



Dr. Jonathan Veitch
President
Occidental College
1600 Campus Road
Los Angeles, CA 90041-3314

SEP 27 2017

Sent: United Parcel Service
Tracking #: 1Z 37X 7Y3 01 9763 2638

OPE-ID: 00124900

Dear Dr. Veitch:

This letter is to inform you that the U.S. Department of Education (Department) intends to fine Occidental College (Occidental; the College) a total of \$83,000 based on the violations of statutory and regulatory requirements outlined below. This fine action is taken in accordance with the procedures that the Secretary of Education (Secretary) has established for assessing fines against institutions participating in any of the programs authorized under Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. § 1070 *et seq.* (Title IV, HEA programs). As applicable here, under the Department's regulations, the Department may impose a fine of up to \$35,000 for each violation.¹ 34 C.F.R. § 668.84. As detailed below, this fine action is based on Occidental'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), as reflected in 34 C.F.R. §§ 668.41 and 668.46 (2012)², and the Drug-Free Schools and Communities Act Amendments of 1989 (DFSCA), as reflected in 34 C.F.R. Part 86.

Under the Clery Act, institutions participating in the Title IV, HEA programs must prepare, publish and distribute an Annual Security Report (ASR) by October 1 of each year. 34 C.F.R. § 668.41(e). The ASR must include, among other things, a description of the institution's campus security policies in specific areas. 34 C.F.R. § 668.46(b). Specifically, the ASR must include: a statement of current campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus. This statement must include the institution's policies concerning its response to these reports, including policies for making timely warnings, policies for preparing the annual disclosure of crime statistics, a list of the titles of each person or organization to which students and employees should report the criminal offenses for the purpose of making timely warning reports, and a disclosure whether the institution has any policies or procedures that allow victims or witnesses to report crimes on a

¹ The maximum fine amount cited in 34 C.F.R. § 668.84(a) was increased from \$27,500 to \$35,000 effective October 2, 2012 by final regulations issued by the Department on October 2, 2012, 77 *Fed. Reg.* 60047. This fine notice assesses up to \$35,000 for any serious and repeated violations that occurred after October 2, 2012 and up to \$27,500 for violations before that date.

² The Department significantly revised 34 C.F.R. § 668.46 in final regulations published on October 20, 2014. The fines proposed in this letter are based on violations of the regulations existing at the time each violation occurred, during the period covered by the program review.

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voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, and, if so, a description of those policies and procedures. 34 C.F.R. § 668.46(b)(2012). In addition, the ASR must report statistics for the three most recent calendar years concerning the occurrence of certain crimes on campus, in or on certain non-campus buildings or property, and on public property. 34 C.F.R. § 668.46(c). An institution must compile and publish crime statistics for each separate campus. 34 C.F.R. § 668.46(d). The crimes that must be reported include: criminal homicide (murder and manslaughter); sex offenses (forcible and non-forcible); robbery; aggravated assault; burglary; motor vehicle theft; arson; and arrests for liquor law violations, drug law violations and illegal weapons possession. An institution must include in its statistics any crime reported to a Campus Security Authority (CSA) and the crime must be included in the statistics for the year in which it was reported to a CSA. 34 C.F.R. § 668.46(c)(2). The ASR must be distributed to current students and employees and must be made available to applicants for admission and employment to provide them with accurate, complete and timely information about crime and safety on campus. 34 C.F.R. § 668.41(e). Institutions must submit the crime statistics annually to the Department, which makes them publicly available. 34 C.F.R. § 668.41(e)(5).

The DFSCA and the Department's regulations require an institution of higher education to adopt and implement a drug prevention program for its students and employees. 34 C.F.R. § 86.100.

The Department conducted a program review at Occidental from September 23, 2013 to September 27, 2013. Occidental was selected for review due to complaints alleging that Occidental was in violation of several provisions of the Clery Act. Specifically, the complainants stated that the College had: failed to report crime statistics to students and employees and potential students and employees; repeatedly failed to issue timely warnings to its students and employees; and generally failed to meet the requirements of the HEA, the Clery Act and the Department's implementing regulations. According to the complainants, this situation forced crime victims to seek assistance and support from officials outside of the College's campus safety structures, including from faculty members and others, who did not have official public safety or Clery Act compliance roles. Complainants reported that this was necessary because the official points of contact were not helpful and were apt to disregard or minimize the reports and requests for assistance.

The review consisted of an examination of Occidental's campus security incident reports, arrest records, and disciplinary files as well as policies and procedures related to the Clery Act. Interviews of students, employees, and institutional officials with Clery Act responsibilities were also conducted.

On September 14, 2016, the Department issued a Program Review Report (PRR) to Occidental. The review found that Occidental had not complied with the Clery Act, the DFSCA, and the Department's implementing regulations. Occidental responded to the PRR on January 18, 2017. The College's formal response supplemented the responses it had provided to specific inquiries from the Department during the review, including the responses on May 2, 2014 and October 14,

2016. After reviewing all of the information provided by Occidental, the Department issued its Final Program Review Determination (FPRD) letter to Occidental on August 11, 2017. The FPRD is incorporated by reference into this fine action. (Enclosure 1).

The Department is taking this fine action based on the findings in the FPRD, which concluded that Occidental failed to maintain an accurate and complete daily crime log for 2012, 2013, and 2014; failed to include required policy statements in its ASRs for calendar years 2012, 2013, and 2014; failed to collect and report crime statistics from all CSAs; and failed to comply with the DFSCA and 34 C.F.R. Part 86.³

I. OCCIDENTAL DID NOT MAINTAIN AN ACCURATE AND COMPLETE DAILY CRIME LOG IN 2012, 2013, AND 2014

Institutions participating in the Title IV, HEA programs that maintain a campus police or a campus security department must maintain a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property, or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or the campus security department. This log must include the nature, date, time, and general location of each crime and the disposition of the complaint, if known. The institution must make an entry or an addition to an entry to the log within two business days of the report of the information to the campus police or the campus security department, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim. An institution may withhold information if there is clear and convincing evidence that the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual; cause a suspect to flee or evade detection; or result in the destruction of evidence. §485(f)(4) of the HEA; 34 C.F.R. § 668.46(f). The institution must make the crime log for the most recent 60-day period open to public inspection during normal business hours. The institution must make any portion of the log older than 60 days available within two business days of a request for public inspection. 34 C.F.R. § 668.46(f)(5).

Occidental did not maintain an accurate and complete daily crime log at the time of the review. The review team examined a sample of three months of crime log data from September 1, 2012 to December 31, 2012 to test the accuracy of the information posted in the daily crime log. Incidents of crime were cross-referenced to the institution's Campus Safety Department incident reports and other source documents including the Watch Supervisor Observation Report. Based on this limited testing, the review team identified 45 incidents that were not entered into the log during the sample period. These include:

- Nineteen (19) drug incidents,

³ The FPRD included additional findings in numbers 1, 2, 3, 4, and 7. However, the Department is not proposing fines for these violations.

- Sixteen (16) disturbance responses,
- Two (2) vandalisms,
- Two (2) burglaries from auto vehicles,
- One (1) alcohol violation,
- One (1) property damage,
- One (1) arson (other),
- One (1) Information / child endangerment,
- One (1) trespassing, and
- One (1) harassment.

In its responses to the Department, Occidental noted that, in reconstructing its daily crime logs, it identified and added 36 crimes to the 2012 crime log, 31 crimes to the 2013 crime log, and 12 crimes to the 2014 crime log, for a total of 79 previously-unrecorded incidents. Occidental claimed that it has developed new policies and procedures to ensure that it maintains an accurate daily crime log. However, the revision of procedures after the Department alerted the College of its obligations does not excuse its earlier failure to comply with its legal obligations. A crime log is vital for confirming crime statistics reported by the institution and allows students and employees to review information about crime on campus on a timely basis. Occidental's failure to maintain a proper crime log for 2012, 2013, and 2014 is a serious violation of the Clery Act and the Department's regulations.

II. OCCIDENTAL'S ASRs DID NOT INCLUDE REQUIRED POLICY STATEMENTS

Institutions participating in the federal student financial aid programs must have an ASR that includes its crime and security policies in a number of specific areas. The ASR must include this information so that students and employees have necessary information about the institution's security policies and procedures. 34 C.F.R. § 668.46(b).

A. ASR FOR CALENDAR YEAR 2012

Occidental's ASR for calendar year 2012 did not contain the following required statements of policy:

1. A statement of current campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus. This statement must include the institution's policies concerning its response to these reports, including policies for making timely warnings, policies for preparing the annual disclosure of crime statistics, a list of the titles of each person or organization to which students and employees should report the criminal offenses for the purpose of making timely warning reports, and a disclosure whether the institution has any policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in

- the annual disclosure of crime statistics, and, if so, a description of those policies and procedures.
2. A statement of policy concerning the monitoring and recording through local police agencies of criminal activity by students at noncampus locations of student organizations officially recognized by the institution.
 3. A description of the College's drug and alcohol abuse education programs, as required under section 120(a) through (d) of the HEA.
 4. A statement of policy regarding the institution's campus sexual assault programs designed to prevent sex offenses and a description of its educational programs to promote awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses.
 5. A clear statement regarding how interested parties can access state sex offender registry information.
 6. A statement of policy regarding its emergency response and evacuation procedures. The statement must include, among other things: the procedures the institution will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus; a description of the process the institution will use to confirm there is a significant emergency or dangerous situation, determine the appropriate segments of the campus community to receive a notification; the process used to determine the content of the notification; and the process to initiate the notification system. Additionally, the institution's procedures must include a statement that the institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency; a list of the titles of the person or persons or organization or organizations responsible for confirming the emergency, determining who needs to receive the notification, determining the content of the notification, and initiating the notification system. The ASR must also include the institution's procedures for: disseminating emergency information to the larger community; the institution's procedures to test the emergency response and evacuation procedures on at least an annual basis; publicizing its emergency response and evacuation procedures in conjunction with at least one test per calendar year; and documenting, for each test, a description of the exercise, the date, time, and whether it was announced or unannounced. 34 C.F.R. § 668.46(g).
 7. A statement of its missing student notification procedures advising students that: 1) their contact person's information will be confidentially registered and that the information will only be accessible to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in the furtherance of a missing student investigation; and 2) the College will notify the custodial parent or guardian of any student that is determined to be missing and who is under 18 years of age unless said person has been emancipated. 34 C.F.R., § 668.46(h).

B. ASR FOR CALENDAR YEAR 2013

Occidental's ASR for calendar year 2013 did not contain the following required statements of policy

1. A statement whether the institution has any policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, and, if so, a description of those policies and procedures.
2. A clear statement regarding how interested parties can access state sex offender registry information.

C. ASR FOR CALENDAR YEAR 2014

1. Occidental's ASR for calendar year 2014 did not include the required statement of current campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus. This statement must include the institution's policies concerning its response to these reports, including a list of the titles of each person or organization to which students and employees should report the criminal offenses for the purpose of making timely warning reports and the annual statistical disclosure.

In its response to the PRR of January 18, 2017, Occidental did not provide any information to challenge the Department's finding that it had failed to include in its ASRs, the required policy statements listed above. Occidental stated that it disagreed in part with the finding, but did not directly dispute the finding that the required statements mentioned above were not included in the ASRs, or provide any evidence to contradict the finding. The institution stated that it had taken corrective actions after the review. However, the issuance of improved ASRs after the Department alerted the College of its failure to meet its obligations does not excuse its earlier failure to comply with the law. Occidental's students and employees and potential students and employees should have had access to the legally required and complete policy statements and procedures, in order to make important personal safety decisions, and to understand their rights and obligations.

One of the goals of the Clery Act is to allow current students and employees, and prospective students and employees to use the ASR to assess an institution's campus crime profile, policies and procedures, and general campus environment, as far as personal security is concerned. The required policy statements in the ASR allow the campus community to understand the institution's campus security policies and procedures. The College's failure to include seven (7) required policy statements in the 2012 ASR, two (2) required statements in the 2013 ASR, and one (1) required statement in the 2014 ASR denied Occidental's students and employees important safety information about how to prevent crime; where to report incidents; their rights after an alleged sex offense has occurred; and information about the school's missing student notification procedures. Occidental's 2012, 2013, and 2014 ASRs were incomplete and

unreliable. Students and employees cannot benefit from policies and procedures that have not been provided to them.

III. OCCIDENTAL DID NOT COLLECT CRIME STATISTICS FROM ALL REQUIRED SOURCES AND INCLUDE THEM IN THE ASR

Under the Clery Act, institutions participating in the Title IV, HEA programs must prepare, publish and distribute an ASR by October 1 of each year. 34 C.F.R. § 668.41(e). The ASR must include reported crime statistics for the three most recent calendar years. 34 C.F.R. § 668.46(c). An institution must include in its statistics any crime reported to a CSA and the crime must be included in the statistics for the year in which it was reported to a CSA. 34 C.F.R. § 668.46(c)(2). A CSA is any official of the institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline, and campus judicial proceedings. 34 C.F.R. § 668.46(a).

An institution must include in its crime statistics, reportable crimes that occur in areas defined as “Campus” and “Non-campus Buildings or Property,” 34 C.F.R §§ 668.46(a), 668.46(c), (c)(4), (c)(8). Specifically, an institution must include crime statistics from any building or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls. 34 C.F.R § 668.46(a)(1). An institution must include the crime statistics in its ASR for each separate campus. 34 C.F.R § 668.46(d).

The reviewers found that the College failed to establish a process for collecting Clery crime data from all of its CSAs. This means that the crime statistics included in the ASR and provided to the Department did not include all Clery-reportable crimes. The FPRD found that Occidental did not collect and report complete crime statistics in its 2012, and 2013 ASRs. Copies of the College’s records indicated that the College only requested information from two (2) CSAs during this time period. In its responses to inquiries by the Department’s reviewers, however, the College estimated that, during calendar years 2009, 2011, 2013 and 2015, it had approximately 200 CSAs. The College did not explain why it collected crime information from only 2 of the 200 CSAs during these years. As a result of this very serious systemic failure, the College failed to produce an accurate and complete ASR as required by the Clery Act over this three-year period.

Until 2013, Occidental’s ASRs did not mention that a student, faculty, or staff member could report a crime to a CSA or include a comprehensive list of CSAs to whom one could report a crime. In addition, the review team learned from several Occidental officials that the College did not provide any training to CSAs prior to June 2013. The first CSAs that received any training were a group of five senior administrators who attended training on the Clery Act in San Francisco three months prior to the Department’s program review.

In its response to the PRR, the College conceded that it did not collect and report crime statistics from all its CSAs and claimed that it had taken corrective action. Current students and employee, prospective students and employees, and the public use these crime statistics to assess safety and security at an institution. By failing to collect crime statistics from all sources, Occidental denied its students/employees and prospective students/employees accurate crime statistics entitled to them.

IV. OCCIDENTAL DID NOT COMPLY WITH THE DRUG AND ALCOHOL ABUSE PREVENTION REQUIREMENTS

The DFSCA and the Department's regulations require institutions of higher education to adopt and implement a drug prevention program for its students and employees that, at a minimum, includes 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 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; describe the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol; describe the health risks associated with the use of illicit drugs and the abuse of alcohol; describe any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and include a clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions for violation of the standards of conduct. In addition, an institution must conduct a biennial review of its program to determine its effectiveness and implement changes to the program if they are needed and ensure that the disciplinary sanctions mentioned above are consistently enforced. 34 C.F.R. § 86.100.

The Department found that Occidental failed to comply with the DFSCA and 34 C.F.R. Part 86. Specifically, Occidental failed to develop, publish, and properly distribute to its students and employees, a comprehensive drug and alcohol abuse prevention program (DAAPP) that addressed all the required subject areas. The Department's reviewers determined that while Occidental included portions of the required DAAPP disclosures in its student and staff handbooks, those publications did not include the following required material:

1. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
2. A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students.
3. A description of the applicable legal sanctions under local, state, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol.

The Department's reviewers also found that Occidental's reliance on its student and staff handbooks did not satisfy the regulatory requirement that it distribute the annual disclosures in writing to each employee and to each student who is taking a class for credit. The Department's

review team found that the College merely sent an e-mail message to students and employees that asked them to read the Handbook and to acknowledge that they have done so. The message also asked students and employees to comply with the policies and procedures in the handbooks. The College did not demonstrate that this process was at all effective in distributing the policies to students and employees. Moreover, Occidental did not conduct the required biennial reviews of the College's DAAPP to evaluate its effectiveness and produce a report of findings. While the review team noted that Occidental did produce biennial review reports in 2009 and 2013, neither report demonstrated any attempt to actually measure the effectiveness of the College's DAAPP nor the consistency of sanctions imposed for violations. For this reason, the review team found that the rudimentary reports that were produced did not meet minimum requirements in the DFSCA and the Department's regulations.

In its response to the PRR, Occidental did not specifically proffer any evidence that it had met the requirements of the DFSCA before the review. While it stated that it disagreed with the finding in part, it merely stated that from 2010 to 2012, the College used a distribution policy of providing a link, in its electronic Enrollment Clearance process, for students to read. The Department's reviewers determined that the College's stated distribution was deficient. The Department notes that the College's response did not address how it distributed its DAAPP to employees, or provide any evidence that its DAAPP included all the required information. The College stated that it has taken corrective actions to ensure future compliance. However, the development of a complete DAAPP after the Department alerted the College of its obligation does not excuse its earlier failure to comply with the law. Occidental's failure to provide a DAAPP that met statutory requirements is a serious violation of the DFSCA and the Department's regulations, and deprived students and employees of important information about the institution's drug policies and procedures.

Congress enacted the DFSCA to ensure that students and employees have vital information about drug and alcohol prevention programs at their institution. Moreover, a DAAPP that has not been tested in a biennial review is unlikely to be reliable and effective. Occidental's students and employees were not given drug and alcohol program information that would have helped them to understand the standards and code of conduct expected of them with regard to drugs and alcohol use, and the sanctions to be imposed if the code of conduct was violated.

INITIATED FINES

In determining the amount of a fine, the Department considers both the gravity of the offense and the size of the institution. 34 C.F.R § 668.92. Pursuant to the Secretary's decision In the Matter of Bnai Arugath Habosem, Docket No. 92-131-ST (August 24, 1993), the size of an institution is based on whether it is above or below the median funding levels for the Title IV, HEA programs in which it participates. The latest year for which complete funding data is available for Occidental is the 2014-2015 award year. According to the Department's records, Occidental received approximately \$1,864,152 in Federal Pell Grant (Pell) funds, \$7,392,149 in Federal Direct Loan funds and \$1,807,873 in Campus-Based funds. The latest information available to

the Department indicates that the median funding level for institutions participating in the Federal Pell Grant program is \$1,540,305, for institutions participating in the Federal Direct Loan programs, the median funding level is \$2,108,926, and for institutions participating in the Campus-Based programs, the median funding level is \$271,961. Occidental is a large institution because its funding levels for Federal Pell Grants, Federal Direct Loans, and Campus-Based funds exceed the median funding levels for those Title IV, HEA programs.

As detailed in this letter, Occidental's violations of the Clery Act, the DFSCA and the Department's regulations are very serious and numerous. Occidental's students and employees should have been able to rely on the timely and accurate disclosure of the College's crime statistics, and security policies. In addition, Occidental failed to comply with the DFSCA. Congress enacted the DFSCA to ensure that students and employees had vital information about drug and alcohol prevention programs at their institution. Moreover, a DAAPP has to be tested in a biennial review to ensure that it is reliable and effective. Occidental's students and employees were not given drug and alcohol program information that would have helped them to understand the standards and code of conduct expected of them with regard to drug and alcohol use, and sanctions to be imposed if the code of conduct was violated.

I.

I have assessed a fine of \$20,000 for Occidental's failure to maintain an accurate and complete daily crime log for calendar years, 2012, 2013, and 2014. This is a serious violation because the failure to maintain daily crime logs often leads to inaccurate statistical data in the ASR. In this case, at least 79 incidents that occurred on Clery geography during those years were not recorded in the daily crime log available to the public. In addition, this failure deprived students and employees of an accurate and important source of information about crime on campus.

II.

I have assessed a fine of \$18,000 for Occidental's failure to include a total of ten (10) required policy statements in its 2012, 2013, and 2014 ASRs. This is a serious violation because students and employees, and prospective students and employees were denied information that would help them make informed decisions about safety and campus crime policies at Occidental. The Clery Act requires institutions to provide the various policy statements in one publication so that students and employees don't have to search for policies that may or may not exist elsewhere. Students and employees could not take advantage of policies and procedures that Occidental did not disclose to them. Occidental's failure to include numerous policy statements in its 2012, 2013, and 2014 ASRs rendered these reports woefully deficient, unreliable, and unhelpful to the campus community.

III.

I have assessed \$27,500 for Occidental's failure to collect crime statistics from all CSAs for the 2012 and 2013 ASRs. Occidental's failure to meet its legal obligations means that the crime statistics provided in the 2012 and 2013 ASRs and the statistics provided to the Department did not include all Clery-reportable crimes. This is a serious violation because the 2012 and 2013 ASRs could not have accurate crime statistics when Occidental failed to collect crime statistics from all required sources. Current and prospective students and employees, and the public must be able to rely on accurate and complete campus crime information.

IV.

I have assessed a fine of \$17,500 for Occidental's failure to prepare, publish and distribute a complete DAAPP to its students and employees, and its failure to conduct biennial reviews to evaluate the effectiveness of its DAAPP and to assess the consistency of sanctions imposed for violations of its disciplinary standards and codes of conduct related to drugs and alcohol. This is a serious violation because students and employees cannot make good use of a DAAPP that is incomplete, and inaccurate. Moreover, the failure to conduct complete and accurate biennial reviews meant that Occidental's DAAPP was likely outdated and inadequate for its students and employees.

The fine of \$83,000 will be imposed on **October 20, 2017**, unless I receive, by that date, a request for a hearing or written material indicating why the fine should not be imposed. Occidental may submit both a written request for a hearing and written material indicating why a fine should not be imposed.

If Occidental chooses to request a hearing or submit written material, you must write to me at:

Administrative Actions and Appeals Service Group
U.S. Department of Education
Federal Student Aid/Enforcement Unit
830 First Street, NE – UCP-3, Room 84F2
Washington, DC 20002-8019

If Occidental requests a hearing, the case will be referred to the Office of Hearings and Appeals, which is a separate entity within the Department. That office will arrange for assignment of Occidental's case to a hearing official who will conduct an independent hearing. Occidental is entitled to be represented by counsel during the proceedings. If Occidental does not request a hearing but submits written material instead, I will consider that material and notify Occidental of the amount of fine, if any, that will be imposed.

Dr. Jonathan Veitch
Occidental College
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ANY REQUEST FOR A HEARING OR WRITTEN MATERIAL THAT OCCIDENTAL SUBMITS MUST BE RECEIVED BY OCTOBER 20, 2017; OTHERWISE, THE \$83,000 FINE WILL BE EFFECTIVE ON THAT DATE.

If you have any questions or desire any additional explanation of Occidental's rights with respect to this action, please contact Lawrence Mwethuku of my staff at 202/377-3684.

Sincerely,

Signature Redacted

Susan D. Crim, Director
Administrative Actions and Appeals Service Group
Federal Student Aid/Enforcement Unit
U.S. Department of Education

Enclosure

cc: David Chase, Associate Vice President, WASCSR, via dchase@wscuc.org
CA Bureau for Private Postsecondary ED, via bppe.enforcement@dca.ca.