

# Reporting Same-sex Marriage on the FAFSA

Does the *Free Application for Federal Student Aid* (FAFSA) consider a same-sex marriage to be a marriage?

Yes, if the couple is legally married. Consistent with the Supreme Court decision holding the Defense of Marriage Act (DOMA) unconstitutional in June 2013, same-sex couples (both the student and the student's parents) must report their marital status as married if they were legally married in a state or other jurisdiction (foreign country), without regard to where the couple resides or where the student will be attending school.

Same-sex married couples must also file their federal income taxes as a married couple. State taxes will vary based on state law. In Maryland, generally tax filers should follow the same guidance for federal income tax filing.