

## Response to Department of Education

### *Audit Finding 2021-007: Return of Title IV Funds*

#### **Criteria or Specific Requirement:**

Title IV funds may be expended only towards the education of the students who can be proven to have been in attendance at the institution. In a distance education context, documenting that a student has logged into an online distance education platform or system is not sufficient, by itself, to demonstrate attendance by the student. To avoid returning all funds for a student that did not begin attendance, an institution must be able to document “attendance at any class.” To qualify as a last date of attendance for Return of Title IV purposes, an institution must demonstrate that a student participated in class or was otherwise engaged in an academically related activity, such as by contributing to an online discussion or initiating contact with a faculty member to ask a course-related question.

#### **Condition / Context:**

In addition, we noted 8 students for Alameda College and 4 students for Laney College who did not academically participate in the enrolled distance education courses prior to withdrawing from their respective term. Students are required to academically participate in the enrolled distance education courses in order to earn the Title IV aid.

#### **Response:**

A school that is not required to take attendance *may* always use a student’s last date of attendance at an academically related activity, as documented by the school, as the student’s withdrawal date. This is an option and not a requirement. Since Peralta CCD is an institution which is not required to take attendance (FSA Handbook, Vol. 2, Chapter 5, Page 64), the colleges in the district are not required to verify the last date a student academically participated in a distance education course prior to withdrawing.

For official student withdrawals, the Peralta Community College District policy is to use the date the student began the withdrawal process for R2T4 calculations – as permitted by the U.S. Department of Education regulations. In the case of unofficial student withdrawals, our policy and procedure at the college financial aid offices is to contact the student and/or instructor to document the last date of an academic related activity or academic engagement. If we cannot determine last date of an academic activity, the financial aid offices uses the midpoint of the term when performing the R2T4 calculation.

#### **References:**

[FSA Handbook, Vol. 2, Chapter 5, Page 64](#)

[FSA Policy Escalation 220321-000277 Response, March 21, 2022](#)

[34 CFR 668.22 \(c\)\(1\), Withdrawal date for a student who withdraws from an institution that is not](#)

[required to take attendance](#)  
Was and Unofficially Dated Attendance for a Student Graduation Date Earn a Passing Grade In Any