SEP 2 6 2019

Dr. Daniel J. Phelan
President
Jackson College
2111 Emmons Road
Jackson, MI 49201-8399

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Dear Dr. Phelan:

This letter is to inform you that the U.S. Department of Education (Department) intends to fine Jackson College (Jackson or "the College") a total of $116,317 based on the violations of statutory and regulatory requirements outlined below. This fine action is taken in accordance with the procedures that the Department has established for assessing fines against institutions participating in any or all 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 maximum fine of $57,317 for violations that occurred from November 3, 2015 to present, for which civil penalties were assessed after February 1, 2019. 34 C.F.R. § 668.84.[1] As detailed below, this fine action is based on Jackson'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 (2016), the fire safety requirements in Section 485(i) of the HEA, 20 U.S.C. §1092(i) and 34 C.F.R. § 668.49, 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 a description of the institution's campus security policies in specific areas. 34 C.F.R. § 668.46(b). A complete ASR must include all the policy statements listed in 34 C.F.R. § 668.46(b). In addition, the ASR must report statistics for the three most recent calendar years concerning the occurrence of certain crimes on campus, in

[1] The maximum fine cited in 34 C.F.R. § 668.84(a) has increased according to the Federal Civil Penalties Inflation Adjustment Act. See 77 Fed. Reg. 60047 (October 2, 2012); 81 Fed. Reg. 50321 (August 1, 2016); 82 Fed. Reg. 18559 (April 20, 2017); 83 Fed. Reg. 2062 (January 16, 2018); and 84 Fed. Reg. 971 (February 1, 2019).

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 nonnegligent manslaughter, and negligent manslaughter); sex offenses (rape, fondling, incest and statutory rape); robbery; aggravated assault; burglary; motor vehicle theft; arson; arrests and referrals for disciplinary action for liquor law violations, drug law violations and illegal weapons possession; hate crimes; and dating violence, domestic violence, and stalking. 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).

An institution that maintains any on-campus student housing facility, must prepare an Annual Fire Safety Report (AFSR). 34 C.F.R. § 668.49(b). An institution that maintains on-campus student housing facilities must maintain a written, easily understood fire log that records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. 34 C.F.R. § 668.49(d).

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 program must be designed to prevent the unlawful possession, use, and distribution of drugs and alcohol on campus and at recognized events and activities.

The Department conducted a program review at Jackson from July 10, 2017 to July 14, 2017. The review included a general assessment of Jackson's compliance with the statutes and regulations governing the institution's administration of the Title IV programs. The reviewers also examined Jackson's compliance with the Clery Act, specifically the accuracy and completeness of campus crime statistics and policy disclosures published in its 2016 ASR, its compliance with the fire safety requirements, and its compliance with the DFSCA and its implementing regulations.

On September 29, 2017, the Department issued a Program Review Report (PRR) to Jackson. The review found that Jackson had not complied with the HEA, the Clery Act, and the DFSCA and the Department's implementing regulations. Jackson responded to the report on November 30, 2017. After reviewing Jackson's responses, the Department issued its Final Program Review Determination (FPRD) letter to Jackson on July 17, 2018. The FPRD is incorporated by reference into this fine action. (Enclosure 1).[2]

[2] The PRR and FPRD also included findings relating to Jackson's violations of the laws and regulations relating to the institution's administration of the Title IV financial aid programs. As discussed in the FPRD, those violations have been addressed separately and will not be discussed further in this letter.

The Department is taking this fine action based on the findings in the FPRD, which concluded that Jackson did not include all the required policy statements in its 2016 ASR; failed to publish and distribute a complete AFSR for the calendar year 2016; and failed to comply with the drug and alcohol abuse prevention regulations.

I. JACKSON'S 2016 ASR DID NOT INCLUDE REQUIRED POLICY STATEMENTS

Institutions participating in the Title IV, HEA programs must have an ASR that includes a number of specific crime and security policies. The ASR must include this information so that students and employees have necessary information about the institution's security policies and procedures, and about their rights regarding those policies and procedures. 34 C.F.R. § 668.46(b).

Jackson's ASR distributed in calendar year 2016 did not contain the following required policy statements:

1. A statement that describes procedures, if any, that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. 34 C.F.R. § 668.46(b)(4)(iv);

2. A statement about the importance of preserving evidence in the situation of a crime involving dating violence, domestic violence, sexual assault, or stalking that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. 34 C.F.R. § 668.46(b)(11)(ii)(A);

3. A statement about how the institution will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim, as defined in Section 40002(a)(20) of the Violence Against Women Act of 1994. 34 C.F.R. § 668.46(b)(11)(iii)(A);

4. A statement that the institution will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The institution must make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. 34 C.F.R. § 668.46(b)(11)(v);

5. A statement that, when a student or employee reports to the school that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide

the student or employee a written explanation of the student's or employee's rights and options. 34 C.F.R. § 668.46(b)(11)(vii);

6. A statement that describes the standard of evidence that will be used during any institutional disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking. 34 C.F.R. § 668.46(k)(1)(ii);

7. A statement that lists all of the possible sanctions that the institution may impose following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking. 34 C.F.R. § 668.46(k)(1)(iii);

8. A statement that describes the range of protective measures that the school may offer to the victim following an allegation of dating violence, domestic violence, sexual assault, or stalking. 34 C.F.R. § 668.46(k)(1)(iv);

9. A statement that the school will provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. 34 C.F.R. § 668.46(k)(2)(iii);

10. A statement that requires the simultaneous notification, in writing, to both the accuser and the accused of:

    A. The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking. 34 C.F.R. § 668.46(k)(2)(v)(A));

    B. The institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available. 34 C.F.R. § 668.46(k)(2)(v)(B);

    C. Any changes to the result. 34 C.F.R. § 668.46(k)(2)(v)(C)); and

    D. When such results become final. 34 C.F.R. § 668.46(k)(2)(v)(D).

In its November 30, 2017 response to the PRR, Jackson acknowledged that it did not include all the required policy statements in its 2016 ASR and stated that it took the corrective action directed by the PRR. However, the issuance of a corrected ASR after the Department alerted Jackson of its failure to meet its obligations does not excuse its earlier failure to comply with the law. Jackson's students and employees and potential students and employees should have had access to the legally required and complete policy statements and procedures to help them make important personal safety decisions, and to understand their rights and obligations.

One of the goals of the Clery Act is to allow current 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. In the absence of thirteen important, required policy statements from the 2016 ASR, as listed above, Jackson's students and employees were denied important safety information about how to prevent crime and to understand their rights after an alleged sex offense has occurred. Jackson's 2016 ASR was, therefore, incomplete and unreliable. Students and employees cannot benefit from policies and procedures that have not been provided to them.

II. THE CRIME STATISTICS IN JACKSON'S 2016 ASR FOR CALENDAR YEAR 2013 DID NOT MATCH THE CRIME STATISTICS SUBMITTED TO THE DEPARTMENT IN 2016 FOR CALENDAR YEAR 2013

Under the Clery Act and the Department's regulations, institutions participating in the Title IV, HEA programs must make available to students and employees, both current and prospective, statistical information related to certain reported crimes and arrest/campus disciplinary referrals for alcohol, drug and illegal weapons possession violations. The statistics must be disclosed by location – on campus (including a separate statistic for dormitories and other residential facilities), in or on non-campus buildings or property, and on public property – and must be provided for the three most recent calendar years. 34 C.F.R §§ 668.46(a), 668.46(c)(1) – (c)(4). The statistics must be disclosed and made available as part of the institution's ASR by October 1 of each year and must be electronically submitted to the Department for its inclusion in the Campus Crime and Security Website. 34 C.F.R § 668.41(e)(1)-(e)(5).

Under the Clery Act and the Department's regulations, an institution participating in the Title IV, HEA programs must keep records relating to its administration of the Title IV, HEA programs for three years after the end of the award year for which aid was disbursed. 34 C.F.R. § 668.24(e).

The Department has determined that the liquor law violations disciplinary referrals for calendar year 2013 listed in Jackson's 2016 ASR did not match the referral statistics it submitted in 2016 to the Department for 2013. Table 1 below lists the discrepant data, demonstrating that the College either underreported liquor law violations disciplinary referrals in its 2016 ASR, or underreported liquor law violations disciplinary referral statistical data it submitted to the Department.

Table 1: Crime Statistics Discrepancies Reported to the Department's CSSDACT vs. the Crime Statistics Reported in the College's 2016 ASR

Crimes/Referrals	*2016 ASR Statistics*	*CSSDACT Statistics*	*Clery Geography*	*Year*
Liquor Law Violations	*13*	*4*	*On Campus*	*2013*
Liquor Law Violations	*13*	*4*	*Campus Residential Facilities*	*2013*

See Enclosure 1, p. 16.

In its November 30, 2017 response to the PRR, Jackson concurred that its 2016 ASR included crime statistics that did not match the statistical data the College submitted to the Department for calendar year 2013. The College stated that it had taken corrective action to ensure future compliance. However, the corrective action taken after the Department alerted Jackson of its obligations does not excuse its earlier failure to comply with the requirements of the Clery Act. The failure to report liquor law violations disciplinary referrals for 2013 in the 2016 ASR that matched the statistical data submitted to the Department in 2016 for calendar year 2013 means that one or both were inaccurate.

The Department considers the higher reported statistical data to be the accurate data. Therefore, in this case, the Department concludes that Jackson underreported nine liquor law disciplinary referrals in its 2013 statistical data to the Department. As a result of these discrepancies, the College provided current students and employees, as well as prospective students and employees, an inaccurate profile of the liquor law violations at the College during this timeframe.

The Clery Act and the Department's regulations require that institutions ensure the accuracy of the crime statistics that they present to students and employees, potential students and employees, and members of the public who use the data to make decisions affecting their personal safety. Students and employees must be able to rely on the institution's reported statistics. As noted, an institution's correction of violations after the fact does not diminish the seriousness of failing to report these incidents accurately at the time they occurred.

III. JACKSON'S AFSR FOR CALENDAR YEAR 2016 WAS INCOMPLETE

The HEA and the Department's regulations require that all institutions participating in the Title IV, HEA programs and that maintain an on-campus student housing facility must, by October 1 of each year, prepare, publish and distribute to its current students and employees through appropriate publications and mailings, an AFSR that contains, at a minimum, all of

the statistical and policy elements described in 34 C.F.R. § 668.49(b). The first AFSR had to be provided to students and employees by October 1, 2010. In the AFSR, institutions must disclose fire statistics for each on-campus student residential facility for the three most recent calendar years. An institution's statistics must accurately and completely identify the number of on-campus fires and the cause of each fire, the number of persons who sustained fire-related injuries that resulted in treatment at a medical facility (including on-campus health centers), the number of fire-related deaths, and the dollar value of property damage caused by such fires. 34 C.F.R. § 668.49(c).

The AFSR must include several fire safety information disclosures covering topics such as the type(s) of fire safety systems that are used in each student housing facility, the number of fire drills that were conducted during the previous calendar year, any institutional policies, procedures, and programs regarding: 1) the use and/or possession of portable electrical appliances; 2) smoking and the use/presence of open flames in student housing facilities; 3) evacuation procedures to be followed in the case of a fire; 4) fire safety education and training programs; 5) the institutional official(s) and departments to whom students and employees should report the occurrence of fires so that those incidents can be included in the institution's annual fire statistics; and 6) any plans for future improvements to the institution's fire safety program. 34 C.F.R. § 668.49(b).

The AFSR must be published and distributed through appropriate publications and mailings in the same manner as the ASR. The AFSR must be a comprehensive publication in the same manner as the ASR; however, if an institution chooses to combine the ASR and AFSR and publish them as a single document, then the title of both reports must conspicuously appear on the cover page. 34 C.F.R. § 668.41(e)(6). An institution is required to submit its campus crime and fire statistics to the Department on an annual basis. 34 C.F.R. § 668.41(e)(5).

Jackson's AFSR for the calendar year 2016 was incomplete and inaccurate. Specifically, the institution's AFSR for calendar year 2016 did not disclose fire statistics for each on-campus student residential facility for the three most recent calendar years. The institution's AFSR for calendar year 2016 only included fire statistics for each on-campus student residential facility for the most recent calendar year (2015). Therefore, Jackson did not disclose to current students/employees, and prospective students and employees, information about any fire incidents that may have occurred in calendar years 2013 and 2014. Additionally, the Department's reviewers determined that the fire statistics for calendar year 2015 listed in Jackson's 2016 AFSR did not match the fire statistics it submitted to the Department for that year.

The College's 2016 AFSR reported that there were no fire incidents at the College in calendar year 2015. However, in its submission to the Department, the College reported two fires occurring at a specific campus facility in calendar year 2015. Thus, the College either underreported fire statistics in its 2016 ASR or overreported statistical data it submitted to the Department for calendar year 2015. As a result, the College's 2016 AFSR was deficient, misleading and unhelpful to current and prospective students and employees.

In its November 30, 2017 response to the PRR, Jackson concurred that its 2016 AFSR was incomplete and inaccurate. The College also acknowledged that it did omit two reported on-campus fires that occurred in 2015 from its 2016 ASR. The College further stated that it took corrective action, as directed in the PRR.

Jackson's failure to distribute an accurate and complete AFSR to current students and employees deprived the campus community of timely access to important campus fire safety information. Jackson's current and prospective students and employees were not provided with accurate fire safety disclosures that would have helped them to make informed decisions about their personal safety. Moreover, the College's complete omission of fire statistics for the 2013 and 2014 calendar years, and the omission of two fire statistics for calendar year 2015 meant that the AFSR the College distributed for calendar year 2016 was completely inaccurate, misleading and unhelpful to current and prospective students and employees. Jackson's failure to publish a complete AFSR in 2016 is a serious violation of the HEA and the Department's regulations.

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

The Drug-Free Schools and Communities Act (DFSCA) and Part 86 of the Department's General Administrative Regulations require each institution that receives Title IV, HEA program funding to certify that it has developed and implemented a drug and alcohol abuse prevention program (DAAPP). The program must be designed to prevent the unlawful possession, use, and distribution of illicit drugs and alcohol abuse on campus and at recognized events and activities.

On an annual basis, each institution must provide the following information in writing to all current students (enrolled for any type of academic credit except continuing education units) and all current employees:

1. A written statement about its standards of conduct that clearly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
2. A written description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
3. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
4. A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
5. A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with federal, state, and local laws and ordinances) and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.

> For the purpose of this section, a disciplinary sanction may include the required completion of an appropriate treatment program. 34 C.F.R. § 86.100(a).

The DFSCA also requires each institution to conduct biennial reviews to determine the effectiveness of its DAAPP and to ensure consistent enforcement of applicable drug and alcohol-related statutes, ordinances, and institutional policies against students and employees found to be in violation. 34 C.F.R. § 86.100(b). The institution must maintain the biennial review reports and supporting documents and make them available to the Department upon request. 34 C.F.R. § 86.103.

The Department found that Jackson failed to conduct a biennial review of its DAAPP's effectiveness and produce a report of findings, as required by law and the regulations.

In its November 30, 2017 response to the PRR, Jackson acknowledged that it did not conduct a biennial review to assess the effectiveness of its DAAPP and consistency of sanctions imposed for violations of its disciplinary standards and code of conduct. However, the University stated that it took corrective actions, as directed in the PRR.

Congress enacted the DFSCA to ensure that students and employees had vital information about drug and alcohol prevention program at their institution. The requirement for institutions to conduct a biennial review is intended to ensure that the institution's DAAPP is effective and helpful to students and employees. Therefore, an institution that fails to conduct a biennial review has no way of knowing the effectiveness of its DAAPP, and the consistency of sanctions imposed for violations of its disciplinary standards and code of conduct.

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 of Education's (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 Jackson is the 2017-2018 award year. According to the Department records, Jackson received approximately $11,851,643 in Federal Pell Grant (Pell) funds, $11,488,425 in Federal Direct Loan funds and $292,017 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 $1,523,678; for institutions participating in the Federal Direct Loan programs, the median funding level is $2,694,892; and for institutions participating in the Campus-Based programs, the median funding level is $255,684. Accordingly, Jackson 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 each of those Title IV, HEA programs.

As detailed in this letter, Jackson's multiple violations of the HEA, the Clery Act, the DFSCA, and the Department's regulations are very serious. Jackson's students and their families and the institution's employees must have access and be able to rely on: 1) the institution's campus crime statistics and security and safety policies; 2) accurate fire safety statistics; and 3) a comprehensive DAAPP that includes all regulatory requirements. In addition, Jackson must perform a biennial review of its DAAPP to ensure that its program is reliable and effective.

I.

After considering the gravity of the violations and size of the institution, I have assessed a fine of $49,000 for Jackson's failure to include thirteen required policy statements in its 2016 ASR. I have assessed $3,000 for the institution's omission of the policy statement numbered 1 above; $4,000 each for the institution's omission of policy statements numbered 2, 3, 4, 5, 6, 7, 8, and 9 above; and $3,500 each for the omission of policy statements numbered 10A, 10B, 10C, and 10D above. Current students and employees engaged in their daily routines lacked awareness of the policies concerning the institution's procedures and programs designed to prevent sex offenses, what to do after a crime has occurred, and the rights of the accuser and the accused. This is a serious violation because current and prospective students and employees were denied information that would have helped them make informed decisions about personal safety and the safety of others at Jackson. 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 were not able to take advantage of policies and procedures that Jackson did not appropriately disclose. Jackson's failure to include thirteen policy statements in its 2016 ASR rendered the report incomplete.

II.

In determining the appropriate fine amounts for this violation, I considered the Secretary's decisions in In the Matter of Tarleton State University, Dkt. No.09-56-SF (Decision of the Secretary, June 1, 2012) and In the Matter of Washington State University, Dkt.No. 11-56-SF (Decision of the Secretary, Aug. 29, 2012). Those decisions concluded that it is appropriate to impose a fine calculated on the basis of each missing criminal offense in a crime report.

As indicated in the chart below, I have assessed a $4,500 fine for the liquor law violations campus disciplinary referrals the College failed to report to the Department for calendar year 2013. The Department's reviewers determined that Jackson underreported nine liquor law disciplinary referrals in its 2013 statistical data to the Department, as detailed in the chart below. This underreporting caused a discrepancy between the information reported to the Department in 2016 for calendar year 2013, and the information reported in Jackson's 2016 ASR for this statistical category. Because an unreported crime constitutes a single violation of the Clery Act's crime reporting requirements set forth at 20 U.S.C. § 1092(f), the fines assessed are as follows:

Crimes/Referrals	*Jackson's ASR Statistics*	*CSSDACT Statistics*	*Clery Geography*	*Year*	*Fine Amount*
Liquor Law Violations	*13*	*4*	*On Campus*	*2013*	*$500 x 9 = $4,500*
Liquor Law Violations	*13*	*4*	*Campus residential facilities*	*2013*	

III.

I have assessed $57,317 for Jackson's failure to include all required statistical information in its 2016 AFSR. Jackson acknowledged that its 2016 AFSR omitted all fire statistics for two calendar years (2013 and 2014 calendar years). Moreover, the College also acknowledged that its 2016 ASR omitted two fire statistics for calendar year 2015. Therefore, the Department determined that Jackson's AFSR for calendar year 2016 was so incomplete and erroneous that it failed to provide adequate and accurate information to the College's current and prospective students and employees. As a result, Jackson denied current and prospective students and employees the accurate fire statistics and safety information to which they were entitled, to help them make important personal safety decisions. For three consecutive calendar years (2013, 2014, and 2015), the College's campus community took classes or worked on campus completely unaware of the College's accurate fire profile.

IV.

I have assessed a fine of $5,500 for Jackson's failure to conduct a biennial review 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 be expected to rely on a DAAPP that has not been tested for its effectiveness.

The fine of $116,317 will be imposed on **October 18, 2019,** unless I receive, by that date, a request for a hearing or written material indicating why the fine should not be imposed. Jackson may submit both a written request for a hearing and written material indicating why a fine should not be imposed.

If Jackson 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
830 First Street, NE – UCP-3, Room 84F2
Washington, DC 20002-8019

Upon receipt of such a request, 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 the case to a hearing official who will conduct an independent hearing. Jackson is entitled to be represented by counsel during the proceedings. If Jackson does not request a hearing but submits written material instead, I will consider that material and notify Jackson of the amount of fine, if any, that will be imposed.

ANY REQUEST FOR A HEARING OR WRITTEN MATERIAL THAT JACKSON SUBMITS MUST BE RECEIVED BY OCTOBER 18, 2019; OTHERWISE, THE $116,317 FINE WILL BE EFFECTIVE ON THAT DATE.

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

Sincerely,

[redacted]

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

Enclosure

cc: Sunil Ahuja, Vice President for Accreditation Relations, the HLC, via info@hlcommission.org
Brian Pyles, Director, Michigan Department of ED, via pylesb@michigan.gov