



January 8, 2020

Dr. James Limbaugh
President
West Los Angeles College
9000 Overland Avenue
Culver City, CA 90230-3500

UPS 2nd Day Air
#: 1Z A87 964 02 9347 4593

RE: **Final Program Review Determination**
OPE ID: 00859600
PRCN: 201940930050

Dear Dr. Limbaugh:

The U.S. Department of Education's (Department's) San Francisco/Seattle School Participation Division issued a Program Review Report (PRR) on September 19, 2019 covering West Los Angeles College's (WLAC's) administration of programs authorized pursuant to Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 *et seq.* (Title IV, HEA programs), for the 2017-18 and 2018-19 award years. The Department received WLAC's final response on December 20, 2019.

Copies of the PRR and WLAC's responses are attached. The Department has retained any supporting documentation submitted with the responses and will make it available to WLAC for inspection 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 may 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 PRR. The purpose of this letter is to close the program review.

As explained in the attached report, WLAC's total liability is \$3,267.47, with \$1,511.00 owed to a student, and \$1,742.00 owed to the Department. WLAC has already paid \$3,253.00 of this liability, leaving a remaining unpaid balance of \$14.47 in Cost of Funds. Because this total liability is minimal (less than \$1,000), a receivable will not be established with the Department's Accounts Receivable and Bank Management Group, and repayment of this liability is not required. Therefore, WLAC may consider the program review closed with no further action required.

Federal Student Aid

An OFFICE of the U.S. DEPARTMENT of EDUCATION

50 United Nations Plaza, Mailbox 1200, Suite 1273, San Francisco, CA 94102
StudentAid.gov

Protection of Personally Identifiable Information (PII):

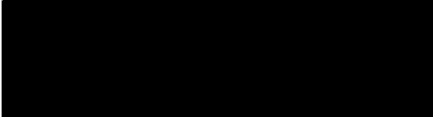
PII is any information about an individual that can be used to distinguish or trace an individual's identity (e.g., name, social security number, date and place of birth). The loss of PII can result in substantial harm, embarrassment, and inconvenience to individuals and may lead to identity theft or 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, Program Review Student Sample. The Department encrypted Appendix A and sent it 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: the 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 Leslie Chin, Institutional Review Specialist, at 415-486-5613.

Sincerely,



Martina Fernandez-Rosario
Division Director
San Francisco/Seattle School Participation Division

Enclosures: Final Program Review Determination

cc: Mr. Glenn A. Schenk, Financial Aid Director
Accrediting Commission of Community and Junior Colleges
CA Community College - Chancellor's Office
Department of Defense (via e-mail at osd.pentagon.ousd-p-r.mbx.vol-edu-compliance@mail.mil)
Department of Veterans Affairs (via e-mail at INCOMING.VBAVACO@va.gov)
Consumer Financial Protection Bureau (via e-mail at CFPB_ENF_Students@cfpb.gov)

Prepared for
West Los Angeles College

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OPE ID: 00859600
PRCN: 201940930050

Prepared by
U.S. Department of Education
Federal Student Aid
San Francisco/Seattle School Participation Division

Final Program Review Determination
January 8, 2020

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West Los Angeles College
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A. Institutional Information

West Los Angeles College
9000 Overland Avenue
Culver City, CA 90230-3500

Type: Public

Highest Level of Offering: Bachelor's Degree

Accrediting Agency: Accrediting Commission for Community and Junior Colleges

Student Enrollment: 11,743 (2018-19 award year)

Percentage of Students Receiving Title IV: 42% (2017-18 award year)

Title IV Participation according to the National Student Loan Data System (NSLDS):

	2016-17 Award Year
Federal Pell Grant (Pell Grant) Program	\$ 10,210,449
Federal Supplemental Educational Opportunity Grant (FSEOG) Program	\$ 238,500
Federal Work Study (FWS) Program	\$ 261,025
William D. Ford Federal Direct Loan (Direct Loan) Program	\$ 2,498,126

Default Rate Direct Loans:	2015	13.1%
	2014	14.5%
	2013	19.3%

B. Scope of Review

The U.S. Department of Education (the Department) conducted a program review at West Los Angeles College (WLAC) from July 8, 2019 through July 12, 2019. The review was conducted by Patricia McAuley and Adeline Espinosa, Institutional Review Specialists, and Anna Archila, Campus Crime Specialist.

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

The Department identified a sample of 32 student files for review from the 2017-18 and 2018-19 award years. The Department selected the files 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.

The Department issued its Program Review Report (PRR) on September 19, 2019 included in Appendix B. WLAC submitted its responses to the PRR on November 15, 2019 (November 15, 2019 Response), December 2, 2019 (December 2, 2019 Response), and December 20, 2019 (December 20, 2019 Response), included in Appendices C1, C2 and C3.

Disclaimer:

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

C. Final Determinations

Resolved Findings

WLAC has taken the corrective actions necessary to resolve the following findings of the PRR.

- Finding 2. Inadequate Return to Title IV (R2T4) Funds Policies and Procedures
- Finding 3. Inaccurate and Untimely Student Enrollment Reporting to National Student Loan Data System (NSLDS)
- Finding 4. Inadequate Reporting to the Common Origination and Disbursement (COD) System
- Finding 5. Inadequate Record Keeping

- Finding 6. Inadequate Notice of Disbursement and Right to Cancellation Options
Finding 7. Inadequate Consumer Information

Finding 2 - Inadequate Return to Title IV (R2T4) Funds Policies and Procedures: WLAC disagreed with the finding, stating that institutions required to take attendance follow a different set of rules than institutions that are not required to take attendance. The school stated that it receives withdrawal information for census reporting purposes, but does not consider the information to be an official or unofficial notification that the student has withdrawn. WLAC also confirmed that the Los Angeles Community College District (LACCD) evaluates withdrawal dates at the end of the term, in order to determine when the student fully withdrew from the District. The school requested for the Department to reconsider the finding and required action. The Department reviewed the school's response as well as the regulation, and determined that the finding would remain, and that WLAC needed to complete the steps listed as required action in the PRR. As a result, the school submitted its revised R2T4 fund calculation and return process, which ensured that the Central Financial Aid Unit (CFAU) would determine the student's withdrawal date within 14 days of the official or unofficial withdrawal date, and that Title IV funds calculations and returns would be completed within 45 days of receiving withdrawal information for a student during the payment period.

Finding 3 - Inaccurate and Untimely Student Enrollment Reporting to National Student Loan Data System (NSLDS): WLAC agreed with the finding, and resolved it by correcting the enrollment information reported to NSLDS for the students noted in the PRR (except student 6, who did not require further action). In addition, the school revised its NSLDS reporting policies and procedures to ensure that accurate information is reported to NSLDS in a timely manner in accordance with the regulations cited in the finding.

Finding 4 - Inadequate Reporting to the Common Origination and Disbursement (COD) System: WLAC agreed with the finding, and resolved it by revising its policies and procedures to ensure that Title IV disbursement dates reported to COD match the disbursement dates on the student account ledgers.

Finding 5 - Inadequate Record Keeping: WLAC agreed with the finding, and resolved it by regaining its access to its legacy computer system. In addition, the school revised the Los Angeles Community College District Financial Aid Record Retention Policy, ensuring there are adequate resources available to enable required records to be accessed and retained.

Finding 6 - Inadequate Notice of Disbursement and Right to Cancellation Options: WLAC agreed with the finding, and resolved it by revising its notice of cancellation to include the required 14-day information.

Finding 7 - Inadequate Consumer Information: WLAC agreed with the finding, and resolved it by 1) providing evidence that all the required consumer information has been updated and distributed to current and prospective students; 2) providing documentation that it made its Equity in Athletics Report more easily accessible on its website; 3) correcting and updating its policies

and procedures that were addressed in separate findings to ensure the accuracy and consistency between the policies and procedures; and 4) revising its consumer information-related policies and procedures which include the information that will be disclosed, how the information will be gathered, and how the institution will ensure that the information remains current.

Therefore, these findings are closed. Please refer to Appendices C1, C2 and C3, which contain the institution's written responses, for additional information.

Finding with Established Liabilities

For the finding below, the Department identifies liabilities and provides its analysis in making the liability determination.

Finding #1. Underpayment/Overpayment of Pell Grant Funds

Summary of Noncompliance: The amount of a student's Pell Grant for an academic year is based upon the payment and disbursement schedules published by the Secretary for each award year. 34 C.F.R. § 690.62(a). If a student's projected enrollment status changes during a payment period before the student begins attendance in all of his or her classes for that payment period, the institution shall recalculate the student's enrollment status to reflect only those classes for which the student actually began attendance. 34 C.F.R. § 690.80(b)(2)(ii).

Academic attendance and attendance at an academically related activity

(A) Include, but are not limited to—

- (1) Physically attending a class where there is an opportunity for direct interaction between the instructor and students;
- (2) Submitting an academic assignment;
- (3) Taking an exam, an interactive tutorial, or computer-assisted instruction;
- (4) Attending a study group that is assigned by the institution;
- (5) Participating in an online discussion about academic matters; and
- (6) Initiating contact with a faculty member to ask a question about the academic subject studied in the course; and

(B) Do not include activities where a student may be present, but not academically engaged, such as—

- (1) Living in institutional housing;
- (2) Participating in the institution's meal plan;
- (3) Logging into an online class without active participation; or
- (4) Participating in academic counseling or advisement.

A determination of "academic attendance" or "attendance at an academically-related activity" must be made by the institution; a student's certification of attendance that is not supported by institutional documentation is not acceptable. 34 C.F.R. § 668.22(k)(7)(i) and (ii).

Pell Grant Underpayment

WLAC underpaid Pell Grant funds to the following student:

Student #23: This student was enrolled at full-time status for the Spring, 2019 term. As such, the student was eligible to receive a Pell Grant in the amount of \$3,022 for the term. WLAC's policy is to disburse financial aid funds for each term in two equal payments at the beginning and middle of the term. Accordingly, the student received the first half of the Pell Grant for the term on 4/10/2019. However, the second half of the Spring disbursement, in the amount of \$1,511, was never disbursed. WLAC financial aid officials told reviewers that this was due to a system error and that normally it should have flagged a staff person to review and resolve the issue. However, as that resolution did not occur, the student was underpaid \$1,511 in Pell Grant funds for which she was eligible for the Spring, 2019 term.

Pell Grant Overpayments

WLAC overpaid Pell Grants to the following students:

Student #17: In February, 2019, an instructor informed WLAC's Registrar's Office that this student had not begun attendance in the English 102 course for which the student was registered for the prior Fall, 2018 term. On February 26, 2019, WLAC's Registrar's Office retroactively dropped this course from the student's Fall, 2018 enrollment record, backdating the drop to prior to the Fall, 2018 start date. The credits no longer appeared as attempted on the student's academic transcript. This adjustment made the student's actual Fall, 2018 enrollment at $\frac{3}{4}$ time, rather than full-time. The student had been paid a Pell Grant based on full-time enrollment for that term. However, the Financial Aid Office was never notified that this course was retroactively dropped from the student's record, so the Pell Grant was never adjusted to reflect $\frac{3}{4}$ time enrollment. The student had received \$3,048 for full-time enrollment for the Fall, 2018 term. Based on $\frac{3}{4}$ time enrollment, the student was only eligible to receive \$2,286. Therefore, WLAC overpaid Pell Grant for this student by \$762 for the Fall, 2018 term.

Student #30: This student had originally been enrolled half-time for the Spring, 2019 term. The student was disbursed \$1,524 in a Pell Grant for this term. One of the student's courses, Computer Science 901, was a late start on-line course which began on April 8, 2019. The instructor dropped this student from the course on April 15, 2019 because the student had never participated in the course. Upon further inquiry from the Department, WLAC sent reviewers documentation that showed that the student only logged into the online course to view it, but never participated in any academically related activity. The student never participated in discussions or submitted any assignments. Further, the student never responded to email communication attempts by the instructor to determine the student's intentions regarding the course.

Because of this lack of participation, the instructor dropped the student from the course on April 15, 2019. In addition, based on the documentation submitted by WLAC, it is clear that the student never actually began attendance in the course because the student did not participate in any academically related activity, as detailed in the regulations cited above. Therefore, the financial aid office should have been notified that the student never began attendance and the student's Pell should have then been reduced to a less than half-time enrollment level. Because the financial aid office was unaware of this situation, the student's Pell Grant was not revised to reflect the reduced eligibility. At the less-than-half-time enrollment level, the student was only eligible to receive \$544. Accordingly, WLAC overpaid Pell to this student in the amount of \$980 for the Spring, 2019 term.

Directives from PRR:

1. For Student #23, WLAC was required to pay the student the \$1,511 in Pell Grant funds for which she was eligible for the Spring, 2019 term. In its response to the PRR, WLAC had to provide a copy of the student's account ledger showing the payment, as well as a screen print of the student's Common Origination and Disbursement (COD) record showing the disbursement. In addition, WLAC had to review and revise its procedures regarding Pell disbursements to identify the cause of this disbursement issue and to ensure it will not recur in the future. WLAC was required to provide a copy of these policies and procedures in its response to the PRR.
2. For Student #17, WLAC had to repay to the Department the Pell overpayment of \$762 for the Fall, 2018 term. In its response to the PRR, WLAC was required to provide a copy of the student's account ledger showing the transaction, as well as a screen print of the student's COD record showing the downward adjustment.
3. For Student #30, WLAC had to repay to the Department the Pell overpayment of \$980 for the Spring, 2019 term. In its response to the PRR, WLAC had to provide a copy of the student's account ledger showing the transaction, as well as a screen print of the student's COD record showing the downward adjustment.
4. WLAC was required to review and revise its policies and procedures regarding communication of enrollment changes between the Registration and Financial Aid offices, specifically for students who are determined to not have begun attendance in one or more courses to ensure that Title IV funds are adjusted according to the student's accurate enrollment level. These procedures had to encompass all courses throughout the term, including late start courses, as well as any retroactive adjustments that may occur on a student's enrollment record that determine a student did not begin attendance in one or more courses. WLAC had to provide a copy of these policies and procedures in its response to the PRR.

Analysis of Liability Determination: In its November 15, 2019 Response, WLAC agreed with the finding and resolved it by paying Student 23 \$1,511 in Pell Grant funds, and repaying \$762 and \$980 in Pell Grant funds to the Department, for Students 17 and 30. The school provided copies of the students' account ledgers and COD records, reflecting the transactions made to each account. In addition, the school revised its policies and procedures regarding communication of enrollment changes between the Registration and Financial Aid offices, specifically for students who are determined to have not begun attendance in one or more courses to ensure that Title IV funds are adjusted according to the student's accurate enrollment level.

Based on WLAC's November 15, 2019 Response, the Department determined that WLAC improperly disbursed \$1,742 in Pell Grant funds and failed to disburse \$1,511 to one student for the 2018-19 award year.

As a result, the total liabilities for this finding are as follows:

Student #	Award Year	Pell Grant (Principal)	Pell Grant COF	Total
17	2018-19	\$762	48.21	\$770.21
23	2018-19	\$1,511	-	\$1,511.00
30	2018-19	\$980	\$6.26	\$986.26
Total		\$3,253.00	\$14.47	\$3,267.47

The total liability for this finding is **\$3,267.47**. Per Student 23's account ledger, the school already paid the principal amount of Pell Grant funds to the student. In addition, per COD records, the school already returned the full principal amount of Pell Grant funds for Students 17 and 30. Therefore, the remaining unpaid liability for this finding is **\$14.47** in Cost of Funds (COF), the cost to the government of ineligible disbursements.

The COF Calculation in Appendix D contains details about the liabilities and the COF amount associated with Students 17 and 30.

D. Summary of Liabilities

The total amount calculated as liabilities from the findings in the program review is as follows:

Finding #	Student #	Award Year	Pell Grant (Principal)	Pell Grant COF	Total
1	17	2018-19	\$762	\$8.21	\$770.21
1	23	2018-19	\$1,511	-	\$1,511.00
1	30	2018-19	\$980	\$6.26	\$986.26
Total			\$3,253.00	\$14.47	\$3,267.47

Please see the COF calculation in Appendix D for further detail.

WLAC has already repaid \$1,511 to Student 23 and made COD adjustments for the \$1,742.00 principal amount of the Pell Grant liability owed to the Department. Therefore, the remaining liability is \$14.47.

Because the remaining total liability amount owed to the Department is minimal (less than \$1,000), the Department's Accounts Receivable and Bank Management Group will not establish a receivable for this liability. Repayment of this liability is not required.

E. Appendices

Appendix A: Program Review Student Sample

Appendix B: Program Review Report

Appendix C1: WLAC's November 15, 2019 Response to the Program Review Report

Appendix C2: WLAC's December 2, 2019 Response to the Program Review Report

Appendix C3: WLAC's December 20, 2019 Response to the Program Review Report

Appendix D: Finding #1 – Cost of Funds Calculation

APPENDIX A
Program Review Student Sample

Appendix A (Program Review Student Sample) contains personally identifiable information. The Department will e-mail Appendix A to WLAC as an encrypted WinZip file using Advanced Encryption Standard, 256-bit. The Department will send the password needed to open the encrypted WinZip file in a separate e-mail.

West Los Angeles College
OPE ID: 00859600
PRCN: 201940930050

APPENDIX B
Program Review Report



September 19, 2019

Dr. James Limbaugh
President
West Los Angeles College
9000 Overland Avenue
Culver City, CA 90230-3500

UPS 2nd Day Air
#: 1Z A87 964 02 9958 1831

RE: **Program Review Report**
OPE ID: 00859600
PRCN: 201940930050

Dear Dr. Limbaugh:

From July 8, 2019 through July 12, 2019, Patricia McAuley, Adeline Espinosa, and Anna Archila conducted a review of West Los Angeles College's (WLAC's) administration of the programs authorized pursuant to Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 *et seq.* (Title IV, HEA programs). The enclosed report presents the findings of that review.

The report references findings of noncompliance to the applicable statutes and regulations and specifies the action required to comply with the statute and regulations. Please review the report and respond to each finding, indicating the corrective actions WLAC has taken. The response should include a brief, written narrative for each finding that clearly states WLAC's position regarding the finding and the corrective action taken to resolve the finding. Separate from the written narrative, WLAC must provide supporting documentation as required in each finding. Please note that pursuant to § 498A(b) of the HEA, the Department is required to:

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

The Department considers the institution's response to be the written narrative (to include e-mail communication). The FPRD will not include any supporting documentation submitted with the institution's written response; however, the Department will retain the documentation and make it available to WLAC for inspection upon request. Copies of the program review report, the institution's response, and any supporting documentation may be subject to release under the

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

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Freedom of Information Act (FOIA) and may be provided to other oversight entities after the FPRD is issued.

The institution's response should be sent directly to Leslie Chin of this office within 30 calendar days of receipt of this letter.

Protection of Personally Identifiable Information (PII):

PII is any information about an individual that can be used to distinguish or trace an individual's identity (e.g., 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 appear in Appendix A, Program Review Student Sample. The Department encrypted the appendix and sent it separately to the institution via e-mail. Please see the enclosure, *Protection of Personally Identifiable Information*, for instructions regarding submission to the Department of required data/documents containing PII.

Record Retention:

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

We would like to express our appreciation for the courtesy and cooperation extended during the review. Please refer to the Program Review Control Number (PRCN) at the top of this letter in all correspondence relating to this report. If WLAC has any questions concerning this report, please contact Leslie Chin at 415-486-5613 or at leslie.chin@ed.gov.

Sincerely,



Dyon F. Toney
Compliance Manager
San Francisco/Seattle School Participation Division

Enclosures: Protection of Personally Identifiable Information
Program Review Report

cc: Mr. Glenn Schenk, Financial Aid Director

PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION

Personally Identifiable Information (PII) being submitted to the Department must be protected. PII is any information about an individual that can be used to distinguish or trace an individual's identity (e.g., name, social security number, date and place of birth).

PII being submitted electronically must be encrypted. The data must be submitted in a .zip file encrypted with Advanced Encryption Standard (AES) encryption (256-bit is preferred). The Department uses WinZip, however, files created with other encryption software are also acceptable, provided that they are compatible with WinZip (Version 9.0) and are encrypted with AES encryption. Zipped files using Win Zip must be saved as Legacy compression (Zip 2.0 compatible).

The Department must receive an access password to view the encrypted information. The password must be e-mailed separately from the encrypted data. The password must be 12 characters in length and use three of the following: upper case letter, lower case letter, number, special character. A manifest must be included with the e-mail that lists the types of files being sent (a copy of the manifest must be retained by the sender).

Hard copy and electronic files containing PII must be:

- sent via a shipping method that can be tracked with signature required upon delivery
- double packaged in packaging that is approved by the shipping agent (FedEx, DHL, UPS, USPS)
- labeled with both the "To" and "From" addresses on both the inner and outer packages
- identified by a manifest included in the inner package that lists the types of files in the shipment (a copy of the manifest must be retained by the sender).

PII data cannot be sent via fax.

Prepared for
West Los Angeles College

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U.S. Department of Education
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Program Review Report
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Appendix A (Program Review Student Sample)	

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9000 Overland Avenue
Culver City, CA 90230-3500

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for Community and Junior Colleges

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

C. Findings

During the review, the Department noted several areas of noncompliance. This Program Review Report (PRR) references findings of noncompliance to the applicable statutes and regulations and specifies the actions that WLAC must take to bring operations of the financial aid programs into compliance with these statutes and regulations.

Finding #1. Underpayment/Overpayment of Pell Grant Funds

Noncompliance: The amount of a student's Pell Grant for an academic year is based upon the payment and disbursement schedules published by the Secretary for each award year. 34 C.F.R. § 690.62(a). If a student's projected enrollment status changes during a payment period before the student begins attendance in all of his or her classes for that payment period, the institution shall recalculate the student's enrollment status to reflect only those classes for which the student actually began attendance. 34 C.F.R. § 690.80(b)(2)(ii).

Academic attendance and attendance at an academically related activity

(A) Include, but are not limited to—

- (1) Physically attending a class where there is an opportunity for direct interaction between the instructor and students;**
- (2) Submitting an academic assignment;**
- (3) Taking an exam, an interactive tutorial, or computer-assisted instruction;**
- (4) Attending a study group that is assigned by the institution;**
- (5) Participating in an online discussion about academic matters; and**
- (6) Initiating contact with a faculty member to ask a question about the academic subject studied in the course; and**

(B) Do not include activities where a student may be present, but not academically engaged, such as—

- (1) Living in institutional housing;**
- (2) Participating in the institution's meal plan;**
- (3) Logging into an online class without active participation; or**
- (4) Participating in academic counseling or advisement.**

A determination of “academic attendance” or “attendance at an academically-related activity” must be made by the institution; a student's certification of attendance that is not supported by institutional documentation is not acceptable.

34 C.F.R. § 668.22(k)(7)(i) and (ii).

Pell Grant Underpayment

WLAC underpaid Pell Grant funds to the following student:

Student #23: This student was enrolled at full-time status for the Spring, 2019 term. As such, the student was eligible to receive a Pell Grant in the amount of \$3,022 for the term. WLAC's policy is to disburse financial aid funds for each term in two equal payments at the beginning and middle of the term. Accordingly, the student received the first half of the Pell Grant for the term on 4/10/2019. However, the second half of the Spring disbursement, in the amount of \$1,511, was never disbursed. WLAC financial aid officials told reviewers that this was due to a system error and that normally it should have flagged a staff person to review and resolve the issue. However, as that resolution did not occur, the student was underpaid \$1,511 in Pell Grant funds for which she was eligible for the Spring, 2019 term.

Pell Grant Overpayments

WLAC overpaid Pell Grant to the following students:

Student #17: In February, 2019, an instructor informed WLAC's Registrar's Office that this student had not begun attendance in the English 102 course for which the student was

registered for the prior Fall, 2018 term. On February 26, 2019, WLAC's Registrar's Office retroactively dropped this course from the student's Fall, 2018 enrollment record, backdating the drop to prior to the Fall, 2018 start date. The credits no longer appeared as attempted on the student's academic transcript. This adjustment made the student's actual Fall, 2018 enrollment at $\frac{3}{4}$ time, rather than full-time. The student had been paid Pell Grant based on full-time enrollment for that term. However, the Financial Aid Office was never notified that this course was retroactively dropped from the student's record, so the Pell Grant was never adjusted to reflect $\frac{3}{4}$ time enrollment. The student had received \$3,048 for full-time enrollment for the Fall, 2018 term. Based on $\frac{3}{4}$ time enrollment, the student was only eligible to receive \$2,286. Therefore, WLAC overpaid Pell Grant for this student by \$762 for the Fall, 2018 term.

Student #30: This student had originally been enrolled half-time for the Spring, 2019 term. The student was disbursed \$1,524 in a Pell Grant for this term. One of the student's courses, Computer Science 901, was a late start on-line course which began on April 8, 2019. The instructor dropped this student from the course on April 15, 2019 because the student had never participated in the course. Upon further inquiry from the Department, WLAC sent reviewers documentation that showed that the student only logged into the online course to view it, but never participated in any academically related activity. The student never participated in discussions, or submitted any assignments. Further, the student never responded to email communication attempts by the instructor to determine the student's intentions regarding the course.

Because of this lack of participation, the instructor dropped the student from the course on April 15, 2019. In addition, based on the documentation submitted by WLAC, it is clear that the student never actually began attendance in the course because the student did not participate in any academically related activity, as detailed in the regulations cited above. Therefore, the financial aid office should have been notified that the student never began attendance and the student's Pell should have then been reduced to a less than half-time enrollment level. Because the financial aid office was unaware of this situation, the student's Pell Grant was not revised to reflect the reduced eligibility. At the less than half-time enrollment level, the student was only eligible to receive \$544. Accordingly, WLAC overpaid Pell to this student in the amount of \$980 for the Spring, 2019 term.

Required Action:

1. For Student #23, WLAC must pay the student the \$1,511 in Pell Grant funds for which she was eligible for the Spring, 2019 term. In its response to the PRR, WLAC must provide a copy of the student's account ledger showing the payment, as well as a screen print of the student's Common Origination and Disbursement (COD) record showing the disbursement. In addition, WLAC must review and revise its procedures regarding Pell disbursements to identify the cause of this disbursement issue and to ensure it will not recur in the future. WLAC must provide a copy of these policies and procedures in its response to the PRR.

2. For Student #17, WLAC must repay to the Department the Pell overpayment of \$762 for the Fall, 2018 term. In its response to the PRR, WLAC must provide a copy of the student's account ledger showing the transaction, as well as a screen print of the student's COD record showing the downward adjustment.
3. For Student #30, WLAC must repay to the Department the Pell overpayment of \$980 for the Spring, 2019 term. In its response to the PRR, WLAC must provide a copy of the student's account ledger showing the transaction, as well as a screen print of the student's COD record showing the downward adjustment.
4. WLAC must review and revise its policies and procedures regarding communication of enrollment changes between the Registration and Financial Aid offices, specifically for students who are determined to not have begun attendance in one or more courses to ensure that Title IV funds are adjusted according to the student's accurate enrollment level. These procedures must encompass all courses throughout the term, including late start courses, as well as any retroactive adjustments that may occur on a student's enrollment record that determine a student did not begin attendance in one or more courses. WLAC must provide a copy of these policies and procedures in its response to the PRR.

Finding #2. Inadequate Return to Title IV (R2T4) Funds Policies and Procedures

Noncompliance: An institution must return the amount of Title IV funds for which it is responsible as soon as possible but no later than 45 days after the date of the institution's determination that the student withdrew. The date of the institution's determination that the student withdrew for an institution that is not required to take attendance is, for a student who provides notification to the institution of his or her withdrawal, the student's withdrawal date, or the date of notification of withdrawal, whichever is later. For a student who did not provide notification of his or her withdrawal to the institution, the date that the institution becomes aware that the student ceased attendance is the date of the institution's determination that the student withdrew. *See* 34 C.F.R. § 668.22(j)-(k).

WLAC's 2018-19 Catalog states on Page 42 that "Official withdrawal requires that a student drop one or more classes through the online Student Information System (SIS)." In addition, in the interview reviewers conducted with Michael Golterman, WLAC's Dean of Student Services who oversees the Admissions and Registrar's Offices, Mr. Golterman described the two points during the semester when instructors are required to submit attendance rosters to the Registrar's Office. Mr. Golterman explained that the "Main Exclusion Roster" is submitted when 20 percent of the term has passed, which he stated is "roughly" after the first two weeks of the term. On this roster, instructors indicate whether a student has begun attendance in a course or has stopped attending by that point in the term. Mr. Golterman further explained that the "Supplemental Exclusion Roster" is submitted at the 60 percent point of the term. On this roster, instructors indicate whether a student has stopped attending at a point in the term since the submission of the Main Exclusion Roster. Mr. Golterman also explained that it is District policy for instructors to maintain attendance records of their own in order to accurately complete the exclusion rosters.

In interviews with reviewers, and in a statement provided by the WLAC and the Los Angeles Community College District's (LACCD's) financial aid officials, staff explained that the R2T4 fund calculation process is completed at the district level. They stated that it is their practice to wait until the end of the payment period to determine if a student had withdrawn from the term and to then perform the R2T4 fund calculation and refund processes. However, as explained above, WLAC actually received withdrawal information throughout the term. This was accomplished either through the student officially withdrawing by dropping all of the courses, or through the attendance rosters instructors are required to submit at least two different times during the term documenting that the student has unofficially withdrawn by no longer attending courses. Therefore, in accordance with the regulatory guidelines detailed above, the LACCD must complete the R2T4 process within 45 days of the date that it received the official or unofficial withdrawal information, rather than waiting until the end of the payment period to complete this process.

Required Action: WLAC and the LACCD must:

- Revise its R2T4 fund calculation and return process to be completed within 45 days of the date that it receives official or unofficial withdrawal information for a student during the payment period.
- Submit a copy of these revised policies and procedures in its response to the PRR.

Finding #3. Inaccurate and Untimely Student Enrollment Reporting to National Student Loan Data System (NSLDS)

Noncompliance: By entering into a Program Participation Agreement (PPA), an institution agrees that, among other criteria, it will submit reports to the Secretary at such times and containing such information as the Secretary may reasonably require to carry out the purpose of the Title IV, HEA programs. 34 C.F.R. § 668.14(b)(7). To begin and to continue to participate in any Title IV, HEA program, an institution shall demonstrate to the Secretary that the institution is capable of adequately administering that program under the Department's administrative capability standards. The Secretary considers an institution to have administrative capability if the institution, among other criteria, participates in the electronic processes that the Secretary provides at no substantial charge to the institution. 34 C.F.R. § 668.16(o).

Unless it expects to submit its next updated enrollment report to the Secretary within the next 60 days, a school must notify the Secretary within 30 days after the date the school discovers that—

- (i) A loan under Title IV of the HEA was made to or on behalf of a student who was enrolled or accepted for enrollment at the school, and the student has ceased to be enrolled on at least a half-time basis or failed to enroll on at least a half-time basis for the period for which the loan was intended; or
- (ii) A student who is enrolled at the school and who received a loan under Title IV of the HEA has changed his or her permanent address. 34 C.F.R. § 685.309(b)(2).

WLAC failed to accurately and/or timely update student enrollment data in NSLDS for 6 of the 32 students in the review sample. The following are the six students for whom WLAC reported inaccurate or untimely enrollment status information to NSLDS:

- **Student #2:** WLAC's record reflects that this student began attending in the Summer 2017 term and is still currently attending. However, as of July 2, 2019, NSLDS reflects "no record found" for this student, with an effective date of October 1, 2018.
- **Student #6:** WLAC reported this student with an enrollment status of full-time, effective February 5, 2018. However, WLAC did not report that status to NSLDS until June 13, 2018. This exceeds the regulatory timeline (60 days) for enrollment reporting, as detailed above.
- **Student #10:** This student began attending WLAC in the Spring 2018 term. However, as of July 2, 2019, NSLDS reflects a status of no record found, with an effective date of March 1, 2018 and another of April 2, 2018.
- **Student #12:** This student's enrollment status was reported to NSLDS as full-time for the Spring 2018 term. However, the student's academic transcript reflects a status of ½ time enrollment.
- **Student #28:** This student's enrollment status was reported as withdrawn with an effective date of April 21, 2019. However, WLAC's R2T4 Calculation form reflects a last day of attendance (LDA) of April 15, 2019.
- **Student #32:** This student's enrollment status was reported as withdrawn with an effective date of March 11, 2019. However, WLAC's R2T4 Calculation form reflects a withdrawal date of February 25, 2019.

Required Action: WLAC must:

1. Correct the enrollment information reported to NSLDS for all students above except Student #6. WLAC must provide a written statement indicating that it has made all of the necessary corrections in response to this PRR.
2. Revise its NSLDS reporting policies and procedures to ensure that accurate information is reported to NSLDS in a timely manner in accordance with the regulations cited in this finding. WLAC must submit a copy of these revised policies and procedures with its response to the PRR.

Finding #4. Inadequate Reporting to the Common Origination and Disbursement (COD) System

Noncompliance: An institution must maintain records documenting each student's or parent borrower's eligibility for, and receipt of, Title IV, HEA program funds, including, but not limited to documentation of:

- The date and amount of each disbursement or delivery of grant or loan funds;

- The amount, date, and basis of the institution's calculation of any refunds or overpayments due to or on behalf of the student, or the treatment of Title IV, HEA program funds when a student withdraws; and
- The payment of any overpayment or the return of any Title IV, HEA program funds to the Title IV, HEA program fund, a lender, or the Secretary, as appropriate.
34 C.F.R. § 668.24(c)(1).

An institution makes a disbursement of Title IV, HEA program funds on the date that the institution credits a student's account ledger at the institution or pays a student or parent directly with:

- Funds received from the Department; or
- Institutional funds used in advance of receiving Title IV, HEA program funds.
34 C.F.R. § 668.164(a)(1).

A school participating in the Direct Loan program must ensure that any information it provides to the Department in connection with loan origination is complete and accurate. A school must provide to the Department borrower information that includes but is not limited to:

- The borrower's eligibility for a loan, as determined in accordance with
34 C.F.R. §§ 685.200 and 685.203;
- The student's loan amount; and the anticipated and actual disbursement date or dates and disbursement amounts of the loan proceeds. 34 C.F.R. § 685.301(a)(1) and (2).

An institution must submit a student's payment data (including disbursement dates) to the Department by the reporting deadlines published in the Federal Register. Institutions must submit Pell Grant and/or Direct Loan disbursement records to the COD system no later than 15 days after making a disbursement or becoming aware of the need to adjust a student's previously reported disbursement information. The disbursement date to be reported to COD is the date that the institution credits funds to a student's account or pays funds to a student or parent directly. See 34 C.F.R. § 690.83(b).

The disbursement dates that WLAC reported to COD did not match the disbursement dates posted on the student account ledgers for all of the thirty-two students in the sample. Listed below are examples reflecting these errors.

- **Student #3:** The first two disbursement dates for each half of the Spring, 2018 Pell Grant disbursements reported to COD were 2/6/18 and 4/16/18. However, the Pell was posted to the student's account ledger on 5/1/18.
- **Student #14:** The first two disbursement dates for the Fall, 2017 Pell Grant reported to COD were 8/30/17 and 10/30/17. However, the disbursement date posted on the student's account ledger for both of these disbursements was 1/17/18. In addition, the second two disbursement dates for each half of the Spring, 2018 Pell Grant disbursements

reported to COD were 4/16/18 and 5/24/18. However, the disbursement date posted on the student's account ledger for these funds was 5/30/18.

- **Student #19:** The first two disbursement dates for each half of the Spring, 2019 Pell Grant reported to COD were 2/5/19 and 4/15/19. However, the Pell disbursements were posted to the student's account ledger on 3/12/19 and 4/17/19.
- **Student #32:** The disbursement date for the Spring, 2019 Pell Grant reported to COD was 2/5/19. However, the disbursement date posted on the student's account ledger for these funds was 2/20/19.

Required Action: WLAC must provide its revised COD reporting policies and procedures to ensure that the Title IV disbursement dates reported to COD match the disbursement dates on student account ledgers.

Finding #5. Inadequate Record Keeping

Noncompliance: An institution shall establish and maintain, on a current basis, any application for Title IV, HEA program funds and program records that document its administration of the Title IV, HEA programs in accordance with all applicable requirements. An institution shall account for the receipt and expenditure of Title IV, HEA program funds in accordance with generally accepted accounting principles. This includes its disbursement and delivery of Title IV, HEA program funds. Institutions shall establish and maintain on a current basis financial records that reflect each Title IV, HEA program fund transaction. The records that an institution must maintain in order to comply with the provisions of this section include, but are not limited to, documentation relating to each student or parent borrower's eligibility for Title IV, HEA program funds; and the date and amount of each disbursement or delivery of grant or loan funds; reports and forms used by the institution in its participation in a Title IV, HEA program, and any records needed to verify data that appear in those reports and forms. *See* 34 C.F.R. § 668.24(a)-(c).

In addition, an institution shall keep records relating to its administration of Federal Pell Grants for three years after the end of the award year for which the aid was awarded and disbursed under those programs. An institution shall keep records relating to a student or parent borrower's eligibility and participation in the FFEL or Direct Loan Program for three years after the end of the award year in which the student last attended the institution. *See* 34 C.F.R. § 668.24(e)(1)-(2).

WLAC informed reviewers that the school lost access to their legacy computer system as of 7/1/19. They moved operations to their current computer system effective with the Fall, 2017 term and were not able to pull student records for the Program Review that contained data prior to the Summer, 2017 term.

Students #s 4,11,12,13,16,19,25, and 28 received Title IV funds at WLAC for terms prior to the Fall, 2017 term. However, their student account ledgers did not show the applicable charges and credits for any of these prior terms because WLAC could not access that data as it was included

only in its legacy computer system. WLAC was able to “roll-over” satisfactory academic progress (SAP) statuses for these students from calculations done on the legacy system into their new system upon conversion to their new system. However, the information WLAC was able to provide to reviewers for SAP calculations for the terms prior to the Fall, 2017 term showed only the determination of whether the student was meeting SAP. It did not include the students’ grade point averages, percentages of completion, or maximum timeframe calculation data to back up the SAP status determinations as that data was housed in the legacy system. Therefore, reviewers could not ascertain whether the students’ SAP statuses affecting Fall, 2017 financial aid eligibility were accurately calculated. However, reviewers did determine student SAP eligibility based on their review of the students’ academic transcripts.

Required Action: WLAC must:

- Regain access to its legacy system and ensure there are adequate resources available to enable required records to be accessed and retained for the regulatory timeframes detailed above.

Revise its policies and procedures for record retention, specifying how it will implement measures to ensure it retains access to Title IV records within the regulatory timeframes. WLAC must submit proof that it has regained access to its legacy system, and submit its revised policies and procedures in its response to the PRR.

Finding #6. Inadequate Notice of Disbursement and Right to Cancellation Options

Noncompliance: Before disbursing any Title IV funds, an institution must notify a student of the amount of funds that the student can expect to receive under each Title IV, HEA program and how and when those funds will be disbursed. If those funds include Direct Loan funds, the notice must indicate which funds are from Direct Subsidized Loans, which are from Direct Unsubsidized Loans, and which are from Direct PLUS Loans. 34 C.F.R. § 668.165(a)(1).

An institution must also inform a student or parent of his or her right to cancel all or a portion of a loan disbursement. The institution must return the loan proceeds, cancel the loan, or do both, provided that the institution receives a loan cancellation request —

- By the later of the first day of a payment period or 14 days after the date it notifies the student or parent of his or her right to cancel all or a portion of a loan, if the institution obtains affirmative confirmation from the student under 34 C.F.R. § 668.165(a)(6)(i); or
- Within 30 days of the date the institution notifies the student or parent of his or her right to cancel all or a portion of a loan, if the institution does not obtain affirmative confirmation from the student under paragraph (a)(6)(i) of 34 C.F.R. § 668.165.
See 34 C.F.R. § 668.165(a)(4).

WLAC’s right to cancel notice was insufficient in the following way:

- WLAC's notice incorrectly used the 30-day timeframe for students to notify the school about their desire to cancel all or part of their loans. However, because WLAC is an institution that obtains affirmative confirmation from students and parents for loan acceptance, WLAC's right to cancel notice must include the required information related to the 14-day timeframe in which students or parents must notify the school of their desire to cancel all or a portion of their loan.

Required Action: WLAC must:

- Revise its notice of cancellation to include the required 14-day information.
- Submit a copy of the revised notice of cancellation form in its response to the PRR.

Finding #7. Inadequate Consumer Information

Noncompliance: In accordance with the HEA, institutions must publish and make readily available certain consumer information to current students, prospective students, current employees, prospective employees, and other parties, as applicable. These disclosures broadly include information about the availability of institutional and financial aid information, student financial assistance information, general institutional information, health and safety information, student outcomes information, and intercollegiate athletics program information. See Title I and Part F of Title IV of the HEA; 34 C.F.R. Part 668, Subpart D.

The information required to be disseminated includes, but is not limited to, the following:

- An annual notice to enrolled students of the availability of information required to be disclosed that lists and briefly describes the disclosures and how to obtain the information. For information listed in the notice that is disclosed on a school's website, the notice must include the exact electronic address for the information and a statement that the institution will provide a paper copy upon request. 34 C.F.R. § 668.41(a) and (c).
- Student body diversity information, including the percentage of enrolled, full-time students in the following categories: male, female, self-identified members of a major racial or ethnic group, and Pell Grant recipients. § 485(a)(1)(Q) of the HEA.
- Completion, graduation, and, if applicable, transfer-out rate of first-time, full-time undergraduate students. The rates must be disaggregated by:
 - Gender;
 - Major racial and ethnic sub-group;
 - Recipients of a Pell Grant;
 - Recipients of a Direct Subsidized Loan who did not receive a Pell Grant; and
 - Students who did not receive either a Pell Grant or a Direct Subsidized Loan. §§ 485(a)(1)(L), 485(a)(3), and 485(a)(7) of the HEA and 34 C.F.R. §§ 668.41 and 668.45.
- At institutions with intercollegiate athletic programs, a report on the athletic program participation rates and financial support data, i.e., the Equity in Athletics Report. This

report must be made available to enrolled students, prospective students, and the public no later than October 15th of each year. The institution must make the report easily accessible to students, prospective students, and the public and must provide the report promptly to anyone who requests it. Annually, the institution must provide a notice to all enrolled and prospective students of their right to request this report. If the institution chooses to make the report available by posting the disclosure on an Internet website or an Intranet website, it must provide in the notice the exact electronic address at which the report is posted, a brief description of the report, and a statement that the institution will provide a paper copy of the report on request. *See* 34 C.F.R. §§ 668.41(g); 668.47(c).

- Information to students or parents of students who enter into an agreement regarding a Title IV, HEA loan that the loan will be submitted to the NSLDS and accessible by authorized agencies, lenders, and institutions. § 485B(d)(4) of the HEA.
- A summary of the requirements for the Return of Title IV grant or loan assistance. 34 C.F.R. §§ 668.43(a)(4) and 668.22.
- The school's policies and sanctions related to copyright infringement, including—
 - A statement that explicitly informs students that unauthorized distribution of copyrighted material may subject the students to civil and criminal liabilities;
 - A summary of the penalties for violation of federal copyright laws; and
 - A description of the institution's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions that are taken against students who engage in illegal downloading or unauthorized distribution of copyrighted materials using the institution's information technology system.34 C.F.R. § 668.43(a)(10).

The reviewers requested that WLAC provide its consumer information prior to and during the onsite program review. The following required consumer information was either not provided, was incorrect, or was inadequate, as detailed below:

- WLAC did not provide an annual notice of the availability of information to students.
- WLAC did not provide a breakdown of the percentage of full-time, enrolled students who are male, are female, and are self-identified members of a major racial or ethnic group and are Pell Grant recipients.
- WLAC did not provide completion, graduation and transfer-out rates disaggregated by recipients of Pell Grant, recipients of Direct Subsidized Loan who did not receive a Pell Grant, and recipients of neither a Pell Grant nor a Direct Subsidized Loan.
- WLAC's Equity in Athletics Report is not provided to current students, prospective students, and the public in an easily accessible manner. WLAC provided a link that leads to the Department's website where schools must report this information. However, WLAC does not publish the report itself on its website, making it less accessible to intended recipients.

- WLAC did not disclose to students the submission of loans to NSLDS and the accessibility of NSLDS to authorized agencies, lenders, and institutions.
- WLAC did not provide a summary of the requirements for the Return of Title IV grant or loan assistance.
- WLAC did not provide information related to the school's policies and sanctions for copyright infringement in either its school catalog, or on its website.

Required Action: To resolve this finding, WLAC must:

1. Provide evidence that all the required consumer information has been updated and distributed to current and prospective students, as applicable, with its response to the PRR. In its response, WLAC must address each item outlined above, and explain how the school has resolved it.
2. Provide documentation that it has made its Equity in Athletics Report more easily accessible on its website.
3. Correct and update all policies and procedures that were addressed in separate findings to ensure the accuracy and consistency between the updated policies and procedures provided in response to the PRR and the published consumer information.
4. Revise its consumer information-related policies and procedures and provide them with its response to the PRR. These policies and procedures must address the information that will be disclosed, how the information will be gathered, and how the institution will ensure that the information remains current.

The Department provides several resources to assist institutions in meeting the consumer information requirements, including Volume 2, Chapter 6 of the Federal Student Aid Handbook, FSA Assessments (Consumer Information), and the Consumer Information Disclosures at a Glance Guide. These materials are available on the Information for Financial Aid Professionals website at www.ifap.ed.gov. WLAC officials are encouraged to review these resources as it prepares its response to the PRR.

D. Appendix

Appendix A (Program Review Student Sample) contains personally identifiable information. The Department will e-mail Appendix A to WLAC as an encrypted WinZip file using Advanced Encryption Standard, 256-bit and will send the password needed to open the encrypted WinZip file in a separate e-mail.