

TO Chief Executive Officers/Directors
Licensed/Registered Schools, State Board of Private Licensed Schools

FROM Nicole Campbell, Division Chief

DATE August 12, 2021

RE Private Licensed Schools Memorandum #94

Treatment of Title IV Funds - Withdrawals / Taking Attendance

This memo replaces Board Policy Memorandum #54, issued on September 15, 2000.

The State Board of Private Licensed Schools approved this policy under the authority of 24 P.S. §6504 (a).

The purpose of this memorandum is to address the U.S. Department of Education's federal regulation 34 CFR 668.22 Treatment of title IV funds when a student withdraws.

34 CFR 668.22 (b) Withdrawal date for a student who withdraws from an institution that is required to take attendance.

34 CFR 668.22 (c) Withdrawal date for a student who withdraws from an institution that is not required to take attendance.

34 CFR 668.22 (b)(3)(i)(A) An institution is required to take attendance if an outside entity (such as the institution's accrediting agency or a state agency) has a requirement that the institution take attendance.

As the state agency, the Board recognizes that Private Licensed Schools require guidance as to whether the Board's regulations mandate the taking of daily attendance.

Both the Private Licensed Schools Act and the regulations of the State Board of Private Licensed Schools do not require schools to take attendance.

Therefore, it is the position of the Board that schools licensed/registered by the Board are not currently, nor have they in the past been, mandated to take student attendance.

Furthermore, the Board's position on regulation 22 Pa. Code §73.135 stating "*The termination date for refund computation purposes is the last day of recorded attendance of the resident student or the date the nonresident student requests cancellation*", does not constitute a mandate by the Board for schools to take attendance.

If you have questions about the information provided in this memorandum, please email Board staff at ra-pls@pa.gov.