



December 30, 2104

Ms. Margaret Knight
President/CEO
Chester Career College
713 W. Hundred Road
Richmond, VA 23836

UPS Tracking #
1ZA879640296914316

RE: **Final Program Review Determination**
OPE ID: 03409500
PRCN: 201120327417

Dear Ms. Knight:

The U.S. Department of Education's (Department's) School Participation Division- Philadelphia issued a program review report on July 11, 2011 covering RSHT's administration of programs authorized by Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 et seq. (Title IV, HEA programs), for the 2009-2010 and 2010- 2011 award years. RSHT's final response was received on August 5, 2013. A copy of the program review report (and related attachments) and RSHT's response are attached. Any supporting documentation submitted with the response is being retained by the Department and is available for inspection by RSHT upon request. Additionally, this Final Program Review Determination (FPRD), related attachments, and any supporting documentation may be subject to release under the Freedom of Information Act (FOIA) and can be provided to other oversight entities after this FPRD is issued.

Purpose:

Final determinations have been made concerning all of the outstanding findings of the program review report. The purpose of this letter is to close the review.

Protection of Personally Identifiable Information (PII):

PII is any information about an individual which can be used to distinguish or trace an individual's identity (some examples are name, social security number, date and place of birth). The loss of PII can result in substantial harm, embarrassment, and inconvenience to individuals and may lead to identity theft or other fraudulent use of the information. To protect PII, the finding in the attached report **does** not contain any student PII. Instead, the finding references students only by a student number created by Federal Student Aid. The student numbers were assigned in Appendix A, Student Sample.

Record Retention:

Program records relating to the period covered by the program review must be retained until the later of: resolution of the loans, claims or expenditures questioned in the program review; or the end of the retention period otherwise applicable to the record under 34 C.F.R. §§ 668.24(c)(1), (e)(2), and (c)(3).

Federal Student
An OFFICE of the U.S. DEPARTMENT of EDUCATION
School Participation Division -- Philadelphia
The Wanamaker Bldg, Suite 511
100 Penn Square East Philadelphia, PA 19107

The Department expresses its appreciation for the courtesy and cooperation extended during the review. If the institution has any questions regarding this letter, please contact Kenneth Porter at 202-377-4060.

Sincerely,

(b)(6)

Nancy P. Gifford
Division Director

Enclosure:

Protection of Personally Identifiable Information

Program Review Report

The Institution's Responses Dated August 26, 2012 and August 5, 2013

Final Program Review Determination Report

cc: Tammy Raines, Director of Financial Aid

Prepared for
RSHT

Federal Student

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PRCN: 201120327417

Prepared by
U.S. Department of Education
Federal Student Aid
School Participation Division - Philadelphia

Final Program Review Determination December 30, 2014

School Participation Division - Philadelphia
The Wanamaker Bldg. Suite 511
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A. Institutional Information

RSHT
1601 Willow Lawn Drive
Suite 320
Richmond, VA 23230-3423

Type: Proprietary

Highest Level of Offering: Associate's Degree

Accrediting Agency: Council on Occupational Education

Current Student Enrollment: 402 (2010-2011)

% of Students Receiving Title IV: 98% (2010-2011)

Title IV Participation: 2009-2010

Federal Pell Grant (Pell)	\$2,510,448.00
Federal Supplemental Education Opportunity Grant (FSEOG)	\$82,200.00
Federal Academic Competitiveness Grant	\$18,825.00
Federal Direct Loan Program (FDLP)	<u>\$3,197,583.00</u>
Total:	<u>\$5,809,056.00</u>

Default Rate FFEL/DL	2008 14.6%
	2007 15.4%
	2006 10.8%

B. Scope of Review

The U.S. Department of Education (the Department) conducted a program review at Richmond School of Health and Technology (RSHT) from January 31, 2011 to February 4, 2011. The review was conducted by Kenneth Porter and Peter Brennan.

It is noted that on June 30, 2012, the owner changed the school's name to Chester Career College. In addition, the owner closed the Richmond, VA location and designated the Chester, VA location, (formerly an additional location) as the main location.

The focus of the review was to determine RSHT's compliance with the statutes and regulations as they pertain to the institution's administration of the Title IV, HEA programs. The review consisted of, but was not limited to, an examination of RSHT's policies and procedures regarding institutional and student eligibility, individual student financial aid and academic files, attendance records, student account ledgers, and fiscal records.

A sample of 30 files was identified for review from the 2009-2010 and 2010-2011 award years. The files were selected randomly from a statistical sample of the total population receiving Title IV, HEA program funds for each award year. In addition, the files were selected from a statistical sample of the total population receiving Title IV, HEA program funds for each award year. Appendix A lists the names and social security numbers of the students whose files were examined during the program review.

Disclaimer:

Although the review was thorough, it cannot be assumed to be all-inclusive. The absence of statements in the report concerning RSHT's specific practices and procedures must not be construed as acceptance, approval, or endorsement of those specific practices and procedures. Furthermore, it does not relieve RSHT of its obligation to comply with all of the statutory or regulatory provisions governing the Title IV, HEA programs.

C. Findings and Final Determinations

Resolved Findings

RSHT has taken the corrective actions necessary to resolve findings #1, 4, and 5 of the program review report. Therefore, these findings may be considered closed. The institution's responses concerning these findings are included in Appendices C and D.

Findings with Final Determinations

The program review report findings requiring further action are summarized below. At the conclusion of each finding is a summary of RSHT's response to the finding, and the

Department's final determination for that finding. A copy of the program review report issued on July 11, 2011 is attached as Appendix B.

Finding #2: Inadequate Policy for Awarding Federal Direct Loan Funds

Citation: A participating institution must provide the following information about financial assistance available at a school: the costs of attending the school, which includes tuition and fees, books and supplies, room and board, and applicable transportation costs, and any additional costs of the program in which students are enrolled or have expressed an interest; and the Title IV funds (need-based and non-need-based) that are available to students. 34 C.F.R. § 668.42(a).

A student's loan eligibility is based on the student's dependency status, grade level, and the student's annual and/or aggregate loan limits. 34 C.F.R. § 685.203.

An institution may refuse to originate a Direct Subsidized, Direct Unsubsidized, or Direct PLUS Loan or may reduce the borrower's determination of need for the loan if the reason for that action is documented and provided to the borrower in writing. The determination must be made on a case-by-case basis. An institution also must retain documentation supporting the determination in the student's file. 34 C.F.R. 685.301(a)(8)(i) and (ii).

The official guidance provided in the 2010-2011 Federal Student Aid (FSA) Handbook states "a school cannot engage in a practice of certifying Stafford loans only in the amount needed to cover the school charges or to limit unsubsidized Stafford borrowing by independent students." *Chapter 6 Stafford/Plus Loan Periods and Amounts, page 3-100.*

Noncompliance Summary: RSHT had an inadequate policy for awarding Federal Direct Stafford Loan funds. In addition, RSHT failed to provide information on financial aid programs that are available to prospective and continuing students.

Required Action Summary: The Department required RSHT to review the files of all students, who received Title IV loan funds during the 2009-2010 and the 2010-2011 award years, to determine if the Federal Direct Loans were awarded and originated for the amounts for which the students were actually eligible to receive, and if the students were properly informed of their loan eligibility.

The Department also required RSHT to develop policies and procedures sufficient, upon implementation, to prevent a recurrence of this finding. The Department also required RSHT to provide a copy of its updated policies and procedures with its response to the program review report.

RSHT's Response Summary: In its response dated August 5, 2013, the institution concurred with the finding. RSHT also conceded that its policy, which required all

students to contribute to a monthly installment plan, resulted in some students receiving less in Title IV loan funds than they were eligible to receive.

RSHT's revised policy requires that students be informed of their maximum loan eligibility during the entrance counseling session. RSHT no longer requires a student to contribute to a monthly installment payment plan. In its response, RSHT noted that 82% of the 93 students enrolled at RSHT in January 2013 had monthly installment payment plans. However, as of August 5, 2013 14% of the 135 students enrolled had monthly installment payment plans and 75% of those students were on an installment payment plan because the "students did not qualify for enough aid to cover the cost of their education."

Final Determination: The Department reviewed RSHT's response and the revised Federal Direct Stafford loan packaging policy. The Department determined that the revisions made to the institution's Federal Direct loan packaging policy should ensure compliance with Federal Regulations.

Finding #3: Incorrect Return of Title IV Calculation

Citation: An institution is required to calculate the amount of Title IV grant or loan assistance that is earned by a student who withdraws. This amount is calculated by determining the percentage of Title IV grant or loan assistance that has been earned by the student, and applying this percentage to the total amount of Title IV grant or loan assistance that was disbursed (and that could have been disbursed) for the payment period or period of enrollment as of the student's withdrawal date. 34 C.F.R. § 668.22(e)(1)(i) and (ii).

Noncompliance Summary: RSHT used an incorrect number of completed days, and an incorrect total number of days in the payment period, in the R2T4 calculation for student #7.

RSHT used an incorrect amount of Direct Unsubsidized loan funds in the R2T4 calculation for student #22.

RSHT used an incorrect amount of FSEOG funds in the R2T4 calculation for student #23.

Required Action Summary: The Department required RSHT to review the files of all students who withdrew during the 2009-2010 award year in order to determine if the R2T4 calculations were performed accurately, and if timely returns were made to the students and/or the Title IV programs.

RSHT's Response Summary: In its response dated August 5, 2013, RSHT requested that the data submitted in the original response be used as the institution's response to this finding.

In its response dated August 26, 2012, RSHT stated that the institution reviewed 344 files for the 2009-2010 award years. RSHT identified 96 files with calculation errors out of the 344 files reviewed. In addition, RSHT stated 52 of the 96 calculation errors did not require any additional changes to the Title IV funds earned by the students or parent borrowers. Furthermore, RSHT stated that the remaining 44 corrections required the institutions to return \$1,103.00 to the Department and the institution was entitled to \$6,036.00 of Title IV funds. RSHT also discovered that for one R2T4 calculation the institution returned the Title IV funds late to the Department. Finally, RSHT resolved all Title IV credit balances that were the result of the corrected R2T4 calculations by returning the Title IV funds to the Department and reducing the effected students Federal Direct Loans.

Final Determination: The Department determined that during the 2009-2010 award year RSHT made a total of 96 R2T4 calculation errors. The Department also determined that 54% of those calculation errors did not change the amount of Title IV funds earned by students or parent borrowers. However, 46% of the R2T4 calculation did have an impact on the amount of Title IV funds earned by the students and the parent borrowers.

As result of these R2T4 calculation errors, the Department determined that RSHT failed to return \$1,088.00 in Title IV funds which were not earned by the students or parent borrowers. In addition, the Department determined that RSHT returned \$6,036.00 in Title IV funds for which it was entitled.

RSHT must continue to review and evaluate its R2T4 policies and procedures to ensure that R2T4 calculations are completed in compliance with Federal Regulations, moving forward.

Finding #6: Campus Security Requirements Not Met

Citation Summary: Institutions that participate in the Title IV programs are required to compile, publish, and distribute an annual security report (ASR) to all of their current students and employees. In addition, prospective students and employees are to be advised of the ASR's availability and provided with a copy upon request. The ASR must contain information regarding campus security policies and statistics of certain incidents of campus crimes reported to institutional and law enforcement officials. This report must discuss the role and function of campus security personnel, the institution's procedures for reporting emergencies and crimes and institutional security policies regarding on- and off-campus facilities. The report should also outline the institution's policy regarding alcohol and drug-related violations, including the use, sale, possession and underage drinking. Lastly, the report must describe the informational programs

available to students and employees about crime prevention, campus security and substance abuse. The inclusion of these policies in the ASR gives interested parties a single reference point for security information. With the exception of 34 C.F.R. § 668 (b)(10) (drug and alcohol abuse education programs), institutions cannot meet policy disclosure requirements by cross-referencing other publications. 34 C.F.R. § 668.46(b)(2).

Noncompliance Summary: RSHT did not distribute their 2009 Annual Security Report (ASR) to all of the enrolled students and current employees. In addition, RSHT's 2009 ASR did not contain the following policy statements and procedures;

- 1) A policy statement outlining procedures for students and others to report criminal activity or other emergencies occurring on at the institution
 - a) A policy for making timely warning reports to students and employees regarding the occurrence of crimes
 - b) A policy statement listing the title of each person to whom students and employees should report criminal offenses
 - c) A policy statement for preparing the annual disclosure of crime statistics
- 2) A policy statement describing the type of programs designed to inform students and employees about campus security procedures and practices, which encourage students and employees to be responsible for their own security and the security of others
- 3) A policy statement concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.
- 4) A policy statement of concerning campus law enforcement. The statement must include;
 - a) A policy statement explaining what type of enforcement authority security personnel (if any) at the institution undertakes; including their affiliation with state and local police agencies and whether or not security personnel has the right to arrest individuals;
 - b) A policy statement that encourages prompt and accurate reporting of all crimes to the appropriate police agencies; and
 - c) A statement of procedures, (if any,) that encourage pastoral counselors and professional counselors, when appropriate, to inform the individual seeking counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics
- 5) A policy statement describing institutional program that are designed to inform students and employees about the prevention of crimes
- 6) A policy statement regarding the possession, use, and sale of alcoholic beverages and enforcement of the Virginia underage drinking laws
- 7) A policy statement regarding the possession, use, and sale of illegal drugs and enforcement of Federal drug laws
- 8) A policy statement describing any drug or alcohol-abuse education programs, the institution makes available to students.

- 9) A policy statement describing the institution's campus sexual assault programs to prevent sex offenses, and procedures to follow when a sex offense occurs. The statement must include
 - a) A policy statement describing educational programs that promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses;
 - b) A statement of procedures students should follow if a sex offense occurs and detailed procedures concerning
 - i) who should be contacted,
 - ii) the importance of preserving evidence for the proof of a criminal offense, and
 - iii) to whom the alleged offense should be reported;
 - c) A policy statement that students have the option to notify appropriate law enforcement authorities, and that someone at the institution will assist the student in notifying authorities, if the student requests assistance;
 - d) A policy statement notifying students of the existence of on- and off-campus counseling, mental health, or other services for victims of sex offenses
 - e) A policy statement notifying victims of an alleged sex offense of the options for changes in their academic and living situations, if these changes are requested by the victim and are reasonably available;
 - f) A statement of procedures of campus disciplinary action that will be taken in cases of an alleged sex offense, including a clear statement that
 - i) The accuser and the accused are permitted to the same opportunities to have others present during a disciplinary proceeding;
 - ii) The accuser and the accused must be notified of the results of any institutional disciplinary proceeding brought alleging a sex offense
- 10) A policy statement describing sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses.
- 11) A policy statement advising the students and employees on how to obtain law enforcement agency information regarding registered sex offenders provided by the State of Virginia, such as the local law enforcement agency with jurisdiction for the institution, or a website address.

Required Action Summary: The Department required RSHT to compile an ASR for 2009 and to distribute copies of the ASR to all current students and employees and continue to make the ASR available to prospective students and employees. The institution was required to submit a copy of the ASR for 2009 with its response to the program review report.

RSHT's Response Summary: In its official response, RSHT concurred with the finding and stated that upon learning of the violation, the 2009 ASR was revised to include all of the required policy and procedure statements. In addition, RSHT stated that future ASRs will be included in the student handbook and will also be posted on the institution's website.

Final Determination: Finding #6 of the program review report cited RSHT for its failure to actively distribute the 2009 ASR to enrolled students and current employees. In addition, the institution's ASR did not include 11 required multi-part statements of campus safety policy and procedure. As a result of these violations, RSHT was required to review and revise its internal policies and procedures related to *Clery Act* compliance and develop and implement new policies and procedures as needed to ensure that the revised 2009 ASR and all future reports contain all of the disclosures required by 34 C.F.R. § 668.46(b). In its response, RSHT concurred with the finding and claimed that corrective action was taken.

The Department carefully reviewed RSHT's narrative response and supporting documents and has determined that the materials met minimum requirements. Based on that review and RSHT's admission of noncompliance, the finding is sustained. For these reasons, the Department has accepted RSHT's response and considers this finding to be closed for purposes of the program review.

RSHT is reminded that the exceptions identified above constitute serious violations of the *Clery Act* that by their nature cannot be cured. There is no way to truly "correct" violations of this type once they occur. The requirement to develop meaningful campus safety policies, procedures, and programs and to disclose information about them in the ASR is fundamental to the goals of the *Clery Act*. Access to this information permits campus community members and their families to make well-informed decisions about where to study and work and empowers individuals to play a more active role in their own safety and security. RSHT was required to initiate remedial measures and as a result of its efforts, has begun to address the conditions that led to these violations. RSHT has stated that it believes it has brought its overall campus security program into compliance with the *Clery Act* as required by its Program Participation Agreement (PPA). Nevertheless, RSHT is advised that such actions cannot and do not diminish the seriousness of these violations nor do they eliminate the possibility that the Department will impose an adverse administrative action and/or require additional corrective actions as a result.

Because of the serious consequences of such violations, the Department strongly recommends that RSHT officials re-examine its campus security, drug and alcohol, and general Title IV policies and procedures on an annual basis to ensure that they continue to reflect current institutional practices and are compliant with Federal requirements. To that end, RSHT officials are encouraged to consult the Department's "Handbook for Campus Safety and Security Reporting" (2011) as a reference guide on *Clery Act* compliance. The Handbook is online at: www2.ed.gov/admins/lead/safety/handbook.pdf. The Department also provides a number of other *Clery Act* training resources. The institution can access these materials at: www2.ed.gov/admins/lead/safety/campus.html. The regulations governing the *Clery Act* can be found at 34 C.F.R. §§ 668.14, 668.41, 668.46, and 668.49.

Finally, RSHT officials are advised to review the accuracy and completeness of its Drug and Alcohol Abuse Prevention Program (DAAPP) as required by the Drug-Free Schools and Communities Act (*DFSCA*) and Part 86 of the Department's General Administrative Regulations. FSA is now responsible for monitoring compliance with the *DFSCA*. Therefore, it is essential that the institution makes sure that it has developed and implemented a comprehensive DAAPP and that it conducts substantive biennial reviews and completes its biennial review reports on the proper schedule. For assistance or more information on the *Clery Act* and/or the *DFSCA*, please contact the program review team or another member of the Philadelphia School Participation Division.

D. Appendices
Appendix A: Program Review Report



July 07, 2011

Ms. Carolyn Lake, CEO
RSHT
1601 Willow Lawn Drive
Richmond, VA 23235-3423

UPS Overnight Mail
Tracking # 1Z A54 67Y 01 9001 9369

RE: **Program Review Report**
OPEID: 03409500
PRCN: 201120327417

Dear Ms. Lake:

From January 31, 2011 through February 4, 2011, Mr. Kenneth Porter and Peter Brennan conducted a review of RSHT's administration of the programs authorized pursuant to Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 et seq. (Title IV, HEA programs). The findings of that review are presented in the enclosed report.

Findings of noncompliance are referenced to the applicable statutes and regulations and specify the action required to comply with the statute and regulations. Please review the report and respond to each finding, indicating the corrective actions taken by RSHT. The response should include a brief, written narrative for each finding that clearly states RSHT's position regarding the finding and the corrective action taken to resolve the finding. Separate from the written narrative, RSHT must provide supporting documentation as required in each finding.

Please note that pursuant to HEA section 498A (b), the Department is required to:

- (1) provide to the institution an adequate opportunity to review and respond to any preliminary program review report¹ and relevant materials related to the report before any final program review report is issued;
- (2) review and take into consideration an institution's response in any final program review report or audit determination, and include in the report or determination –
 - a. A written statement addressing the institution's response;
 - b. A written statement of the basis for such report or determination; and
 - c. A copy of the institution's response.

The Department considers the institution's response to be the written narrative (to include e-mail communication). Any supporting documentation submitted with the institution's written

¹ A "preliminary" program review report is the program review report. The Department's final program review report is the Final Program Review Determination (FPRD).

Federal Student Aid - School Participation Team - Philadelphia
830 First Street NE
Washington, DC 20202-5402
www.FederalStudentAid.ed.gov

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RSHT
OPE ID 03409500
PRCN 201120327417
Page 2 of 2

response will not be attached to the FPRD. However, it will be retained and available for inspection by RSHT upon request. Copies of the program review report, the institution's response, and any supporting documentation may be subject to release under the Freedom of Information Act (FOIA) and can be provided to other oversight entities after the FPRD is issued.

The institution's response should be sent directly to Mr. Kenneth Porter of this office within 60 calendar days of receipt of this letter.

Protection of Personally Identifiable Information (PII):

PII is any information about an individual that can be used to distinguish or trace an individual's identity (some examples are name, social security number, date and place of birth). The loss of PII can result in substantial harm, embarrassment, and inconvenience to individuals and may lead to identity theft or other fraudulent use of the information. To protect PII, the findings in the attached report do not contain any student PII. Instead, each finding references students only by a student number created by Federal Student Aid. The student numbers were assigned in Appendix A, Student Sample. Please see the enclosure Protection of Personally Identifiable Information for instructions regarding submission to the Department of required data / documents containing PII.

Record Retention:

Program records relating to the period covered by the program review must be retained until the later of: resolution of the loans, claims or expenditures questioned in the program review; or the end of the retention period otherwise applicable to the record under 34 C.F.R. § 668.24(e).

We would like to express our appreciation for the courtesy and cooperation extended during the review. Please refer to the above Program Review Control Number (PRCN) in all correspondence relating to this report. If you have any questions concerning this report, please contact Mr. Kenneth Porter at 202-377-0460 or kenneth.porter@ed.gov.

Sincerely,

(b)(6)

John S. Loreng
Team Leader

cc: Ms. Tammy Raines, Director of Financial Aid

Enclosures: *Protection of Personally Identifiable Information
Program Review Report*

Prepared for

RSHT



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OPE ID 03409500
PRCN 201120327417

Prepared by
U.S. Department of Education
Federal Student Aid
School Participation Team - Philadelphia

Program Review Report

July 07, 2011

830 First Street NE
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Appendix A: Student Sample

A. Institutional Information

RSHT
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Suite 320
Richmond, VA 23230-3423

Type: Propriety

Highest Level of Offering: Associate's Degree

Accrediting Agency: Council on Occupational Education

Current Student Enrollment: 402 (2010-2011)

% of Students Receiving Title IV: 98% (2010-2011)

Title IV Participation (2009-2010, per PCNet)

Title IV Participation: 2009-2010

Federal Pell Grant (Pell)	\$2,510,448.00
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Default Rate FFEL/DL	2008 14.6%
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	2006 10.8%

B. Scope of Review

The U.S. Department of Education (the Department) conducted a program review at RSHT from January 31, 2011 to February 4, 2011. The review was conducted by Kenneth Porter and Peter Brennan.

The focus of the review was to determine RSHT's compliance with the statutes and federal regulations as they pertain to the institution's administration of Title IV programs. The review consisted of, but was not limited to, an examination of RSHT's policies and procedures regarding institutional and student eligibility, individual student financial aid and academic files, attendance records, student account ledgers, and fiscal records.

A sample of 30 files was identified for review from the 2009-2010 and 2010-2011 (year to date) award years. The files were selected randomly from a statistical sample of the total population receiving Title IV, HEA program funds for each award year. Appendix A lists the names and partial social security numbers of the students whose files were examined during the program review.

Disclaimer:

Although the review was thorough, it cannot be assumed to be all-inclusive. The absence of statements in the report concerning RSHT's specific practices and procedures must not be construed as acceptance, approval, or endorsement of those specific practices and procedures. Furthermore, it does not relieve RSHT of its obligation to comply with all of the statutory or regulatory provisions governing the Title IV, HEA programs.

This report reflects initial findings. These findings are not final. The Department will issue its final findings in a subsequent Final Program Review Determination letter.

C. Findings

During the review, several areas of noncompliance were noted. Findings of noncompliance are referenced to the applicable statutes and regulations and specify the actions to be taken by RSHT to bring operations of the financial aid programs into compliance with the statutes and regulations.

Finding #1: Misrepresentation of Programs

Citation: Misrepresentation by an institution of the nature of its educational program includes, but is not limited to, false, erroneous or misleading statements concerning, whether successful completion of a course of instruction qualifies a student for acceptance into a labor union or similar organization; receipt of a local, State or Federal license or a non-governmental certification required as a precondition for employment or to perform certain functions. In addition, an institution may not misrepresent the

availability, frequency and appropriateness of its courses and programs to the employment objectives that it states its programs are designed to meet 34 C.F.R. §§ 668.72 (c) (2) and (f).

Noncompliance: RSHT made misleading statements to students enrolled in the Surgical Technology program at the Richmond campus and to students enrolled in the Community Home Healthcare program at the Chester campus, concerning their ability to obtain a non-governmental certification that is required to perform certain functions. In addition, RSHT misrepresented the availability, frequency and appropriateness of externship opportunities for the students enrolled in the Surgical Technology program at the Richmond campus.

Surgical Technology Program

RSHT offers an Associates in Applied Science (A.A.S.), Degree in Surgical Technology. According to the school's catalog the program is 80 weeks in length and requires the student to earn 76 credit hours to complete the program. The program consists of 24 credit hours of general education, 40 credit hours of lectures and labs, and 12 credit hours of externships. The externships consist of three five week modules. The first five week module introduces the student to surgical equipment, teaches students how to clean and sterilize surgical equipment, teaches students how to prepare surgical trays, and teaches students how to prepare and clean the operating room. The second and third externship modules provide students with opportunities to participate in the Operating Room (OR) during surgical procedures.

Prior to the scheduled site visit, the review team received information from an official with the State Council of Higher Education for Virginia (SCHEV). The official stated that SCHEV had received complaints from students at RSHT about the Surgical Technology program. Specifically, the students were concerned about the externship opportunities RSHT provided and how the externship opportunities impacted their ability to receive certification as Surgical Technicians. The SCHEV official pointed out that certification is not necessary for employment, but noted that most employers want individuals who are certified.

During the site visit, the review team interviewed the Externship Placement Officer, the Career Services official, and the Director of Marketing for RSHT. The officials were asked whether RSHT has difficulty finding externship opportunities for students enrolled in the Surgical Technology program. The school officials reported that they were not having difficulty finding placement opportunities for students, but there was a problem with finding externships that allow students adequate opportunities to participate in surgical procedures. School officials cited competition for the available (OR) externships from other schools in the area that offer a Surgical Technology program, as well as, the failure of the previous Placement officer to develop new externships opportunities. However, the officials believe that the current Placement Officer will be able to develop new externship opportunities due to her experience and knowledge of health care

providers in the Richmond area. Also, they believe a new partnership with a Medical School in the area will increase the externship opportunities for students.

In addition, the review team interviewed the Academic Librarian. The librarian serves also as the exam coordinator for National Center for Competency Testing (NCCT). The librarian expressed concerns about the NCCT certification process for students enrolled in the Surgical Technology program at the Richmond campus. According to the librarian, besides passing NCCT exams, *"NCCT requires candidates for certification to have a minimum of 150 cases of scrub experiences in at least four of the five major surgery areas. In addition, candidates should have acted as 1st scrub in a majority of the cases."* RSHT students obtain scrub experiences through their externship. However, the librarian stated *"Richmond students are likely to spend at least some, if not all of their externships in central sterile. This experience does not count towards the NCCT requirement and Richmond students typically do not have the clinical experience necessary to receive their certification."* (Central sterile consists of training in the preparation and cleaning of areas, as well as, the set-up of equipment trays). The librarian stated that *"during 2010, sixteen Richmond Surg Tech grads took the NCCT certification exam. One student passed and received her NCCT certification. Seven took the test and passed but have not received their certification. Eight took the test and failed."*

On February 23, 2011, a review team member conducted a phone interview with a Surgical Technology graduate who passed the NCCT exam but has not received the certification. According to student I-1, the student initially saw a television advertisement about the Surgical Technology program being offered by RSHT. The student made an appointment and met with an admissions officer. According to the student, the admission officer told her once she completed the program she would be prepared to pass the certification exam and would meet the requirements for certification. The student stated that she was satisfied with the instructors and the classroom instruction, but was not satisfied with the externship opportunities the school provided. The student stated her initial five weeks externship involved central sterile cases. During the fourth week of the first externship, the student stated she spoke with the institution's placement officer about her next externship assignment and the placement officer could not provide any information regarding her next assignment. The student said her next two externship placements involved central sterile cases. The student stated that when she graduated all of her assigned externship cases were in central sterile. The student stated that she took the NCCT exam in May 2010 and passed; however, she did not receive her certification because she does not have a total count of 150 surgical scrubs as required by NCCT. After passing the exam the student stated she continued to contact officials at RSHT to inquire about externship placements, but she has not been successfully placed as of the date of the interview. The student stated she cannot find work in the surgical technology field and she is current working as a home healthcare provider.

On March 9, 2011, a review team member conducted a phone interview with another Surgical Technology graduate who had passed the NCCT exam but has not received the certification. According to student I-2, she had been contemplating enrolling in a nursing program, when she accidentally discovered RSHT. While conducting personal business, the student was in the building that houses RSHT. While there the student met with an admissions officer. According to the student, the RSHT admissions officer told her that once she completed the program she would be prepared to pass the certification exam and she would meet the requirements for certification. While the student said she was satisfied with the instruction she received in the classroom, she did cite turnover of instructors, outdated lab equipment and shortage of supplies as some of her concerns. However, the student's major concern was with the externship opportunities provided by RSHT. Similar to the first student interviewed, this student stated that her initial five weeks externship involved only central sterile cases and that she too inquired about her next externship placement prior to the completion of the first externship. Again the placement officer could not provide any information on the student's next placement. However, the student said her next externship placement was in central sterile. The student stated after being placed in the same externship, she expressed her concerns with several school officials and eventually filed a complaint with SCHEV. Finally, the student was placed at a doctor's office but her surgical scrubs opportunities were only once every two weeks. The student estimates completing 20 to 30 surgical scrubs, when she graduated. The student stated that she continued to contact officials at RSHT about additional externship placements but she has not been successfully placed as of the date of the interview. The student stated she cannot find work in the surgical technology field and she is currently unemployed.

Community Home Healthcare Program

RSHT offers a Diploma program in Community Home Healthcare. According to the school's catalog the program is 35 weeks in length and requires the student to earned 32 credit hours to complete the program. The program consists of 30 credit hours of lectures and labs, and 2 credit hours of externship.

On February 8, 2011, the review team received information via email from RSHT's Academic Librarian who also serves as the NCCT test coordinator. The email addressed concerns the librarian had about the Community Home Healthcare program offered by RSHT at its Chester campus. In the email, the librarian stated that she became aware of a problem with the Community Home Healthcare Program when a Chester campus instructor inquired about the specific certifying exam the students in the program would be required to take. The librarian stated that the RSHT's Director of Education told her the students would take the Patient Care Technician (PCT) exam through NCCT and that the curriculum had been approved for that test by NCCT. When the librarian informed the instructor for the program that the students would take the PCT exam, the instructor expressed concerns about the exam. Specifically; the instructor felt the curriculum did not prepare the students to pass the exam, and if the students passed the exam they would not qualify to work with Medicare patients. The librarian says as a result of the "instructor advocacy", RSHT has made arrangements for the graduates from the Chester

campus to "attend weeks-long course at another institution" to prepare for the Certified Nursing Assistant (CNA) certifying exam. The librarian believes the cost of the course is \$800 and RSHT is paying for the course.

On February 16, 2011 the review team conducted a telephone interview with a student, who recently graduated from RSHT. According to the student, she initially saw a TV advertisement about the Community Home Healthcare program being offered by RSHT. The student made an appointment and met with an admission officer. During the initial meeting with school officials the student stated, she was told that the institution had not determined which certification exam she would take after the completing the program, but that it would not be the CNA exam. Eventually, the student says, she was told that she would take the PCT exam. The student says, she completed the program with a 98 grade point average. She took the PCT exam and failed. According to the student, the exam covered topics that were not covered by the program. The student is current unemployed and is taken a six week course to prepare for the CNA exam.

On February 17, 2011 the review team conducted another telephone interview with a different student, who recently graduated from RSHT. According to the student, she initially saw a TV advertisement about the Community Home Healthcare program being offered by RSHT. The student made an appointment and met with an admission officer. The student stated she was also told at her initial meeting with school officials that the institution had not determined which certification exam she would take after the completing the program, but that it would not be the CNA exam. She was informed later that she would take the PCT exam. After completing the program the student took the PCT exam and failed. Like the first student interviewed the student says, the exam covered topics that were not covered by the program. Currently, the student is employed, but not in the healthcare field and is preparing to take the six week CNA exam course.

An institution failure to provide appropriate and consistent externship opportunities or to misrepresent the type of non-governmental certification a student will earn at the completion of program may place students at a disadvantage, when competing for jobs.

Required Action:

RSHT must review the files for all of the students, who were enrolled in the **Surgical Technology Program** at the Richmond campus and received Title IV funds during the 2009-2010 and 2010-2011 award years. In addition, RSHT must review the file of student I4 from student sample list from Appendix A. The institution must compile the results of its file review in a spreadsheet, as detailed below. The spreadsheet must be provided in both hardcopy and electronic format.

1. Student Name;
2. Social Security Number;
3. Title IV Aid Disbursed by Program (with each program in a separate column);
4. The Student Enrollment Status (ie. Still Enrolled, Withdrawn or Graduated);

5. The Number of Externship Placements for each student;
6. The Number of Surgical Procedures Completed by each Student;
7. The Number of Surgical Procedures in any of these Categories (General, Genitourinary, Gynecology, Orthopedic and Otorhinolaryngology) Completed by each Student;
8. The Number of First Scrub Surgical Procedures Completed by each Student;
9. The Type of Certification Exam the Student will or has taken; and
10. The Students Exam Results (ie; Passed, Failed or N/A)

RSHT must also, review the files for all of the students, who were enrolled in **Community Home Healthcare Program** at the Chester Campus and received Title IV aid for the 2009-2010 and 2010-2011 award years. The institution must compile the results of its file review in a spreadsheet, as detailed below. The spreadsheet must be provided in both hardcopy and electronic format.

1. Student Name;
2. Social Security Number;
3. Title IV Aid Disbursed by Program (with each program in a separate column);
4. The Student Enrollment Status (ie. Still Enrolled, Withdrawn or Graduated);
5. The Number of Externship Credits Completed by each student;
6. The Type of Certification Exam the student will or has taken; and
7. The Students Exam Results (ie; Passed, Failed or N/A); and
8. If the Student Participated in Certified Nursing Assistant Course (Yes or No)

Finding #2. Inadequate Policy for Awarding Federal Direct Loan Funds

Citation: A participating institution must provide the following information about financial assistance available at a school:

- The costs of attending the school, which includes tuition and fees, books and supplies, room and board, and applicable transportation costs, and any additional costs of the program in which the student is enrolled or has expressed an interest; and
- The Title IV funds (need-based and non-need-based) that is available to student.
34 C.F.R. § 668.42 (a).

The institution determines the Title IV funds available to a student by completing the process that is traditionally called packaging. Packaging is a process that varies from school to school, depending on the types of scholarship and other aid available at the school, but an institution must consider a student's Pell Grant eligibility as the first source of aid and then consider all other sources Title IV funding.

A student's loan eligibility is based on the student's dependency status, grade level, and the student's annual and/or aggregate loan limits. *34 C.F.R § 682.201(a)(3) and § 685.203.*

For prospective students, the institution must provide individual notice of the availability of this information directly through appropriate publications, mailings, or electronic media. The school should include this notice in the materials it provides to prospective students.

For currently enrolled students, an institution is required to provide annual notice regarding the availability information on financial assistance available to students enrolled in the school. The institution must provide direct individual notice to each person. The institution may provide the required notice through direct mailing to each individual through the U.S. Postal Service, campus mail, or electronically directly to an e-mail address. Federal Student Aid Handbook 2009-10, Vol. 2-School Eligibility and Operation, Chapter 6 p. 2-92.

An institution may not have an across-the-board policy of packaging loans for amounts less than what students are eligible to receive. On a case-by-case basis, an eligible institution may make a loan that is less than the student's determination of need, if the reason is documented and provided in written form to the student. HEA Sec. 479A(c): 34 C.F.R. 685.301(a)(8)(i, ii, and iii) Subsequent guidance clarifies that a school cannot engage in a practice of certifying Stafford loans only in the amount needed to cover the school charges. Federal Student Aid Handbook 2009-10 Vol.3, Chapter 6 p.3 -94; Chapter 8 p. 3-139

Noncompliance:

RSHT has an inadequate policy for awarding Federal Direct Stafford Loan funds and RSHT failed to publish, or otherwise provide to prospective and continuing students, information on financial aid programs available to enrolled students.

Specifically, RSHT requires all students to contribute, in monthly installments to their program costs. There is a minimum payment plan amount for each program, which may be higher for individual students who do not qualify for grants.

When calculating Federal Direct Stafford Loan amounts for student award letters, RSHT considers direct costs, financial aid received, the institution's required payment plan amount and, for subsidized loans, expected family contribution (EFC). In most cases, this results in awarding and originating Federal Direct Stafford loans for amounts which are less than the student is eligible to receive. *34 C.F.R. § 685.203 (a);(b);(j)(1);(j)(1) and (2)*

Generally student signatures on award letters might document active confirmation of students' acceptance of their loan amounts. However, students rely on the school to determine and disclose their eligibility. There is no documentation that RSHT students

affirmed their loan amounts with full knowledge of their Direct Stafford Loan eligibility, or that their eligibility was ever disclosed to them. 34 § CFR 668.165(a)(6)(i) RSHT's Tuition Worksheet form includes the loan amounts from the students award letters in "Estimated Awards", which is labeled: "(Includes all funding available to student.)" RSHT students relying solely on this information are led to believe the amount offered is all they would be eligible to receive.

RSHT's tuition worksheet, used to calculate and establish Direct Subsidized and Unsubsidized Loan eligibility correctly includes non-institutional costs of attendance. However, in the case of 29 of 30 students in the review sample, loan amount calculations ignored those and considered only direct institutional costs.

RSHT engaged in a practice of originating Direct Stafford loans only in the amount needed to cover the school charges not paid by the students' aid or institutional payment plan. RSHT failed to disclose accurate eligibility and originate for Federal Direct Stafford Loans to the 29 of 30 students in the review sample.

The table below identifies the students included in this finding and shows the extent to which each student was affected. Subsidized and Unsubsidized Amount Awarded lists loan amount from (NSLDS), Subsidized and Unsubsidized Eligible Amounts are from RSHT Cost of Attendance Worksheets in the students' files.

Student Number	Subsidized Eligible Amount	Subsidized Amount Awarded	Unsubsidized Eligible Amount	Unsubsidized Amount Awarded
1	0	0	9,500	8,005
	0	0	10,500	9,995
2	3,500	3,500	6,000	6,000
	4,500	4,500	6,000	1,780
3	3,500	3,500	6,000	1,332
4	3,500	3,500	6,000	2,619
	4,500	4,500	6,000	711
5	3,500	3,500	6,000	1,750
6	3,500	3,500	6,000	1,750
7	3,500	3,500	6,000	1,012
8	3,500	3,500	6,000	1,012
	4,500	4,500	6,000	0
10	3,500	3,500	6,000	5,086
11	3,500	3,500	6,000	868
12	3,500	3,500	6,000	1,026
	4,500	2,110	6,000	0
13	3,500	3,500	6,000	6,000
	4,500	4,500	6,000	3,399

14	3,500	3,500	6,000	1,414
	4,500	4,500	6,000	0
15	3,500	3,500	6,000	1,751
16	3,500	3,500	6,000	6,000
	4,500	4,500	6,000	1,716
17	3,500	3,500	6,000	240
	4,500	4,500	6,000	4,220
18	3,500	3,500	6,000	1,332
	4,500	4,500	6,000	0
19	3,500	3,500	6,000	1,132
20	0	0	9,500	9,500
	0	0	10,500	10,070
21	3,500	3,500	6,000	1,414
22	3,500	3,500	6,000	6,000
	4,500	1,750	4,333	583
23	3,500	3,500	6,000	1,132
24	3,500	3,500	6,000	6,000
25	3,500	3,500	6,000	2,790
	4,500	4,500	6,000	1,640
26	3,500	3,500	6,000	5,976
27	3,500	3,500	6,000	5,976
28	3,500	3,500	6,000	1,212
29	3,500	3,500	6,000	1,092
30	3,500	3,500	6,000	1,414
	3,500	4,500	6,000	6,000

This practice prevented students from using federal student aid, which they were eligible to receive, to defray the costs of housing, transportation child care and other education-related expenses, as well as the portion of tuition and fees covered by RSHT's mandatory payment plan.

Required Action:

RSHT must develop policies and procedure sufficient, upon implementation, to prevent a recurrence of this finding. RIIST must include a copy of its updated policies and procedures with its response to this program review report.

In addition, RSHT must review the files of all students who received Title IV aid recipients during 2009-2010 the 2009-2010 award year, in order to determine if the Federal Direct Stafford Loans were originated in the amounts which the students were eligible to receive and if the eligibility was properly disclosed to the students. The institution must compile the results of its file review in a spreadsheet, as detailed below. The spreadsheet must be provided in both hardcopy and electronic format.

1. Student Name;
2. Social Security Number;
3. Subsidized Eligible Amounts;
4. Subsidized Awarded Amounts;
5. Unsubsidized Eligible Amounts; and
6. Unsubsidized Awarded Amounts.

In addition, the institution must submit the following hardcopy documentation.

7. A copy of each student's award letters;
8. A copy of each student's Tuition Worksheets;
9. A copy of each student's Cost of Attendance Worksheets; and
10. A copy of each student's Loan History from NSLDS.

Finding #3: Incorrect Return of Title IV Calculation

Citation:

An institution is required to calculate the amount of title IV grant or loan assistance that is earned by a student who withdraws. This amount is calculated by determining the percentage of title IV grant or loan assistance that has been earned by the student, and applying this percentage to the total amount of title IV grant or loan assistance that was disbursed (and that could have been disbursed) for the payment period or period of enrollment as of the student's withdrawal date. 34 C.F.R. § 668.22(e)(1)(i) and (ii).

Noncompliance:

RSHT incorrectly calculated the number of completed days, the number of total days in payment period, and the percentage of the payment period for student #17. The payment period began on July 6, 2010 and was scheduled to end November 18, 2010, a total of 136 days. The student withdrew on October 14, 2010, completing 101 days, or 74.3% of the payment period. On the return of Title IV aid calculation worksheet completed on October 20, 2010 RSHT listed 80 completed days, 115 total days and calculated 69.6% of the payment period completed.

RSHT failed to include \$7 Unsubsidized Direct Loan payment for student #22, which was disbursed on August 4, 2010 in the Net Amount Disbursed in the return of Title IV aid calculation it performed on August 23, 2010.

In addition, RSHT included for student #23 \$112.50 SEOG in Amount Disbursed on the return of Title IV aid calculation, it performed on January 4, 2011. This amount is one half the federal share of a \$300 SEOG award that was disbursed on November 3, 2010. The return calculation was for the payment period November 22, 2010 through April 21,

2011. Since the SEOG award was disbursed in a prior payment period, RSHT should not have been included any portion of this disbursement in the return calculation.

Required Action:

RSHT must review the files of all students who withdrew during the 2009-2010 award year, in order to determine if the R2T4 calculations were performed accurately and if timely returns were made to the students and the Title IV programs. The institution must compile the results of its file review in a spreadsheet, as detailed below. The spreadsheet must be provided in both hardcopy and electronic format.

1. Student Name;
2. Social Security Number;
3. Last Day of Attendance (LDA);
4. Date of Determination of Student Withdrawal (DOD);
5. Refund Type (i.e., Pell, FFEL, etc.);
6. Date refund/return was made with supporting documentation (copies of cancelled checks, both front and back, as well as supporting bank statements);
7. Date return of funds was due;
8. Additional amount due (if any); and
9. Award Year from which funds were disbursed.

In addition, the institution must submit the following hardcopy documentation.

10. A copy of each student's account card;
11. A copy of the R2T4 calculation performed for each student; and
12. If the file review indicates that the original R2T4 calculation performed is inaccurate, the institution must submit a copy of the original and the revised R2T4 calculation.

Instructions for the repayment of any determined liability amount will be provided in the Final Program Review Determination Letter.

Finding #4: Federal Pell Grant Underpayment

Citation: A student is eligible to receive Title IV program assistance, if the student meets all of the regulatory eligibility requirements. In addition an institution participating in the Title IV HEA program is required to make these eligibility determinations. Finally, if the student meets all of the eligibility requirements, the institution should make payments to the student for all eligible periods of enrollment. 34 C.F.R. § 668.32.

The amount of a student's Pell Grant for an academic year is based upon the payment and disbursement schedules published by the Secretary for each award year. 34 C.F.R. § 690.62

Finally, the 2009-2010 Federal Student Aid Handbook states that Pell Grants are considered to be the first source of aid to the student. Conventional financial aid practice suggests that an institution would adjust non-federal aid awards, if necessary, to ensure that the student's financial need is not exceeded. However, it is possible for a student to receive scholarship or other aid that institution cannot adjust and is large enough (in combination with the Pell Grant) to exceed the student's need. Under this circumstance, the student is still eligible for a Pell Grant based on the payment schedule. *Page 3-138, Volume 3 Chapter 8 of the 2009-2010 Federal Student Aid Handbook.*

Noncompliance: RSHT did not disburse the maximum Federal Pell Grant award for student #2. In addition, RSHT did not award or disburse the maximum Pell Grant award for student #6. Each incident created Federal Pell Grant underpayments for each student.

For student #2, the 2009-2010 ISIR calculated an Expected Family Contribution (EFC) of \$0. Based on the Pell payment and disbursement schedules published by the Secretary for 2009-2010, the student was eligible for a \$5,530 Pell grant for the award year. According to the Common Origination and Disbursement (COD) the student received a Pell disbursement of \$2,675 on November 2, 2009 and another Pell disbursement of \$1,798 on March 29, 2010. A review of the student's file disclosed that the student was eligible for a Pell payment of \$2,675 on March 29, 2010. The \$1,798 Pell disbursement created a Federal Pell Grant underpayment of \$877. According to an official at the institution the incorrect PELL disbursement amount was made to the student's account in error.

For student #6, the 2009-2010 ISIR calculated an (EFC) of \$0. Based on the Pell payment and disbursement schedule published by the Secretary for 2009-2010, the student was eligible for a \$5,530 Pell grant for the award year. COD shows the student received a Pell disbursement of \$2,675 on September 8, 2009 and another Pell disbursement of \$1,992 on January 25, 2010. A review of the student's file disclosed that the student was eligible for a Pell payment of \$2,675 on January 25, 2010. The \$1,992 Pell disbursement on January 25, 2010 created a Federal Pell Grant underpayment of \$683. According to an official at the institution, because the student received a grant from the city of Richmond, the school reduced the student's Pell award to prevent the student from exceeding their financial need.

An institution failure to correctly award and disburse Federal Pell grant could result in a student not receiving funds for which they are entitled.

Required Action: RHST must pay the Federal Pell Grant award due to each student. In addition, the institution must provide to this office updated copies of the student's account ledger showing the updated Pell Disbursement. Administrative relief will be given to the institution to pay the Federal Pell award due to the students for 2009-2010 award year. Finally, RSHT should update COD with the Pell disbursements owed to each student.

Finding #5: Untimely Enrollment Status Reporting

Citation: An institution upon receipt of an enrollment status report must complete and return that report within 30 days of receipt. And, unless an institution expects to submit its next enrollment status report within the next 60 days, it must notify the guaranty agency or lender within 30 days whenever:

- (1) The institution discovers a Stafford or PLUS loan has been made to, or on behalf of, a student who enrolled at that school, but who has ceased to be enrolled at least a half-time;
- (2) The institution discovers a Stafford or PLUS loan has been made to, or on behalf of, a student who has been accepted for enrollment at that school, but who failed to enroll at least a half-time for the period for which the loan was intended;
- (3) The institution discovers a Stafford or PLUS loan has been made to, or on behalf of, a full-time student who has ceased to be enrolled full-time; or
- (4) The institution discovers an enrolled student who is a Stafford loan recipient has changed his or her permanent address. 34 CFR 682.610 (c).

Noncompliance: RSHT failed to update enrollment status information for student #6.

A review of student #6 file shows that the student withdrew from RSHT on November 25, 2009, re-enrolled at the institution on January 11, 2010 and then withdrew the next day January 12, 2010. An examination of National Student Loan Data System (NSLDS) enrollment summary detail for the student shows the student enrollment status as full time with an effective date of August 10, 2009 and a certification date of November 24, 2010. NSLDS does not show the student's November 25, 2009 or January 12, 2010 withdrawal.

In addition, RSHT submitted enrollment status information late for the nine students listed on the chart below. The chart below outlines the timeline of the data for each of the additional students, whose enrollment status information was submitted to NSLDS more than 60 days after the effective date of the change.

Student #	Graduation Date	Withdrawal Date	Date of Determination	Date Certified	Date Received at NSLDS	# of Days Late
1	04/22/2010	N/A	N/A	09/29/2010	09/30/2010	99
3	N/A	07/13/2010	07/19/2010	11/11/2010	11/12/2010	61
5	N/A	10/15/2009	10/19/2009	05/20/2010	05/21/2010	149
7	N/A	04/22/2010	04/23/2010	09/29/2010	09/30/2010	98
10	N/A	12/07/2010	12/11/2010	05/20/2010	05/21/2010	98

12	N/A	02/04/2010	02/05/2010	07/22/2010	07/23/2010	102
13	07/01/2010	N/A	N/A	11/11/2010	11/12/2010	71
21	N/A	07/09/2010	N/A	11/11/2010	11/12/2010	65
26	03/28/2008	N/A	N/A	11/11/2010	11/12/2010	934

An institutions failure to submit enrollment status reports in a timely manner may cause additional expenses for students and the Department.

Required Action: RSHT must revise its policy and procedures to ensure that each student's enrollment status is reported in a timely matter to NSLDS. RSHT must submit a copy of its revised policy and procedures with its response to this Program Review Report.

Finding #6: Campus Security Requirements Not Met

Citation:

Institutions that participate in the Title IV programs are required to compile, publish, and distribute an annual security report (ASR) to all of their current students and employees. In addition, prospective students and employees are to be advised of the ASR's availability and provided with a copy upon request. The ASR must contain information regarding campus security policies and statistics of certain incidents of campus crimes reported to institutional and law enforcement officials. This report must discuss the role and function of campus security personnel, the institution's procedures for reporting emergencies and crimes and institutional security policies regarding on- and off-campus facilities. The report should also outline the institution's policy regarding alcohol and drug-related violations, including use, sale, possession and underage drinking. Lastly, the report must describe the informational programs available to students and employees about crime prevention, campus security and substance abuse. The inclusion of these policies in the ASR gives interested parties a single reference point for security information. With the exception of 34 C.F.R. § 668 (b)(10) (drug and alcohol abuse education programs), institutions cannot meet policy disclosure requirements by cross-referencing other publications. 34 C.F.R. § 668.46 (b)(2).

Noncompliance:

RSHT did not distribute their 2009 Annual Campus Security Report (ACSR) to all of the enrolled students and current employees. In addition, RSHT's 2009 ACSR did not contain the following policy statements and procedures;

- 1) A policy statement outlining procedures for students and others to report criminal activity or other emergencies occurring on at the institution
 - a) A policy for making timely warning reports to students and employees regarding the occurrence of crimes
 - b) A policy statement listing the title of each person to whom students and employees should report criminal offenses
 - c) A policy statement for preparing the annual disclosure of crime statistics

- 2) A policy statement describing the type of programs designed to inform students and employees about campus security procedures and practices, which encourage students and employees to be responsible for their own security and the security of others
- 3) A policy statement concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.
- 4) A policy statement of concerning campus law enforcement. The statement must include;
 - a) A policy statement explaining what type of enforcement authority security personnel (if any) at the institution undertakes; including their affiliation with state and local police agencies and whether or not security personnel has the right to arrest individuals;
 - b) A policy statement that encourages prompt and accurate reporting of all crimes to the appropriate police agencies; and
 - c) A statement of procedures, (if any,) that encourage pastoral counselors and professional counselors, when appropriate, to inform the individual seeking counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics
- 5) A policy statement describing institutional program that are designed to inform students and employees about the prevention of crimes
- 6) A policy statement regarding the possession, use, and sale of alcoholic beverages and enforcement of the Virginia underage drinking laws
- 7) A policy statement regarding the possession, use, and sale of illegal drugs and enforcement of Federal drug laws
- 8) A policy statement describing any drug or alcohol-abuse education programs, the institution makes available to students.
- 9) A policy statement describing the institution's campus sexual assault programs to prevent sex offenses, and procedures to follow when a sex offense occurs. The statement must include
 - a) A policy statement describing educational programs that promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses;
 - b) A statement of procedures students should follow if a sex offense occurs and detailed procedures concerning
 - i) who should be contacted,
 - ii) the importance of preserving evidence for the proof of a criminal offense, and
 - iii) to whom the alleged offense should be reported;
 - c) A policy statement that student's have the option to notify appropriate law enforcement authorities, and that someone at the institution will assist the student in notifying authorities, if the student requests assistance;
 - d) A policy statement notifying students of the existence of on- and off-campus counseling, mental health, or other services for victims of sex offenses
 - e) A policy statement notifying victim's of an alleged sex offense of the options for changes in their academic and living situations, if these changes are requested by the victim and are reasonably available;

- f) A statement of procedures of campus disciplinary action that will be taken in cases of an alleged sex offense, including a clear statement that
 - i) The accuser and the accused are permitted to the same opportunities to have others present during a disciplinary proceeding;
 - ii) The accuser and the accused must be notified of the results of any institutional disciplinary proceeding brought alleging a sex offense
- 10) A policy statement describing sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses.
- 11) A policy statement advising the students and employees on how to obtain law enforcement agency information regarding registered sex offenders provided by the State of Virginia, such as the local law enforcement agency with jurisdiction for the institution, or a website address.

An institution's failure to properly distribute its ACSR and to include all the required policy and procedure statements in its ACSR is a violation of the Clery Act. Clery Act violations may lead to fine actions by the Department against the institution.

Required Action:

RSHT must compile an ASR for 2009. RSHT must distribute a copy of the ASR to all current students and employees and continue to make the ASR available to prospective students and employees. Dudley must submit a copy of the ASR with its response to the program review report.

For assistance in compiling an ASR or to ask any questions related to the Clery Act, RSHT should contact Ms. Nancy Paula Gifford at (215) 656-6442 or at nancy.paula.gifford@cd.gov.

D. Recommendation

RSHT is not required to provide a response to, nor is RSHT required to act upon, this recommendation. However, the review team believes that adoption of this recommendation will assist the institution in its administration of Title IV, HEA program funds. The following recommendation is based upon observations made by the review team during the program review:

During the program review, it was determined that RSHT failed to updated Eligibility and Certification Approval Report (ECAR) with an increase in clock hours for the Practical Nursing program. The Practical Nursing program is currently approved on RSHT's (ECAR) for 1440 clock hours. However, while on site, the review team discovered that students in the program were being paid Title IV funds for 1500 clock hours. RSHT provide the review team with a copy of a list of programs approved by the Council on Occupational Education (COE). The list was issued by COE on May 20, 2009 and shows that the accreditor approved the program for 1500 clock hours. RSHT's

ECAR also shows that the Department approved a new program for the institution on January 26, 2010. The review team has concerns about RHST failure to report the changes to the Practical Nursing Program, when the institution submitted the Electronic Application (EAPP) to add the new program on January 14, 2010.

RSHT's failure to report changes to program(s) to the Department for approval could result in the disbursement of Title IV funds to student for which they are not eligible to receive. In addition, this could also lead to an increase expense for the Department.

We recommend that RSHT implement updated policies and procedures to ensure that any changes to program(s) are properly reported to the Department, when the institution submits an (EAPP) to make any changes to the institution's (ECAR).