Prepared for

Lincoln Technical Institute

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

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U.S. Department of Education
Federal Student Aid
School Participation Division-New York/Boston

Final Program Review Determination

September 29, 2014

New York/Boston School Participation Division
5 Post Office Square, 9th Floor, Suite 950-A, Boston, MA 02109-3921
StudentAid.gov

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A. Institutional Information

Lincoln Technical Institute
200 John Downey Drive
New Britain, CT 06051-2904

Additional Locations:

109 Sanford Street
Hamden, CT 06514-1741

106 Sebethe Drive
Cromwell, CT 06416-1094 (Closed 9/2012)

8 Progress Drive
Shelton, CT 06484-6219

9191 Torresdale Avenue
Philadelphia, PA 19136-1530

97 Newberry Road
East Windsor, CT 06088-9631

8317 West North Avenue
Melrose Park, IL 60160-1605

Type: Proprietary

Highest Level of Offering: Associate's Degree

Accrediting Agency: Accrediting Commission of Career Schools and Colleges

Current Student Enrollment: 2,808 (Per institution as of January 14, 2013)

% of Students Receiving Title IV: 95.7% (Per institution)

Title IV Participation (Per PCNet as of January 14, 2013):

	2011/2012
Federal Pell Grant (Pell)	$ 5,919,129
William D. Ford Federal Direct Loan Program (Direct Loan)	$16,194,832
Federal Perkins Loan Program (Perkins)	$ 13,250
Federal Supplemental Educational Opportunity Grant (FSEOG)	$ 236,605

Default Rate FFEL/DL:	2010	18.2%
	2009	12.0%
	2008	8.9%

Default Rate Perkins:	2011	14.3%
	2010	20.0%
	2009	19.0%

B. Scope of Review

The U.S. Department of Education (the Department) conducted a program review at Lincoln Technical Institute (LTI-NB) from January 28, 2013 through January 31, 2013. The review was conducted by Shari Mecca and Tonya Sydney.

The focus of the review was to determine LTI-NB'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 LTI-NB'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 15 files was identified for review from the 2011/2012 and 2012/2013 (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. A program review report was issued on April 22, 2013.

Disclaimer:

Although the review was thorough, it cannot be assumed to be all-inclusive. The absence of statements in the report concerning LTI-NB'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 LTI-NB 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 5, 6, 7, and 8

LTI-NB has taken the corrective actions necessary to resolve findings 5, 6, 7, and 8 of the program review report. Therefore, these findings may be considered closed. LTI-NB's written response related to the resolved findings can be found in Appendix C. Findings requiring further action by LTI-NB are discussed below.

Resolved Findings with Comments

The following program review findings have been resolved by the institution, and may be considered closed. These findings are included solely for the purpose of discussing resolution of the finding.

Finding 4. Common Origination and Disbursement (COD) Reporting Deficiencies

Citation Summary: *An institution makes a disbursement of Title IV, HEA program funds on the date that the institution credits a student's account at the institution or pays a student or parent directly with funds received from the Department. 34 C.F.R. §668.164(a)*

A school must submit the initial disbursement record for the loan to the Department no later than 30 days following the initial disbursement. The school must submit subsequent disbursement records, including adjustment and cancellation records, to the Department no later than 30 days following the date the disbursement, adjustment, or cancellation is made. 34 C.F.R. §685.301(e)

The Secretary accepts a student's payment data that is submitted in accordance with procedures established through publication in the Federal Register, and that contain information the Secretary considers to be accurate in light of other available information including that previously provided by the student and the institution. 34 C.F.R. §690.83(a)(2)

An institution shall report to the Secretary any change in enrollment status, cost of attendance, or other event or condition that causes a change in the amount of the Federal Pell Grant for which a student qualifies by submitting to the Secretary the student's Payment Data that discloses the basis and result of the change in the award for each student. Through publication in the Federal Register, the Secretary divides the award year into periods and establishes the deadlines by which the institution shall report changes occurring during each period. The institution shall submit the student's Payment Data reporting a change to the Secretary by the end of that reporting period that next follows the reporting period in which the change occurred. Also, an institution shall submit in accordance with deadline dates established by the Secretary, through publication in the Federal Register, other reports and information the Secretary requires in connection with the funds advanced to it and shall comply with the procedures the Secretary finds necessary to ensure that the reports are correct. 34 C.F.R. §§690.83(b)(1) and (b)(2)

The 2012-2013 COD Technical Reference, Volume II, Section 1, page 184, number 9 states that if award information for a student changes, the school must submit the change to the COD system within 30 days of the date the school becomes aware of the change, or by the established Pell Grant reporting deadline, whichever comes first.

Noncompliance Summary: *LTI-NB did not update COD with the actual dates that the Title IV funds were posted to student accounts within the required 30 days. COD must reflect the actual date students had access to the funds (the date the funds posted to student accounts), because, for unsubsidized loans, interest begins to accrue at the time of disbursement. By not updating the dates to the actual dates, students could be paying interest on money that they have not yet received. As this was found in our entire sample, only a few examples were listed in the PRR. The account cards for the entire student sample had different posting dates for the disbursements than what was reported to COD.*

Required Action Summary: *COD did not reflect the actual disbursement dates for at least one disbursement for every student in the sample. As a result, LTI-NB was required to perform a full file review to ensure that COD reflects actual disbursement dates for all students for the 2011/2012 and 2012/2013 award years. A Certified Public Accountant was required to that LTI-NB had updated COD to reflect actual disbursement dates for the students for these award years. We define auditor attestation as a confirmation statement that a corrective action was accurately taken by the institution in accordance with the Department's instructions (which includes the confirmation of documents, liabilities paid, file reviews, projection sampling, and formulas used to calculate liabilities).*

In addition, LTI-NB was required to update their policies and procedures to ensure that COD will be updated with actual disbursement dates within 30 days of the disbursement occurring. A copy of these updated policies and procedures were required to be provided with the response to the Program Review Report.

As this appeared to have been systematic, it was recommended that LTI-NB work with its corporate headquarters to ensure that all other LTI-NB OPE IDs are reporting accurately as well.

LTI-NB's Response: LTI-NB corrected the discrepancies between COD disbursement dates and the student ledger posting dates that were found during the full file review for the Pell Grant and Direct Loan programs for the 2011/2012 and 2012/2013 award years. Dixon Hughes Goodman, Certified Public Accountants and Advisors, attested to the file review performed by LTI-NB. Dixon Hughes Goodman reviewed 2,372 disbursements for 349 students and found 6 disbursement date discrepancies in 2011/2012 and 1,715 disbursements for 346 students and found 6 disbursement date discrepancies in 2012/2013.

In addition, LTI-NB implemented new procedures on February 13, 2013 and revised its Policy and Procedural Manual as of May 1, 2013. A new section titled Reporting to COD was added to ensure that accurate disbursement dates are being reported to COD. In addition, LTI-NB developed functionality in its Student Information System that enables the original disbursement date field to be populated with the current disbursement date for reporting to COD. Specific timeframes for the transmission of the disbursement information to COD were created which will ensure that COD disbursement dates and student ledger card disbursement dates agree. LTI-NB will manually update COD disbursement dates to match its Student Information System if there is a delay in the COD response or ledger posting.

Final Determination: LTI-NB implemented new procedures that should ensure that accurate disbursement dates are being reported to COD. LTI-NB also performed the required file review and obtained auditor attestation of the results. The results of the file review results showed an error rate of .04% for 2011/2012 and an error rate of .35% for 2012/2013. This error rate is considered minimal. The disbursement date errors found by the auditor have been adjusted. It is recommended that LTI-NB review the 12 discrepancies to determine the cause of the errors and adjust its procedures as needed. LTI-NB is reminded that students could end up paying interest on money that they have not yet received if COD is not updated to reflect the actual date LTI-NB disbursed the Title IV funds to the student's account.

Finding 9. Campus Security Requirements Not Met – Failure to Compile and Report Accurate Crime Statistics and Policy Disclosures, and Failure to Distribute the Annual Security Report in Accordance with Federal Regulations

Citation Summary: *The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the Department's regulations require that all institutions that receive Title IV, HEA funds must, by October 1 of each year, publish and distribute to its current students and employees, a comprehensive Annual Security Report (ASR) that contains, at a minimum, all of the statistical and policy elements enumerated in 34 C.F.R. §668.46(b). With the exception of certain drug and alcohol program information, cross referencing to other publications is not sufficient to meet the publication and distribution requirements. §485(f) of the HEA; 34 C.F.R. §668.46(b)*

The ASR must be published and actively distributed as a single document. Acceptable means of delivery include U.S. Mail, hand delivery, or campus mail distribution to the individual or posting on the institution's website. If an institution chooses to distribute its report by posting to an internet or intranet site, the institution must, by October 1 of each year, distribute a notice to all students and employees that includes a statement of the report's availability and its exact electronic address, a description of its contents, as well as an advisement that a paper copy will be provided upon request. 34 C.F.R. §668.41(e)(1). These regulations also require institutions to provide a notice containing this information to all prospective students and employees. This notice must also advise interested parties of their right to request a paper copy of the ASR and to have it furnished upon request. 34 C.F.R. §668.41(e)(4)

An institution's ASR must include statistics for incidents of crimes reported during the three most recent calendar years. The covered categories include criminal homicide (murder and non-negligent manslaughter), forcible and non-forcible sex offenses, robbery, aggravated assaults, burglary, motor

vehicle theft, and arson. Statistics for certain hates crimes as well as arrest and disciplinary referral statistics for violations of certain laws pertaining to illegal drugs, illegal usage of controlled substances, liquor, and weapons also must be disclosed in the ASR. These crime statistics must be published for the following geographical categories: 1) on campus; 2) on-campus student residential facilities; 3) certain non-campus buildings and property; and, 4) certain adjacent and accessible public property. 34 C.F.R. §668.46(c)(1). An institution must also report, by category of prejudice, the following crimes reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability: any crime it reports pursuant to paragraph (c)(1)(i) through (vii) of this section; the crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property; and any other crime involving bodily injury. 34 C.F.R. §668.46(c)(3)

Finally, each institution must also submit its crime statistics to the Department for inclusion in the Office of Postsecondary Education's (OPE) "Campus Safety and Security Data Analysis Cutting Tool." 34 C.F.R. §668.41(e)(5)

Noncompliance Summary: *LTI-NB failed to comply with multiple provisions of the Clery Act. These violations apply to the main campus and its additional locations. These violations relate primarily to the institution's failure to prepare, publish, and distribute an accurate and complete ASR to current students and employees. Firstly, LTI-NB did not properly format its statistical grids for the disclosure of hate crimes and disciplinary referrals. The ASR did not include hate crime classifications breakdown by category of bias. In addition, the ASR did not include statistics for disciplinary actions related to violations of liquor, drug, and weapons laws. LTI-NB is reminded that if there were no reported incidents in a particular category in a given calendar year then "0" should be entered in that field in the statistical grid.*

Secondly, the review team identified discrepancies between the crime statistics published in the ASR and those submitted to the Secretary for inclusion in the Department's online campus crime statistics database (known as the Campus Safety and Security Data Analysis Cutting Tool (CSSDACT)). For example, LTI-NB disclosed one on-campus burglary in its 2012 ASR for calendar year (CY) 2009 and another in CY 2010; however neither incident was reported to the CSSDACT. In addition, the ASR did not disclose any drug law violation arrests for CY 2011; however, LTI-NB included one such offense in its submission to the CSSDACT.

Similar reporting errors were identified in the statistical disclosures for other locations in the New Britain school group. For the Hamden location, the ASR disclosed one campus burglary in CY 2009 and another in CY2010; however, neither burglary was included in the submission to the CSSDACT. For the East Windsor location, several discrepancies were identified between the ASR and the submission to the CSSDACT in the following categories: Criminal Offenses - Non-campus, Arrests - Non-campus, and Disciplinary Actions – Non-campus. For the Melrose Park location, the ASR disclosed one on-campus burglary and no aggravated assault in CY 2011; however, the institution's CSSDACT submission indicated no burglary offenses and does indicate one aggravated assault. Moreover, the ASR also disclosed one CY 2011 weapons law violation arrest and one drug law arrest each in CY 2009 and CY 2010 although none of these offenses were included in the institution's CSSDACT submission. Similar errors were identified in the institution's disciplinary referral statistics as well. The Department notes that LTI-NB modified its crime statistics as published in the 2012 ASR for the New Britain and Melrose Park locations on February 6, 2013 and February 7, 2013, respectively; however, other statistical information referenced above remains inaccurate as of the date of this program review report (PRR).

LTI-NB also failed to distribute its ASR to all current students and employees in the manner required by the Clery Act. The institution was unable to adequately explain and document that the ASR was distributed properly. LTI-NB officials produced an e-mail message that purported to show that the ASR was distributed to all current students and employees in a timely manner; however, these officials could not substantiate that the e-mail distribution lists actually included all required recipients. Furthermore, the

document provided to the review team did not indicate the date that the notice was sent. LTI-NB did produce an e-mail message from September 28, 2011 that was sent to all executive directors and other staff members as well as a September 28, 2012 e-mail that was sent to all faculty and staff at the Hamden location. Nevertheless, LTI-NB has been unable to produce any evidence showing that the ASR was actively distributed to students as of the date of this PRR.

Finally, the review team analyzed the ASR for each of the locations in the New Britain school group and identified several missing and inadequate statements of campus security policy and procedure. These statements are required to be published in the ASR without exception and must be materially-complete so as to give users of the report actual notice of the institution's approach to campus safety operations as well as information about how students and employees can play an active and informed role in providing for their own safety and security on-campus.

Failure to publish an accurate and complete ASR and to actively distribute it to current students and employees in accordance with Federal regulations deprives the campus community of important security information.

Required Action Summary: *As a result of these violations, LTI-NB (including each additional location/separate campus in this school group) must conduct an internal review of its ASR to identify all inaccurate, discrepant, incomplete, and inadequate information and initiate immediate corrective action to address all identified errors and omissions. LTI-NB must produce a summary report that identifies all instances of noncompliance and weaknesses as well as the action(s) that were taken to correct it.*

Using its summary report as a guide, the institution must review and revise its existing internal policies and procedures for preparing, publishing, and distributing its ASRs and promulgate any new policies and procedures as needed to ensure these violations do not recur and that all campus security operations are carried out in accordance with the Clery Act and the Department's regulations.

Next, using its new policies and procedures as a guide, LTI-NB must prepare and publish an accurate and complete ASR that includes all of the statistical disclosures and policy, procedure and programmatic information required under 34 C.F.R. §668.46(b). A copy of the institution's new policies and procedures and each location's ASR must accompany LTI-NB's response to this PRR. Once the new ASRs are evaluated by the review team for accuracy and completeness, LTI-NB will be required to actively distribute the ASRs to all current students and employees in accordance with 34 C.F.R. §668.41(e). Finally, LTI-NB will also be required to provide documentation to the Department evidencing the distribution as well as a statement of certification attesting to the fact that the materials were distributed in accordance with the Clery Act. This certification must also affirm that LTI-NB understands its Clery Act obligations and that it has taken all necessary corrective actions to ensure that this violation does not recur.

As noted above, the exceptions identified in this finding constitute serious violations of the Clery Act that by their nature cannot be cured. LTI-NB has already take some corrective actions and will be given an opportunity to develop and distribute compliant ASRs for each location and in so doing, will begin to bring its overall campus security program into compliance with the Clery Act as required by its PPA. However, LTI-NB is advised that these remedial measures 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 additional corrective measures.

Based on an evaluation of all available information including LTI-NB s response, the Department will determine if additional actions will be required and will advise the institution accordingly in its Final Program Review Determination.

LTI-NB officials may wish to refer to the Department's "Handbook for Campus Safety and Security Reporting" (2011 Edition) during the preparation of its response. The Handbook is available online at: http://www2.ed.gov/admins/lead/safety/handbook.pdf.

Finally, institutional officials are reminded 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 LTI-NB makes sure that it has developed and implemented a comprehensive DAAPP and that it conducts substantive biennial reviews and prepares 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 Boston/New York School Participation Division.

LTI-NB's Response: In its official response, LTI-NB concurred with the finding and stated that "the institution conducted an internal review of the Annual Security Reports to identify all inaccurate, discrepant, incomplete, and inadequate information." LTI-NB compiled a Summary Report that identified instances of non-compliance and weaknesses as well as corrective actions taken by the institution. In conjunction with the Summary Report, LTI-NB generated an itemized checklist to verify the completeness of the policy statements published in the ASRs. A policy checklist was used to ensure accuracy and completeness of LTI-NB's published statements. The checklist was extracted from Appendix E of the Department's "Handbook for Campus Safety and Security Reporting."

In addition, LTI-NB stated "the aforementioned summary and checklist will ensure that the institution is in compliance with the ASR reporting requirements." After a thorough review of its ASRs, review of the Department's "Handbook for Campus Safety and Security Reporting" and consultations with the Campus Safety Helpdesk, LTI-NB updated its policies and procedures for preparing, publishing, and distributing its ASRs. LTI-NB has updated each location's ASR to reflect the corrections identified in the Summary Report. LTI-NB awaits the Department's guidance regarding the re-distribution of the ASR to all current students and employees." LTI-NB also stated that "the institution created a data collection template that will be used on a go-forward basis to ensure that the data reported on our ASR is consistent with the data that is sent to the Department. The institution's Campus Security Administrators will utilize this template to aggregate all the reported crime statistics in advance of the survey opening and then use the pre-designed reporting table to publish its statistics in the new ASRs each year. This template will ensure accuracy on the reported data." Finally, LTI-NB provided exhibits that purported to show that that its ASR distribution and notification processes meets Federal requirements.

Final Program Review Determination: Finding 9 of the program review report cited LTI-NB for its failure to comply with multiple provisions of the *Clery Act*. These violations related primarily to the institution's failure to prepare and publish an accurate and complete 2012 ASR due to the omission of certain required information, including policy and procedure disclosures. Specifically, the Department has determined that LTI-NB's 2012 ASR did not include hate crime classifications breakdown by category of bias. Additionally, the ASR did not include statistics for disciplinary actions related to violations of liquor, drug, and weapons laws. In addition, the Department has determined that LTI-NB failed to comply with the ASR active distribution and notification requirements as they pertain to enrolled students and current employees in 2011 and 2012. Specifically, LTI-NB was unable to adequately explain and document that the 2012 ASR was distributed properly. LTI-NB officials produced an e-mail message that purported to show that the ASR was distributed to all current students and employees in a timely manner; however, these officials could not substantiate that the e-mail distribution lists actually included all required recipients. Furthermore, the document provided to the review team did not indicate the date that the notice was sent. LTI-NB did produce an e-mail message from September 28, 2011 that was sent to all executive directors and other staff members as well as a September 28, 2012 e-mail that was sent to all faculty and staff at the Hamden location. Nevertheless, LTI-NB has been unable to produce any evidence showing that the 2012 ASR was properly distributed.

Finally, the review team identified several discrepancies between the crime statistics published in the 2012 ASR and those submitted to the Secretary for inclusion in the Department's online campus crime statistics database. The Department has determined that LTI-NB's 2012 ASR did not match the crime statistical data submitted to the Department. LTI-NB disclosed in the report dated September 12, 2012 one on-campus burglary in its 2012 ASR for calendar year (CY) 2009 and another in CY 2010; however neither incident was reported to the Department. These statistics were also included in 2011 ASR dated September 21, 2011. When LTI-NB provided a revised 2012 ASR dated February 6, 2013, these statistics were no longer included. In addition, the 2012 ASR did not disclose any drug law violation arrests on campus for CY 2011; however, LTI-NB included one such offense in its submission to the Department for CY 2011. Similar reporting errors were identified in the statistical disclosures for other locations in the New Britain school group. For the Hamden location, the 2012 ASR disclosed one campus burglary in CY 2009 and another in CY2010; however, neither burglary was included in the submission to the Department. For the East Windsor location, the 2012 ASR did not include for CY 2009 one sex offense –forcible and one robbery and for CY 2011 one sex offense – forcible, four burglaries, and one motor vehicle theft that were included in the institution's submission to the Department for criminal offenses – non-campus. In addition, for the East Windsor location, the 2012 ASR did not include for FY 2009 10 drug abuse violations arrests and for FY 2011, 6 drug abuse violations arrests and 1 liquor law violation arrest on non-campus and no disciplinary actions-non-campus. For the Melrose Park location, the 2012 ASR disclosed one on-campus burglary and no aggravated assault in CY 2011; however, the institution's submission to the Department indicated no burglary offenses on campus and one aggravated assault on public property. Further, the 2012 ASR disclosed one CY 2011 weapons law violation arrest and one drug law arrest each in CY 2009 and CY 2010 although none of these offenses were included in the submission to the Department. Please see Appendix E for a summary of the initial non-compliance.

As a result of these violations, LTI-NB (including each additional location/separate campus in the New Britain school group) was required to conduct an internal review of its ASR to identify all inaccurate, discrepant, incomplete, and inadequate information and initiate immediate corrective action to address all identified errors and omissions. LTI-NB was required to produce a Summary Report that identifies all instances of noncompliance and weaknesses as well as the actions that were taken to correct it. In its response, LTI-NB concurred with the finding and asserted that all necessary corrective action was taken to address the violations identified by the review team. LTI-NB also submitted is revised ASR for all locations in draft form along with the Summary Report, policy checklist used, revised policies and procedures, a data collection template, and information to support the distribution of the ASR (see attachment).

The Department carefully examined LTI-NB's narrative response and supporting documentation. The review team's examination showed that the identified violations were for the most part, adequately addressed in the response and in the 2013 ASR. Based on that review and the institution's admission of noncompliance, the violations identified in the finding are sustained. The Department has also determined that LTI-NB's remedial action plan meets minimum requirements. For these reasons, the Department has accepted LTI-NB's response and considers this finding to be closed for purposes of this program review; however, LTI-NB's management team is put on notice that the institution must take all necessary corrective action to specifically address all deficiencies and weaknesses that were detected during its internal review and as may otherwise be necessary to demonstrate full compliance with the *Clery Act* in a manner that will ensure that these violations do not recur.

To that end, LTI-NB must take immediate action to specifically address the following additional areas of concern before the distribution of the 2014 ASR:

- Change the link for the Annual Security Report. Currently, the email sent by LTI includes the link www.lincolnedu.com/consumerinfo which sends the viewer to the main website portal. The viewer

must first find their campus on the drop down box in the middle of the page and then scan the next page for the "Student Consumer Information." Then, the viewer must select the Annual Security Report. This information is required for the entire campus community, including staff, not just "students." LTI-NB must change the link in the email alerting its campus communities so that each email sent to each of the separate and distinct LTI-NB campuses will have a link that takes them directly to the Annual Security Report.

- The Philadelphia, PA location's ASR advises the campus community that information concerning registered sex offenders may be obtained by visiting http://www.ed.gov/category/location/pennsylvania. The link takes the viewer to a Department of Education website. This website provides no information about registered sex offenders. This website information link must be corrected; and,

- The Drug Prevention Program information required by the Drug-Free Schools and Communities Act (DFSCA) and Part 86 of the Department's General Administrative Regulations are not adequately set forth in the LTI-NB Educational Leadership Manual and the Drug and Alcohol Prevention Program bullet point which directs students and staff to information presents a link which does not work: *http://www.justice.gov/dea/druginfo/all_fact_sheets.pdf* This website information link must be corrected.

During the response analysis process, the Department determined that LTI-NB's violations of the *DFSCA* were more severe than noted in the program review report. Specifically, at the time of the Department's site visit, the DAAPP information provided to students did not include the following:

- A written description of legal sanctions imposed under Federal, state, and local laws and ordinances for unlawful possession or distribution of illicit drugs and alcohol; and

- A description of any drug or alcohol counseling, treatment, and rehabilitation/re-entry programs that is available to students and employees.

In addition, DAAPP information provided to employees did not include the following:

- A written statement about its standards of conduct that prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees;

- A statement that the IHE will impose disciplinary sanctions on students and employees for violations of the institution's codes of conduct and a description of such sanctions.

Finally, it was determined that LTI-NB persistently failed to conduct biennial reviews to: 1) assess the effectiveness of its DAAPP; 2) evaluate the consistency of sanctions imposed for violations of its disciplinary standards and codes of conduct related to drugs and alcohol; and, 3) identify areas requiring improvement or modification. Finally, as a consequence of the failure to conduct a biennial review, LTI-NB also failed to produce a report of biennial review findings and supporting documentation. In fact, the Department's review indicates that LTI-NB has never fully complied with the *DFSCA* during its participation in the Title IV, FSA programs.

The New York/Boston School Participation Division has made a concerted, good-faith effort to assist LTI-NB toward full compliance with the *DFSCA*; however, those efforts were not completely successful. LTI-NB took some remedial action to address *DFSCA* violation but additional work is required. For these reasons, the Department transferred this matter to the Department's *Clery Act* Compliance Division (CACD). The CACD will oversee LTI-NB's additional remedial efforts. At this time, LTI-NB is required to take immediate action to finally and fully address these violations and must submit the material requested below to document its efforts.