



June 11, 2015

Dr. Glendon Forgey, President  
Trinity Valley Community College  
100 Cardinal Drive  
Athens, TX 75751-2734

Certified Mail  
Return Receipt Requested  
7014 1200 0001 7275 5217

RE: **Final Program Review Determination**  
OPE ID: 00357200  
PRCN: 201430628589

Dear Dr. Forgey:

The U.S. Department of Education's (Department's) Dallas School Participation Division issued a program review report on July 17, 2014 covering Trinity Valley Community College's (TVCC'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 2012-2013 and 2013-2014 award years. TVCC's response was received on September 10, 2014.

A copy of the program review report (and related attachments) and the institution's response are attached. Any supporting documentation submitted with the response is being retained by the Department and is available for inspection by TVCC upon request. The Department has made final determinations based on information obtained during the program review and from documentation already submitted by TVCC. 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.

This FPRD contains one or more findings regarding TVCC's failure to comply with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) in Section 485(f) of the HEA, 20 U.S.C. § 1092(f), and the Department's regulations in 34 C.F.R. §§ 668.41 and 668.46. Since a Clery Act finding does not result in a financial liability, such a finding may not be appealed.

**Federal Student**

AND THE FEDERAL DEPARTMENT OF EDUCATION

Dallas School Participation Division  
1999 Bryan Street, Suite 1410, Dallas, TX 75201-6817  
StudentAid.gov

Trinity Valley Community College

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TVCC's responses have resolved all other findings. In addition TVCC has provided assurances that the appropriate corrective actions have been taken to resolve and prevent future occurrences of all findings. Although the review is now considered closed by the School Participation Division, TVCC must still submit the requested documentation as instructed in the FPRD.

**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 Dr. Joe L. Williams at 214-661-9510.

Sincerely,

(b)(6)

Cynthia Thornton, Director  
Dallas School Participation Division

Enclosure:

Final Program Review Determination letter (and appendicies)

cc: Julie H. Lively, Financial Aid Administrator  
Texas Higher Education Coordinating Board  
Southern Association of Colleges and Schools Commission on Colleges  
Department of Defense  
Department of Veterans Affairs  
Consumer Financial Protection Bureau

Prepared for  
Trinity Valley Community College

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**OPE ID** 00357200  
**PRCN** 201430628589

Prepared by  
**U.S. Department of Education**  
**Federal Student Aid**  
**Dallas School Participation Division**

## Final Program Review Determination June 11, 2015

1999 Bryan Street, Suite 1410  
Dallas, TX 75201-6817  
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**A. Institutional Information**

Trinity Valley Community College  
100 Cardinal Drive  
Athens, TX 75751-2734

Type: Public

Highest Level of Offering: Associates Degree

Accrediting Agency: Southern Association of Colleges and Schools, Commission on Colleges

Current Student Enrollment: 5,215

% of Students Receiving Title IV: 83% (2012)

	2012-2013
Federal Pell Grant	\$12,228,564.00
Federal Direct Loan Subsidized	\$ 4,850,878.00
Federal Direct Loan Unsubsidized	\$ 5,371,799.00
Federal Supplemental Educational Opportunity Grant	\$ 115,118.00
Federal Work-study	\$ 118,183.00

Default Rates:

2009 - 16.8%  
2010 - 17.9%  
2011 - 15.1%

## **B. Scope of Review**

The U.S. Department of Education (the Department) conducted a program review at Trinity Valley Community College (TVCC) from April 21, 2014 to April 25, 2014. The review was conducted by Dr. Joe L. Williams and Ms. Dalinda Lasater.

The focus of the review was to determine TVCC'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 TVCC'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 2012-2013 and 2013-2014 (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 (PRR) was issued on July 17, 2014.

### **Disclaimer:**

Although the review was thorough, it cannot be assumed to be all-inclusive. The absence of statements in the report concerning TVCC'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 TVCC 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 #2 and #3

TVCC has taken the corrective actions necessary to resolve findings #2 and #3 of the program review report. Therefore, these findings may be considered closed. The finding requiring further action by TVCC is discussed below.

### **Findings with Final Determinations**

The Program Review Report finding requiring further action is summarized below. At the conclusion of the finding is a summary of TVCC's response to the finding, and the Department's final determination for that finding. A copy of the PRR issued on July 17, 2014 is attached as Appendix B.

**Finding 1. Drug and Alcohol Abuse Prevention Program Requirements Not Met –  
Biennial Review Violations**

**Citation:** *The Drug-Free Schools and Communities Act (DFSCA) and Part 86 of the Department's General Administrative Regulations requires each participating institution of higher education (IHE) to certify that it has developed and implemented a drug and alcohol abuse education and prevention program. The program must be designed to prevent the unlawful possession, use, and distribution of drugs and alcohol on campus and at recognized events and activities.*

*On an annual basis, the IHE must distribute written information about its drug and alcohol abuse prevention program (DAAPP) to all students, faculty, and staff. The distribution plan must make provisions for delivering the material to students who enroll on a date after the initial distribution, and for employees who are hired at different times throughout the year. The information must include:*

- 1) 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;*
- 2) A written description of legal sanctions imposed under Federal, state and local laws for 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 students and employees; and,*
- 5) 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.*

*In addition, each IHE must conduct a biennial review in order to measure the effectiveness of its drug prevention program, and to ensure consistent treatment in its enforcement of its disciplinary sanctions. The IHE must prepare a report of findings and maintain its biennial review report and supporting materials and make them available to the Department and interested parties upon request. 34 C.F.R. §§ 86.3 and 86.100*

**Noncompliance:** *TVCC violated the biennial review requirement of the DFSCA and the Department's Part 86 regulations. Specifically, TVCC failed to conduct a biennial review of the effectiveness of both its DAAPP, as well as the consistency of sanctions imposed for violations of its disciplinary standards and codes of conduct. Therefore, by logical extension, TVCC also failed to produce a biennial review report of findings.*

*Failure to comply with the DFSCA's DAAPP requirements deprives students and employees of important information regarding the educational, disciplinary, health, and legal consequences of illegal drug use and alcohol abuse. Failure to comply with the biennial review requirements also deprives the institution of important information about the effectiveness of its own drug and alcohol programs. Such failures may contribute to*

*increased drug and alcohol abuse as well as an increase in drug and alcohol-related violent crime.*

**Required Action:** *TVCC is required to take all necessary corrective actions to resolve these violations and to ensure that they do not recur. At a minimum, TVCC must perform the following:*

- *Review and revise its existing drug and alcohol program materials and develop and implement new program content as needed to ensure that a comprehensive DAAPP is produced which includes all of the required elements found in the DFSCA and the Department's Part 86 regulations;*
- *Publish a complete annual DAAPP disclosure that summarizes the program;*
- *Develop detailed policies and procedures that will ensure that the DAAPP disclosure is distributed annually to every student who enrolls for any academic credit and to all employees. This policy must provide for active delivery to every member of the campus community regardless of when they enroll or are hired and irrespective of the duration of enrollment/employment. A copy of TVCC's new DAAPP and new distribution policy must accompany its response to this program review report;*
- *Distribute the new DAAPP disclosure and provide documentation evidencing the distribution as well as a statement of certification attesting to the fact that the materials were distributed in accordance with the DFSCA. This certification must also affirm that the institution understands all of its DFSCA obligations and that it has taken all necessary corrective actions to ensure that these violations do not recur;*
- *Conduct a biennial review to measure the effectiveness of its DAAPP and prepare a report of findings. TVCC's report must include a description of the research methods and data analysis tools that were used to determine the effectiveness of the program and the consistency of its enforcement strategy. The report must identify the responsible official(s) and office(s) that conducted the biennial review. Finally, the biennial review report must be approved by TVCC's chief executive and/or its Board; and*
- *Establish policies and procedures to make certain that all subsequent biennial reviews are conducted in a timely manner and are fully documented. The biennial reviews must include all other necessary actions to ensure that this violation does not recur. A copy of these new policies and procedures must accompany TVCC's biennial review report.*

*TVCC must incorporate the findings from its biennial review into its DAAPP. Because the DFSCA went into effect in 1990, longstanding practice dictates that the biennial review is normally conducted in even-numbered years. However, TVCC's failure to comply with all elements of the biennial review necessitates the need for conducting a study immediately. In addition, the Department also encourages the College to conduct a review each year in order to become comfortable with the DAAP requirements.*

*As noted above, the exceptions identified in this finding constitute serious violations of the DFSCA that by their nature cannot be cured. There is no way to truly "correct" a violation of a consumer protection/information law once it occurs. TVCC will be given an opportunity to conduct a meaningful review of its DAAPP and to bring its drug and alcohol programs into full compliance with the DFSCA as required by its PPA. However, TVCC 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 require additional corrective measures as a result.*

*Based on an evaluation of all available information including TVCC's response, the Department will determine if additional actions will be required and will advise the TVCC accordingly in the Final Program Review Determination letter.*

**TVCC's Response:** In its official response dated September 10, 2014, TVCC concurred with the finding and stated that remedial action was taken as directed in the program review report. The College also made statements and submitted documents in support of its claims that adequate remedial action was taken. This information described various changes to the College's existing policies and procedures as well as new components of the DAAPP. In summary, TVCC asserted that it took the following actions:

- Appointed a committee consisting of Vice President for Student Services, the Director of Student Engagement, and the Director of Human Resources to review the DAAPP and make recommendations for enhancements to existing drug and alcohol program materials;
- Developed an enhanced student life program based on the "TVCC DAAPP";
- Partnered with East Texas Council on Alcohol and Drug Abuse to give a drunk driver simulator demonstration. Students participated by driving the simulator and receiving information on the dangers of drug and alcohol abuse and impaired driving;
- Developed a program to integrate the TVCC DAAPP with student life's social media platforms. Student life plans to link the TVCC DAAPP and other relevant videos and/or articles concerning drug and alcohol abuse to Facebook, Instagram, and Twitter to communicate effectively with students digitally;