirement. In 2025, Pennsylvania lawmakers went even further with [SB310](#), which would have extended the mandate to private-school seniors and directed the Pennsylvania Higher Education Assistance Agency to share FAFSA-completion data with schools. Although SB310 ultimately failed to pass the state House, its provisions remain deeply alarming.

Supporters claim these policies “[expand opportunity](#)” and are meant to “[help students pay for higher education.](#)” In reality, they expand bureaucracy and, in Pennsylvania’s case, improperly impose [mandates](#) on private schools, which should retain full autonomy. By tying graduation to a federal form, states compel students to participate in a federal financial-aid system that [collects extensive personal and family data](#), including Social Security numbers, income, tax returns, household size, and assets.



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Federal bureaucrats then use this information to [determine eligibility](#) for aid — effectively picking winners and losers based on economic circumstances.

Even with an opt-out provision, the coercion remains. Schools must track compliance; families must justify nonparticipation, potentially leading to students being treated differently; and private institutions are conscripted into federal data-collection schemes. Such compulsion undermines federalism and erodes financial privacy, violating core constitutional protections.

## Constitutional Implications

FAFSA mandates implicate multiple constitutional violations. For example, they raise serious [Fourth](#) and [Fifth](#) Amendment concerns by compelling disclosure of private financial “papers,” including tax records, income data, assets, and Social Security numbers, absent suspicion or [due process](#) and violation of [property](#). Conditioning a diploma on the surrender of financial and asset privacy and autonomy is incompatible with a constitutional republic designed to restrain centralized power and safeguard individual liberty.

The [Fourth Amendment](#) guarantees Americans the right to be secure in their “persons, houses, papers, and effects.” Forcing students and parents to disclose sensitive financial records to federal bureaucrats as a condition of high-school graduation is a [direct affront](#) to that protection.

Moreover, education is not among the [enumerated powers](#) delegated to the federal government under Article I, Section 8 of the U.S. Constitution. By conditioning state graduation requirements on a federal financial-aid form, lawmakers effectively deputize local schools as enforcement arms of an unconstitutional federal department, which is especially troublesome for private schools.

FAFSA mandates also erode parental authority. Families — not the state — should decide whether to pursue aid, assume debt, or disclose personal financial information. Government schools already dictate what children are taught; now they presume to dictate what families must reveal.

The Ninth Amendment affirms that rights not [enumerated](#) in the Constitution are “retained by the people,” including parental rights and the rights to control personal finances and refuse participation in federal debt programs. The 10th Amendment reserves [education policy to the states and the people](#), as no authority over education was delegated to the federal government. Compelling families to complete — or formally opt out of — a federal financial-aid application as a condition of graduation transforms state schools into instruments of federal enforcement.

## Federal Strings

Although the [10th Amendment](#) reserves to the states and the people all powers not delegated to the federal government, the latter routinely circumvents this limit through conditional funding. FAFSA participation is the latest bait-and-switch, using billions in federal education dollars to pressure states into compliance with a “[college-for-all](#)” agenda — despite mounting evidence that higher education has become increasingly [politicized](#), [indebted](#), and detached from [practical skill development](#).

FAFSA is not a neutral tool. It is the gateway to federal student-loan programs that have trapped millions of students in long-term [debt](#) that they [struggle to get out](#) of while [universities and bureaucracies](#) become enriched. Mandating FAFSA submission normalizes federal [dependency](#) at the moment students leave high school. Rather than encouraging [thrift](#), work, and independence, it conditions young Americans to expect government involvement in their personal finances.



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Total student-loan debt exceeds [\\$1.81 trillion](#), with approximately \$1.67 trillion owed to the federal government. The average borrower carries about \$39,375 in student debt, spread across 42.3 million borrowers — accounting for more than four percent of the national debt. The federal government profits from this system, charging between [six- and nine-percent interest](#), generating revenue while fueling reckless spending and coercing students into debt.

FAFSA mandates are not grassroots reforms driven by parents or students, but the product of sustained lobbying by education-industry groups and federally aligned nonprofits. One of them is the National College Attainment Network (NCAN), which has aggressively promoted “[universal FAFSA](#)” policies nationwide. NCAN openly coordinates with state education departments and advocacy coalitions to push laws tying graduation to FAFSA completion, framing the mandates as “[equity](#)” and “access” initiatives.

## Other States

[California](#) has already implemented a universal financial-aid application policy, requiring public schools to ensure that seniors complete the FAFSA or the California Dream Act Application unless they formally opt out. Promoted as boosting access, the policy uses school compliance, data tracking, and administrative pressure to funnel students — including illegal-alien students — into government-managed aid systems, reinforcing centralized control rather than voluntary choice.

Michigan illustrates how states are actively pushing universal FAFSA compliance. Through its “[Universal FAFSA Challenge](#),” the Michigan Department of Lifelong Education, Advancement, and Potential encourages school districts to require FAFSA completion as a condition of graduation, tying access to federal aid and state scholarship programs to compliance. Although promoted as expanding opportunity, the initiative uses graduation leverage to funnel students into federal loan systems and normalize government-managed higher education, with districts explicitly guided by the National College Attainment Network’s universal FAFSA model — revealing a coordinated, top-down push for federal entanglement rather than genuine educational choice.

[New York](#) has gone even further. Under Governor Kathy Hochul’s fiscal 2025 budget, school districts are required to ensure every high-school senior completes the FAFSA or the state’s Dream Act application, unless a waiver is signed — while simultaneously directing billions of taxpayer dollars to the State University of New York and City University of New York. Framed as “expanding access,” the policy relies on graduation leverage and massive public spending to steer students into federally subsidized higher education and long-term dependency on government aid.

## Repeals Expose the Mandates’ Failures

Not every state that embraced FAFSA mandates has remained committed to them. Recent repeals expose the practical, constitutional, and political weaknesses inherent in these policies.

Louisiana, one of the first states to condition graduation on FAFSA completion, ultimately [reversed course](#), repealing the mandate for the 2024-25 school year. While supporters touted [higher FAFSA completion rates](#), state education officials and lawmakers concluded the policy was burdensome, invasive, and improperly elevated college attendance over vocational and workforce paths. Critics of the mandate emphasized that tying a diploma to parental compliance with a federal financial-aid form undermined privacy, coerced families with no intention of pursuing college or federal debt, and distracted schools from helping students identify the most appropriate post-high-school options.



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Technical failures and delays in the FAFSA rollout further reinforced the danger of conditioning graduation on a federally controlled system beyond the state's authority — prompting Louisiana to abandon a policy that once served as a national model for other states to follow.

[New Hampshire](#) followed a similar path, repealing its universal FAFSA requirement after lawmakers concluded that the mandate infringed on parental authority and imposed unnecessary federal entanglement in state education policy. Legislators acknowledged that opt-out provisions failed to eliminate coercion, as families were still forced to justify refusal to participate in a federal financial-aid program.

These repeals are instructive and positive. When scrutinized, FAFSA mandates collapse under their own weight, revealing themselves not as tools of opportunity, but as mechanisms of federal control, data collection, and debt normalization. Rather than expanding freedom, they provoke resistance from families unwilling to surrender privacy and autonomy for bureaucratic compliance.

## **The Failure of Government Education**

That lawmakers would even consider mandating FAFSA completion exposes how far government education has drifted from its constitutional and moral foundations. The National Assessment of Educational Progress ("[the Nation's Report Card](#)") consistently shows that only about one-quarter of 12th graders are proficient in math, about one-third can read at grade level, and barely 12 percent demonstrate proficiency in U.S. history. Instead of confronting these failures, policymakers have responded with more bureaucracy, mandates, and centralized control.

Governments, through forced FAFSA applications, are encouraging further indoctrination by funneling students into universities where ideological propaganda is routinely promoted. [Surveys show](#) that only about 44 percent of students feel comfortable expressing their opinions on campus without fear of negative consequences, with that number dropping to 39 percent among Republican students and 36 percent among students outside the two major parties. Nearly one-third of students report experiencing limits on their ability to speak freely, while a majority believe colleges actively encourage liberal or progressive attitudes — underscoring that today's universities suppress genuine viewpoint diversity rather than fostering open inquiry.

## **The Real Solution: Get Them Out**

Education was meant to be local, moral, and voluntary. The federal model has failed, and it is beyond reform.

The solution is clear: remove children from government schools. Homeschooling and truly private education — free from government money and mandates — consistently outperform public schools academically while preserving faith, morality, and independence. During the Covid era, homeschooling doubled nationwide. Home-educated students now [score](#) in the 80th to 90th percentiles on standardized tests — at a fraction of the cost. That success threatens the education establishment, because it proves that family-directed learning works.

President Donald Trump and his [education secretary](#) have [rightly called](#) for [abolishing](#) the U.S. Department of Education altogether, recognizing that the agency has no constitutional authority and has become a vehicle for federal coercion, ideological indoctrination, and bureaucratic control. Eliminating the department and its associated programs would restore education policy to the states and the people, sever federal strings that fuel student-loan dependency, and reaffirm the Founders'



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vision of local, voluntary, and accountable education.

FAFSA [mandates](#) are the logical extension of a system that thrives on taxpayer dollars and federal strings. Lawmakers should repeal FAFSA mandates, reject federal grants with hidden conditions, and abolish the unconstitutional Department of Education. States should also abolish their education departments. True reform will not come not from tinkering around the edges, but from dismantling the machinery of control.

## **Hold Lawmakers Accountable**

Oklahoma's SB93, Pennsylvania's SB750 and SB310, and the multiple other state FAFSA laws are not about helping students; they condition citizens to surrender privacy and liberty for bureaucratic approval. Americans should ask a simple question: What gives government the authority to force participation in a federal program as a condition of graduating from high school?

The U.S. Constitution was written to secure liberty, not administer dependency. Education, like faith and family, belongs to the people, not the government.

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