

## SETTLEMENT AGREEMENT

This Agreement is made between Dominican College of Blauvelt, New York (OPE ID #00271300) (Dominican) and the United States Department of Education (Department), Federal Student Aid (FSA), acting through its Director, Administrative Actions and Appeals Service Group, and is effective when the last party executes this Agreement.

A. On April 9, 2013, the Department sent Dominican a letter stating that the Department intended to fine Dominican \$262,500 (hereafter "the proposed fine action") based on FSA's findings that Dominican had failed to comply with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) included in § 485(f) of the Higher Education Act of 1965, as amended.

B. The proposed fine action was based on a Final Program Review Determination (FPRD) issued by FSA on April 3, 2012. In the FPRD, FSA concluded that Dominican failed to: properly classify and disclose crime statistics; properly define its campus and report crime statistics for non-campus property; distribute the Annual Security Report (ASR) as required by the Clery Act; include required policy statements in the ASR; and maintain an accurate and complete daily crime log.

C. On April 24, 2013, Dominican appealed the proposed fine action and requested a hearing. The appeal was assigned to the Department's Office of Hearings and Appeals and docketed as In the Matter of Dominican College of Blauvelt, Docket No. 13-12-SF.

D. By entering into this Agreement, Dominican and the Department agree to resolve the proposed fine action without any further administrative procedures.

G. Nothing in this Agreement constitutes an admission of liability or wrongdoing by Dominican.

In consideration of the mutual covenants and conditions contained in this Agreement, and intending to be legally bound, the parties agree as follows:

1. Dominican agrees to pay a total of \$200,000 plus 1 percent interest to the Department to resolve the proposed fine action. Dominican will make 18 monthly payments in accordance with the Repayment Agreement which is attached to this Settlement Agreement. The terms of the Repayment Agreement are considered essential to and part of the terms of this Settlement Agreement.

2. Dominican withdraws its appeal of the proposed fine action. The Department and Dominican agree that the administration fine action is fully resolved. Upon full execution of this Agreement and FSA's receipt of the down payment of the fine amount, FSA will file a motion to dismiss the pending action.

3. The Department agrees not to initiate further administrative action against Dominican based on the FPRD dated April 3, 2012.

4. Dominican acknowledges that it will continue to take steps to comply with the Clery Act and ensure that all future Clery Act reports are accurate and complete.

5. This Agreement does not waive, compromise, restrict, or settle:

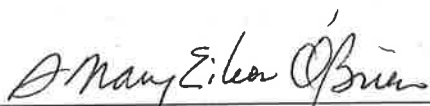
- a. Any past, present, or future violation of the criminal or civil fraud laws of the United States.
- b. Any presently pending or future action taken by the United States under the criminal laws or civil fraud laws of the United States.

The Department is not aware of any such actions pending against Dominican based on the Clery Act issues addressed in this Agreement.

6. This Agreement does not address or resolve any complaints filed with or any investigations undertaken by the Department's Office of Civil Rights under any applicable law or regulation.

Dominican and the Department each warrant that the undersigned representative is authorized to sign this Agreement on its behalf.

FOR DOMINICAN COLLEGE OF BLAUVELT



Sister Mary Eileen O'Brien, O.P., President  
Dominican College of Blauvelt

Dated: September 10, 2013

FOR THE UNITED STATES DEPARTMENT OF EDUCATION



Mary E. Gust  
Director  
Administrative Actions and Appeals Service Group  
Federal Student Aid  
U.S. Department of Education

Dated: September 12, 2013