

SOUTHWESTERN

LAW SCHOOL Los Angeles, CA

Return of Title IV Funds Policy

Administrative policy approved May 15, 2023. Effective immediately.

Revision history: Formerly part of the Financial Aid Policies & Procedures Manual; clarifying language added when established as a standalone policy in May 2023; technical revisions in October 2023; revised to include provisions for online courses in May 2024; technical revisions made in September 2024; technical revisions made in July 2025.

Related policies: Federal Financial Aid Eligibility Policy; Student's Right to Cancel and Tuition Refund Policy; Attendance Policy; Enrollment Reporting Policy; Student Health-Related Leave of Absence and Return Policy; Leave of Absence and Return Policy (under development); Financial Aid Satisfactory Academic Progress Policy; Withdrawing from Southwestern

Scheduled Review Date: May 2027 (Financial Aid Office, Student Services Office, and General Counsel Office)

A. Student Withdrawal

Federal regulations require Southwestern to re-evaluate a student's eligibility to receive federal student aid (Title IV Funds) when the student withdraws from Southwestern before the end of an enrollment period (e.g., summer, fall, or spring term or SCALE quarter).¹

1. Voluntary withdrawal

A student can voluntarily withdraw from Southwestern by contacting the Student Services Office (studentservices@swlaw.edu). A Student Services Office member will provide the student with the appropriate withdrawal form. The date of determination is the calendar day Southwestern first knows a student intends to withdraw (or, in the case of an involuntary withdrawal, the fourteenth consecutive day a student has missed all classes). For a voluntary withdrawal, it is the day the student first contacts the Student Services Office and requests to withdraw. This

¹Institutional tuition refunds are governed by the Student's Right to Cancel and Tuition Refund Policy. The return of federal aid is calculated separately and does not replace any refund due under state law. Southwestern will perform both calculations.

"date of determination" triggers every financial-aid and tuition-refund deadline, though the actual R2T4 calculation is based on the last date of attendance.

2. Involuntary withdrawal

If a student has failed to attend all classes for a seven-day period, the Student Services Office will make attempts to contact the student. If the student is unresponsive, once the student has failed to attend all classes for 14 calendar days, the student will be involuntarily withdrawn or placed on a leave of absence, and the date of determination is the fourteenth day of non-attendance. The Student Services Office will make every effort to contact the student so that the student can decide for themselves, but if the student is unable or unwilling to reply to attempts for contact, the student will be involuntarily withdrawn or placed on a leave of absence on the fourteenth day.

A student who withdraws from all classes before completing more than 60% of an enrollment period must have their eligibility for aid recalculated based on the percent of the enrollment period completed. The percentage completed must be *more than* 60%; otherwise, a Return of Title IV Funds (R2T4) is required.

Using standard rounding rules, the Financial Aid Office calculates completion percentages to four decimal places and rounds to three decimal places. One exception to the rule is for .6001 to .6004; in this case, the percentage is rounded up, so the result is over 60%, as required. This process means that if the completion calculation comes to exactly 60%, an R2T4 calculation is necessary. If the completion calculation results in 60.001%, an R2T4 calculation is unnecessary.

To determine the percent, the R2T4 calculation considers the number of calendar days the student was scheduled to complete, minus breaks of more than 5 consecutive days, and uses the actual number of days the student attended (e.g., total number of days the student attended divided by total number of days scheduled in the enrollment period). The calculation will determine the amount of Title IV Funds the student has or has not earned and may result in reduced financial aid awards (or an "aid adjustment"). For R2T4 purposes, the law school processes returns on a payment-period basis, which coincides with the student's enrollment period dates. Generally, this basis will be quarters for SCALE students and semesters for traditional and cross-enrolled students (SCALE II students also taking fall or spring classes).

Southwestern is an "Attendance-Taking Institution," and for R2T4 purposes, uses the last date of attendance provided by the Student Services Office to establish how many days a student attended class during an enrollment period. For law school classes offered in mini-terms (or modules), if a student ceases attendance and is not scheduled to begin another course within an enrollment period for more than 45 calendar days after the end of the module the student ceased attending, the Financial Aid Office must consider that student withdrawn and will perform an R2T4 calculation. If a student ceases attendance in a module but intends to return in a later module within the same payment period or period of enrollment, the student will not be considered withdrawn for Title IV purposes

if the school obtains written confirmation from the student of their intent to return within 45 days of the last day of attendance. If the student does not return as scheduled, the withdrawal date and Return to Title IV calculation will be based on the student's original withdrawal date.

For purposes of this policy, attendance is defined by the *Attendance Policy*. For distance education courses that are mostly asynchronous (or the asynchronous portion of a hybrid course), the last day of attendance is the last day a student engages in an asynchronous academically related activity or attends a synchronous session. An asynchronous academically related activity includes but is not limited to contributing to an online discussion or chat session; submitting an assignment or working draft; working through exercises; taking a quiz or exam; viewing or completing an interactive tutorial; participating in an online study group; and initiating contact with a faculty member to ask a course-related question.

For a residential course, the last date of attendance is the last date a student checks into the attendance system (currently Qwickly) for a class session, the last date the student takes an exam, or the last date of the term if the student completed the term.

B. Notice of Withdrawal

The Student Services Office has 14 days from the last date of attendance to determine whether a student has withdrawn or taken a leave of absence. The Student Services Office will record the date that determination is made in the "Academic Date of Determination" field on the Student Action Report (SAR) form. The Student Services Office will notify the Financial Aid Office by email of any student they have determined has withdrawn or taken a leave of absence and send a SAR to the Registrar's Office for processing.

C. Return of Title IV Funds Process

The Financial Aid Office will do the following once it has received a SAR from the Registrar's Office with information on a student withdrawal or leave of absence:

1. Calculate the amount of the enrollment period completed using the last day of attendance and the last scheduled day of class, as explained above. A student enrolled in mini-term courses (or modules) at the law school is not considered to have withdrawn if they meet either of the following standards:
 - The student successfully completes one module that includes 49% or more of the number of days in the payment period, excluding scheduled breaks of 5 or more consecutive days and all days between modules; or
 - The student successfully completes (e.g., earns a passing grade) a combination of modules that, when combined, contain 49% or more of the number of days in the payment period, excluding scheduled breaks of 5 or more consecutive days and all days between modules.

2. Complete the R2T4 calculation and send the calculation results to the Accounting Office for immediate action; namely, the return of funds to the U.S. Department of Education. The Financial Aid Office must complete the R2T4 calculation within 30 days of the date of the determination. Sometimes, the return amount resulting from the R2T4 calculation is less than the return amount requested by the Student Services Office. Southwestern must first offer these additional funds (typically refunded tuition) to the student and must obtain the student's permission to return funds that exceed those mandated by the R2T4 calculation. If the student is not responsive, and Southwestern cannot obtain permission from the student to return these additional funds to the U.S. Department of Education, Southwestern must send these funds to the student.
3. The Financial Aid Office will email the student all loan documentation, exit counseling information, loan summaries, and notice of post-withdrawal refund, if any. The Financial Aid Office will ensure that any refund due to the student is made within 180 days of the date of determination.

a. *Post-withdrawal disbursements*

As graduate students, Southwestern students are not eligible for Pell or FSEOG grants. All loan funds Southwestern receives on behalf of students (not used for institutional charges) are disbursed to students; Southwestern does not hold credit balances for students. But, in the event of a post-withdrawal disbursement (Title IV funds that the student has earned but not yet disbursed), these loan funds would be offered to the student within 30 days of withdrawal, allowing the student 14 days to respond.

b. *Credit balance*

If an R2T4 calculation results in a credit balance for the student, the funds will be disbursed as soon as possible and no later than 14 days after the calculation of the R2T4.

c. *Excess funds*

If the R2T4 calculation results in an amount to be returned to the Department of Education that exceeds the school's portion, the student will be notified to return the funds to the school.

4. The Financial Aid Office will encourage the student to make an appointment for exit counseling so they are aware of all available loan repayment plans.

Upon receiving the R2T4 calculation from the Financial Aid Office, the Accounting Office will return all funds resulting from the R2T4 calculation to the U.S. Department of Education within 45 days of the date of determination.

D. Order of Returned Funds

In accordance with federal regulations regarding the return of federal funds, Southwestern will return funds to the U.S. Department of Education in the following order:

1. Federal Direct Unsubsidized Loan (this is always returned first to keep the maximum allowable available for future education)
2. Federal Graduate Plus Loan

The refund to each fund will not be more than the amount disbursed during the award period from that fund.

E. Example of R2T4 Calculation

The following is an example of the R2T4 calculation and process. A full-time day student withdrew ten days after starting spring classes in mid-January of 2022. In early January 2022, Southwestern disbursed \$10,142 in a Direct Unsubsidized Loan and \$28,684 in a Graduate PLUS Loan; these disbursements paid tuition of \$27,658, and the student received a \$11,168 refund from the credit balance. The student attended 10 of 116 class days in the spring, for a total of 8.6% of the scheduled classes. Southwestern returned \$25,279.41 of the aid under the R2T4 calculation. The student kept the \$11,168 refund received in early January 2022 because they were not required to return the refund. The school refunded the student's spring tuition (not part of the R2T4 process, but a decision by the Student Services Office), and the student requested that those funds be returned with the R2T4 funds for a total return of \$27,658. The Financial Aid Office sent a confirmation email to the student's personal email address, along with exit counseling documentation and instructions.

F. Leave of Absence

For academic purposes, a student who takes an approved leave of absence is not considered to have withdrawn unless the student does not return from the leave as scheduled. But, for R2T4 purposes, a leave of absence is treated in the same manner as a withdrawal. The Financial Aid Office will complete the required exit counseling at the start of the leave of absence and does not need to complete it a second time if the student does not return as scheduled. Southwestern will report the change in the student's enrollment status to the U.S. Department of Education according to the required enrollment reporting process and time frames.

G. Student Drops to Under Half-Time Enrollment

Except for the summer, Southwestern charges students a flat tuition for each enrollment period, regardless of the number of units taken. Southwestern charges students by unit in the summer. The Financial Aid Office will not disburse funds to a student until it has confirmed that the student is enrolled in at least 5 units in any fall or spring term or SCALE quarter, and 3 units in the summer.

After receiving loan funds, if a student drops courses so that they are taking fewer than 5 units per fall or spring term or SCALE quarter or fewer than 3 units in the summer, no additional loans can be awarded for that enrollment period if they remain less than half time. No R2T4 is required if the student maintains acceptable enrollment in at least one course. Southwestern will report the student's enrollment status change to the U.S. Department of Education.

H. Failure to Attend Any Classes After Disbursement Occurs

If the Financial Aid Office disburses Federal Direct Unsubsidized Loan or Federal Graduate Plus Loan funds to a qualifying student, but the student does not begin attending any course during the payment period, Southwestern must return all loan funds that were credited to the student's school account for the payment period. For any remaining loan funds disbursed directly to a student, the school must notify the appropriate loan servicer of the outstanding loan funds so the loan servicer can issue a 30-day demand letter to the student.

The Financial Aid Office must return funds related to a student who failed to begin attendance as soon as possible but no later than 30 days after the date the Financial Aid Office becomes aware that the student has not begun and will not begin attendance.

I. Policy Revisions

Southwestern reserves the right to change or modify any aspect of this policy at any time, with or without prior notice.