



Last Date of Attendance - Compliance

Attendance Taking Institutions

While MCCCCD considers itself a non-attendance taking institution, the Code of Federal Regulations states that the Department of Education will consider an institution “attendance taking” (for purposes of enrollment reporting) if their LMS tracks academic activity. Both Canvas and Rio Learn do track academic activity. That means for purposes of the federal reporting, Maricopa is attendance taking for online courses using the LMS (Canvas or Rio Learn) if the class offered contains at least 50% online participation (live online, hybrid online, or fully online included). Further, if there is an in-person class using the LMS (which classes are strongly encouraged to do), it will also be considered attendance taking for purposes of enrollment reporting.

10 Colleges v. 1 District

Even though each college in the Maricopa County Community College District (MCCCCD) is independently accredited, with separate Program Participation Agreements, Arizona state statute sees each college as part of one community college district. Likewise, the federal government sees the MCCCCD (and all of its colleges) as one entity. This means that audit findings against one institution reflect on the other 9 institutions, we are audited as a district. Bottom Line: We are only as compliant as our least compliant college.

Accurate reporting, for faculty, comes down to timely reporting of class and academic attendance, which may be different for online versus in-person related to what qualifies as “academic attendance.”

What is academic attendance?

The following is a list of activities that constitute “academic attendance” and attendance as considered an “eligible academically-related activity” for purposes of determining the last day of attendance:

- (1) Physically attending a class where there is an opportunity for direct interaction between the instructor and students;
- (2) Submitting an academic assignment;
- (3) Taking an exam, an interactive tutorial, or computer-assisted instruction;
- (4) Attending a study group that is assigned by the institution;
- (5) Participating in an online discussion about academic matters; and
- (6) Initiating contact with a faculty member to ask a question about the academic subject studied in the course

What is Enrollment Reporting?

1. Enrollment reporting (by institutions of higher education) is the process the Department of Education uses to monitor the programs of study and enrollment status of Title IV aid recipients.
2. Accurate and timely Enrollment Reporting is essential to demonstrate the District’s successful delivery of Title IV aid as well as the District’s compliance with federal law.

Why is it so important to report enrollment and specifically, last date of attendance?

1. The Department of Education conducts Federal Program Reviews on colleges / District to ensure fidelity and compliance in administering Title IV Federal Student Aid funds. Errors in reporting costs the colleges/District money in fines, not returning unused Title IV funds, and in findings for noncompliance, questioning the college/District's ability to appropriately administer Title IV funds. Our district administers approximately \$300 million per year federal student aid.
2. The state of Arizona conducts an annual single audit to determine if the college/District is appropriately administering Title IV funds, this audit is submitted to the Department of Education each year, which confirms or denies our ability to comply with federal administrative capability.
3. Both program reviews and the single audit have concluded with multiple audit findings where the colleges/District have errors in the way it is reporting enrollment and how it is managing and administering Title IV funds.
4. In Fiscal Year 2019, the Arizona Auditor General issued the District a "qualified opinion" for "material weakness" in the district's ability to comply with federal and state laws in reporting enrollment accurately and timely, which carries a risk of \$7 billion in potential fines and/or even loss of participation in Title IV Federal Student Aid programs. LDA errors and late reporting are included in the material weakness outlined by in the 2019 single audit.

There are two important reporting requirements:

1. Federal Enrollment Reporting - all enrollment, all year, 365 days for our Federal Student Aid recipients.
2. FTSE enrollment which is reported on the 45th day of the term (used in federal and state reporting).

What is the difference between a drop and withdrawal?

1. A drop means that the student never attended class and did not participate in any academic activity, whatsoever.
2. A withdrawal is reported (regardless of academic or grading policy) if the student participated in some sort of academic activity, attended the first day in-person, submitted a discussion post or other assignment/eligible academic activity. This is important because once a student participates in academic activity, they begin "earning" Title IV federal student aid.

**Note: We are aware there are system issues in requiring an LDA when using a "43 - Never Attended" code for faculty. We are working with IT on the code issues, but in the meantime please use the first day of class to indicate the student never attended.*

Does classroom modality matter? Yes!

88% of MCCC classes are online for the fall term due to COVID-19

1. Online modality generally uses Canvas, Rio Learn or other LMS platform to record academic activity (see definition above).
2. Online academic activity is now part of the state's annual single audit, which means state auditors will ask for documentation that students participated in academic activity throughout the duration of the class or up to the last date of attendance (LDA) reported by the faculty member, if the student withdrew. This makes faculty notation of accurate LDA vital because it is the faculty member that provides the evidence that the student participated up until the date reported as the LDA. The good news is the LMS should record this for you as long as the student is participating through LMS.
3. When a student withdraws, it is important in an online modality that the LDA is consistent with the last date of eligible academic activity (discussion post, test, submitting assignment, etc.). Remember, they are looking for academic attendance and not simply the last day the student logged in to the LMS platform.

4. For in-person classes, if you do not take attendance it is important to monitor submission of assignments and academic activity in order to identify the correct LDA based on the last eligible academic activity.

What about timing?

1. Timing is very important! **The best practice and general rule is to report within the first week if a student never attends, but no later than 7 days after the start of class.** Financial Aid disbursements are running during this time and we do not want to post financial aid and potential refunds to students who end up not eligible, based on enrollment.
2. If a student begins attendance in your class, it is critical to report a withdrawal and LDA **within 14 days of the last date of attendance or academic activity to comply with federal reporting requirements.**
3. 45th Day Reporting: Timing is important in relation to 45th day enrollment reporting. The recent internal FTSE audit found several thousand errors, students reported on 45th day enrollment, but subsequently withdrawn with an effective date prior to 45th day, which caused audit findings (errors in reporting).

Which drop codes do I use and when?

1. Never use code 47 - Death of a Student. The death of a student requires official documentation and adherence to specific procedures outlined by the U.S. Department of Education that must be completed and reported appropriately through Admissions and Records.
2. Code 42 - Excessive absences would be appropriate as long as the excessive absences have occurred within the past 14 days and the LDA is consistent with the last date of academically related activity or attendance.
3. Code 43 - Never attended should ALWAYS be used for students who have NEVER attended class and/or have NEVER participated in academic activity in the class.
4. Code 46 – Self-explanatory but again, important to accurately document the LDA.

Use of the remaining codes ALWAYS require accurate identification of the LDA for a withdrawal.

31	FAC-Student Ill/Hospitalized
32	FAC-Financial Problems
33	FAC-Employment Related
34	FAC-Technical Difficulties
35	FAC-Academic Difficulties
38	FAC-Transportation
39	FAC-Personal/Confidential
42	FAC-Excessive Absences
43	FAC-Never Attended
44	FAC-Student Moved
46	FAC-Placed in Alt Class/Sect
47	FAC-Death of Student

SCENARIO

Q: If the student initiates a withdrawal in an online class, I receive an email prompt to enter the LDA for the student. The difficulty is that the same day the student withdrawal is processed by our system, the LDA request is sent to the faculty and all student records in Canvas have been purged. Without any records, how does a faculty member certify the LDA to Dept of Education’s satisfaction?

A: If the student never attended or never participated in academic activity, you would use the Faculty code #43, defined as "Never Attended." I know this code actually requires an LDA, even though it should not (we are working with IT on that issue). In the meantime, use the 43 code, and enter the day first day of class (the system will not accept a date prior to the first day) as the LDA and it will be sufficient for federal reporting purposes.

Where can I go for questions? Please contact Annette Linders at annette.linders@domail.maricopa.edu or 813.778.3831 or Melissa Flores at melissa.flores@domail.maricopa.edu



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