



May 2, 2014

Dr. Stanley Jensen  
President  
Henry Ford Community College  
5101 Evergreen Road  
Dearborn, MI 48128-1495

Certified Mail  
Return Receipt Requested  
7012 1640 0000 0216 5144

RE: **Final Program Review Determination**  
OPE ID: 00227000  
PRCN: 2012 3082 7953

Dear Dr. Jensen:

The U.S. Department of Education's (Department's) Chicago/Denver School Participation Division issued a program review report on September 26, 2012 covering Henry Ford Community College's (HFCC'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 2010-2011 and 2011-2012 (year to date) award years. HFCC's final response was received on October 26, 2012. A copy of the program review report (and related attachments) and HFCC's response are attached. Any supporting documentation submitted with the response is being retained by the Department and is available for inspection by HFCC 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: (1) identify liabilities resulting from the findings of this program review report, (2) close the review, and (3) notify HFCC of a possible adverse action. Due to the serious nature of one or more of the enclosed findings, this FPRD is being referred to the Department's Administrative Actions and Appeals Service Group (AAASG) for its consideration of possible adverse action. Such action may include a fine, or the limitation, suspension or termination of the eligibility of the institution. Such action may also include the revocation of the institution's program participation agreement (if provisional), or, if the institution has an application pending for renewal of its certification, denial of that application. If AAASG initiates any action, a separate notification will be provided which will include information on institutional appeal rights and procedures to file an appeal.

This FPRD contains one or more findings regarding HFCC's failure to comply with the requirements of the Drug-Free Schools and Communities Act (*DFSCA*) and Part 86 of the

**Henry Ford Community College**

**OPE ID: 00227000**

**PRCN: 2012 3082 7953**

**Page 2 of 2**

Department's General Administrative Regulations. Since this *DFSCA* finding will not result in the assessment of financial liabilities, such a finding may not be appealed. If an adverse administrative action is initiated, additional information about HFCC's appeal rights will be provided under separate cover.

**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 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. The appendix was encrypted and sent separately to the institution via e-mail.

**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)(1), (e)(2), and (e)(3).

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 Gigi Moore at (312) 730-1478.

Sincerely,

(b)(6)

Douglas A. Parrott  
Director  
Chicago/Denver School Participation Division

Enclosure:  
Protection of Personally Identifiable Information

cc: Kevin J. Culler, Financial Aid Administrator  
The Higher Learning Commission  
Michigan Department of Licensing and Regulatory Affairs

Prepared for

**Henry Ford  
Community College**

**Federal Student Aid**  
An OFFICE of the U.S. DEPARTMENT of EDUCATION

PROUD SPONSOR of  
*the AMERICAN MIND™*

**OPE ID: 00227000  
PRCN: 2012 3082 7953**

**Prepared by  
U.S. Department of Education  
Federal Student Aid  
Chicago/Denver School Participation Division**

# Final Program Review Determination May 2, 2014

## Table of Contents

	Page
A. Institutional Information.....	3
B. Scope of Review.....	4
C. Findings and Final Determinations.....	5
Resolved Findings.....	5
Findings with Final Determinations.....	5
Finding 1 – Crime Awareness Requirements Not Met.....	5
Finding 2 – Inadequate Drug and Alcohol Prevention Policies.....	7
D. Appendices.....	11
Appendix A: Student Level Detail .....	12
Appendix B: Institution’s Written Response .....	13
Appendix C: Program Review Report .....	14

### A. Institutional Information

Henry Ford Community College  
5101 Evergreen  
Dearborn, MI 48128

Type: Public

Highest Level of Offering: Associate's Degree

Accrediting Agency: North Central Association of Colleges and Schools – The Higher Learning Commission

Current Student Enrollment: 26,747 (2010-2011 Award Year)

% of Students Receiving Title IV: 58.8% (2010-2011 Award Year)

Title IV Participation, per U.S. Department of Education Database:

	<u>2010-2011 Award Year</u>
Federal Pell Grant Program	\$47,130,530
William D. Ford Federal Direct Loan Program (Direct Loan)	\$57,148,891
Federal Supplemental Educational Opportunity Grant Program (FSEOG)	\$ 953,290
Federal Work-Study Program	\$ 373,852
Academic Competitiveness Grant (ACG)	\$ 91,700

Default Rate FFEL/DL:     2010 – 14.7%  
                                  2009 – 11.6%  
                                  2008 – 11.5%

Default Rate Perkins:     School no longer participates in the Federal Perkins Loan Program

### **B. Scope of Review**

The U.S. Department of Education (the Department) conducted a program review at Henry Ford Community College (HFCC) from June 25, 2012 to June 28, 2012. The review was conducted by Mark Diestler and Gigi Moore.

The focus of the review was to determine HFCC's compliance with the statutes and federal regulations as they pertain to the institution's administration of Title IV, HEA programs. The review consisted of, but was not limited to, an examination of HFCC'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 2010-2011 and 2011-2012 (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 social security numbers of the students whose files were examined during the program review. A program review report was issued on September 26, 2012.

#### **Disclaimer:**

Although the review was thorough, it cannot be assumed to be all-inclusive. The absence of statements in the report concerning HFCC'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 HFCC 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

Findings 3 and 4.

HFCC has taken the corrective actions necessary to resolve findings 3 and 4 of the program review report. Therefore, these findings may be considered closed. Appendix B contains the institution's written response related to these resolved findings. Findings requiring further action by HFCC are discussed below.

### Findings with Final Determinations

The program review report findings requiring further action are quoted verbatim below in italics. At the conclusion of each finding is a summary of HFCC's response to the finding, and the Department's final determination for that finding. A copy of the program review report issued on September 26, 2012 is attached as Appendix C.

#### **Finding 1**

##### **1. Crime Awareness Requirements Not Met**

***Citation:** Under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the Department of Education's regulations, an institution must prepare an annual security report that provides information regarding the institution's campus security policies and crime statistics. 34 C.F.R. § 668.46(b).*

*An institution must report statistics for the three most recent calendar years concerning the occurrence on campus, in or on noncampus buildings or property, and on public property of the following that are reported to local police agencies or to a campus security authority and the crimes must be classified under the following categories:*

- (i) Criminal Homicide:
  - (A) Murder and nonnegligent manslaughter*
  - (B) Negligent manslaughter**
- (ii) Sex offenses:
  - (A) Forcible sex offenses*
  - (B) Nonforcible sex offenses**
- (iii) Robbery*
- (iv) Aggravated Assault*
- (v) Burglary*
- (vi) Motor Vehicle Theft*
- (vii) Arson*

(viii)

*(A) Arrests for Liquor Law Violations, Drug Law Violations, and Illegal Weapons Possession*

*(B) Persons who were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession. 34 C.F.R. § 668.46(c)(1).*

*An institution must compile the crime statistics required under paragraph (c)(1) and (3) of this section using the definitions of crimes provided in appendix A to this subpart and the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection. 34 C.F.R. § 668.46(c)(7).*

*In addition to statistical reporting that must be made available as part of the institution's annual security report, the statistical information must also be submitted electronically to the Department for inclusion in the Department's Campus Crime and Security Web Site. The electronic submission of each year's updated information to the Department must be provided within timeframes specified by the Department. 34 C.F.R. § 668.41(e)(5).*

***Noncompliance:*** *At the time of the review, a comparison between the crime statistics published in HFCC's Annual Security Report and the crime statistics submitted to the Department's Campus Crime and Security Web Site revealed the following discrepancies in crime statistics reported:*

**2008 Statistics for Dearborn Main Campus**

*Annual Security Report: 2 Robberies and 1 Aggravated Assault*

*Department's Web Site: 1 Robbery and 0 Aggravated Assault*

*Additionally, HFCC failed to update the definition of burglary versus larceny in their crime definitions. It should be noted that there were zero reported burglaries for the three most recent calendar years.*

***Required Action:*** *While the reviewers were on-site, HFCC updated their Annual Security Report to reflect the correct statistics for 2008 at the Dearborn Main Campus to 1 Robbery and 0 Aggravated Assault. Additionally, while on-site, HFCC updated their crime definitions to distinguish between a burglary and a larceny.*

*HFCC must implement written procedures to ensure that crime statistics are verified prior to publishing its annual security reports, as well as prior to completing its submission to the Department's Web Site. HFCC must also ensure that it has an adequate system of checks in place to identify any data entry errors prior to publishing its annual security reports. A copy of these written procedures must be provided with the institution's response to this program review report.*

**HFCC's Response:** In its response, HFCC concurred with the finding and stated that the 2008 crime statistics for the Dearborn campus were revised to correct two incidents of over-reporting in the 2011 ASR. In addition, the College stated that "since the time of the on-site review, HFCC has implemented written procedures to ensure that crime statistics are verified prior to publishing its annual security report as well as prior to completing its submission to the U.S. Department of Education's website. These written procedures also serve to ensure that an adequate system of checks and balances are in place to identify any data entry errors prior to publishing HFCC's annual security report."

**Final Determination:** Finding # 1 cited HFCC for publishing inaccurate campus crime statistics in the 2011 ASR. As a result, the College was required to revise its crime statistics and to develop and implement policies and procedures to ensure the accuracy and completeness of all crime statistics prior to the publication of all future ASRs and data submissions to the Department. In its response, HFCC concurred with the finding and submitted its new policies and procedures.

The review team's analysis of the response indicated that the College's remedial actions were at least minimally adequate. Based on that determination and HFCC's representations that it has addressed this violation and its underlying causes, the Department accepts the College's response and considers this finding to be closed.

Although this finding is now closed, the Department strongly recommends that HFCC 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 regulations, as required by its Program Participation Agreement (PPA). As part of these periodic reviews, HFCC officials are encouraged to consult the Department's "Handbook for Campus Safety and Security Reporting" (2011) as a reference guide for *Clery Act* compliance. The Handbook is online at [ww2.ed.gov/admins/lead/safety/handbook.pdf](http://ww2.ed.gov/admins/lead/safety/handbook.pdf). The regulations governing the *Clery Act* can be found at 34 C.F.R. §§ 668.14, 668.41, 668.46, and 668.49.

## **Finding 2**

### **2. Inadequate Drug and Alcohol Prevention Policies**

**Citation:** 34 C.F.R. § 86.3(a) requires a participating institution to establish a drug prevention program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on school premises or as any part of its activities.

34 C.F.R. § 86.100 states: "The Institution of Higher Education's (IHE) drug prevention program must, at a minimum, include the following:

- (a) The annual distribution in writing to each employee, and to each student who is taking one or more classes for any type of academic credit except for continuing education units, regardless of the length of the student's program of study, of—*
- (1) Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;*
  - (2) A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;*
  - (3) A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;*
  - (4) A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and*
  - (5) A clear statement that the IHE will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by paragraph (a)(1) of this section. For the purpose of this section, a disciplinary sanction may include the completion of an appropriate rehabilitation program.*
- (b) A biennial review by the IHE of its program to—*
- (1) Determine its effectiveness and implement changes to the program if they are needed; and*
  - (2) Ensure that the disciplinary sanctions described in paragraph (a)(5) of this section are consistently enforced.”*

**Noncompliance:** *At the time of the review, the following areas of noncompliance were identified:*

- *HFCC did not have a drug prevention program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on school premises or as part of any of its activities.*
- *HFCC did not distribute annual written information about its drug prevention program to students and employees.*
- *HFCC did not provide a description of health risks associated with the use of illicit drugs and the abuse of alcohol.*
- *HFCC did not have a biennial review document.*
- *HFCC did not measure the effectiveness of its drug prevention program and any needed implantation changes.*
- *HFCC did not have a written policy that ensures consistency in its enforcement of its disciplinary sanctions.*

**Required Action:** *While the reviewers were on-site, the institution did create a written drug prevention program which included a description of health risks associated with the use of illicit drugs and alcohol.*

*As part of the institution's response to this program review report, HFCC must distribute written information about its drug prevention program to all students and employees. As evidence of this action, HFCC must provide a written statement attesting to its compliance in disseminating this information; this statement must include the date the information was disseminated and a description of how it was disseminated.*

*Additionally, HFCC must provide a copy of their biennial review document. Included in that document must be evidence the institution measured the effectiveness of its drug prevention program and any needed implemented changes, as well as evidence of how the institution ensures consistency in its enforcement of its disciplinary sanctions.*

*Finally, written procedures must be developed to ensure all federal requirements are being met in the future. A copy of these written procedures must be provided with the institution's response to this program review report.*

**HFCC's Response:** In its response, HFCC concurred with the finding and stated that College officials started the process of developing a drug and alcohol abuse prevention program during the site visit. The College also reported that written information about its drug prevention program was distributed to students and employees via e-mail on October 16, 2012.

In addition, HFCC also stated that it has established a process under which biennial reviews will be conducted measuring the effectiveness of HFCC's drug prevention program and any necessary changes, as well as ensuring consistency in its enforcement and disciplinary sanctions. Finally, the College claimed that it has developed a plan to improve overall compliance with Federal requirements.

**Final Determination:** This finding cited HFCC for multiple violations of *DFSCA*. Specifically, the institution failed to develop and implement a substantive drug and alcohol abuse prevention program (DAAPP). As a result, the College also failed to publish and distribute an annual DAAPP disclosure to all employees and students enrolled for academic credit. Moreover, HFCC also failed to conduct a biennial review of the DAAPP's effectiveness and to prepare a report of findings. The biennial review component of this violation necessarily followed from the failure to have a comprehensive DAAPP in place.

As a result of these violations, HFCC was required to develop and implement a DAAPP and then publish and distribute a materially-complete DAAPP disclosure in the required

