



**FEB - 9 2016**

Dr. Debra Daniels  
President  
Joliet Junior College  
1215 Houbolt Road  
Joliet, IL 60431-8938

Sent: United Parcel Service  
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Dear Dr. Daniels:

In a letter dated November 24, 2015, the U.S. Department of Education (Department) notified Joliet Junior College (JJC) of its intent to fine JJC \$55,000 for its failure to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) in §485(f) of the Higher Education Act of 1965, as amended (HEA). The proposed fine was based on the findings in a Final Program Review Determination (FPRD) letter issued on August 4, 2015. The FPRD found that JJC had failed to comply with the Clery Act and the Department's implementing regulations.

The Department's letter notifying JJC of the proposed fine also notified the institution that it could request a hearing or submit written material contesting the proposed fine. In a letter dated December 14, 2015, you submitted a written response to that fine notice on JJC's behalf and requested that the Department not impose a fine, or reduce the proposed fine amount. JJC did not request a hearing on the proposed fine. This letter provides the Department's final decision on JJC's request that the proposed fine be eliminated or reduced.

In the November 24, 2015 fine notice, the Department proposed to fine JJC a total of \$55,000 based on two findings.

1. The Department proposed a fine of \$27,500 for JJC's failure to properly distribute its Annual Security Report (ASR) for calendar year 2011 to students and employees in violation of the Clery Act and 34 C.F.R. §668.41(e) (2010)<sup>1</sup>.
2. The Department proposed a fine of \$27,500 for JJC's failure to properly notify prospective students and employees about the availability of the ASR for calendar year 2011.

In your letter of December 14, 2015, JJS did not contest the findings cited in the fine letter. JCC noted that it has been "submitting the required data to the Department of Education... since the

<sup>1</sup> The Department published new regulations for the Clery Act on October 20, 2014. However, the findings on which the proposed fines are based rely on the regulations in place at the time of the violation as reflected in this citation. Unless otherwise noted, all of the regulations cited are dated 2010.

inception of the Jeannie Clery Act.” JJC also attached a Document titled “Police Book 2015” and provided a list of corrective action efforts it has undertaken since the program review. The Department has considered all the information presented in your letter. We address JJC’s points and corrective action efforts below:

### 1. Prior compliance

JJC contended that it has been “submitting the required data to the Department of Education for the annual ASR (Annual Security Report) Crime Report [*sic*] since the inception of the Jeannie Clery Act.” JJC provided a “Police Book” and explained that the booklet contains crime statistics and it is distributed to students and employees through placing in kiosks, during orientations, and posting on the campus police website, among other means.

The ASR distribution methods mentioned in JJC’s appeal of December 14, 2014 do not comply with the requirements in 34 C.F.R. §668.41(e). The HEA and the Department’s regulations require that by October 1 of each year, institutions distribute to all enrolled students and current employees a complete and comprehensive ASR. See §485(f) of the HEA, 34 C.F.R. §§ 668.41 and 668.46. The ASR is a single publication that includes both crime statistics and the required policy statements. During the review, JJC did not present evidence that it provided such a single report to students and employees in 2011. Accordingly, the FPRD found that JJC did not properly distribute its ASR for calendar year 2011 to students and employees, and failed to notify prospective students and employees about the availability of the 2011 ASR as required by 34 C.F.R. §668.41(e). Moreover, the Police Book attached to JJC’s December 14, 2015 response contains crime statistics for calendar years 2012, 2013 and 2014. While JJC claimed that it had made similar publications available to students in earlier years, it did not provide copies of those publications or demonstrate that the publications included the material that must be in the ASR. JJC did not provide any evidence in its appeal documents to support that its 2011 ASR was properly distributed to students/employees and prospective students/employees and acknowledges that it did not do so.

### 2. Corrective Actions

JJC provided a list of corrective action measures it has undertaken since the program review. However, the revision of procedures after the Department alerted the college of its obligations does not excuse its earlier failure to comply with the law. JJC was required by law to provide its students and employees with timely crime statistics to make informed decisions about their personal safety; and to provide prospective students and employees with timely and accurate crime statistics to enable them make informed decisions about where to attend college or accept employment.

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The Department has concluded that JJC's prior insufficient actions to comply with the Clery Act, and the corrective action measures described by JJC do not support the elimination or reduction of the proposed fine.

#### Final Decision

For the reasons discussed above, the Department affirms the proposed fines identified in our letter of November 24, 2015 which included: \$27,500 for JJC's failure to properly distribute its 2011 ASR to current students and employees, and \$27,500 for its failure to notify prospective students and employees about the availability of the 2011 ASR.

Therefore, JJC must pay a total fine of \$55,000.

**The \$55,000 fine is due to the Department within 30 days of the date of this letter. Payment must be in the form of a certified or cashier's check, and made payable to the U.S. Department of Education.** If payment is not received by the Department within that 30-day time period, interest will accrue in monthly increments until payment is received. Please send your fine payment to me at the following address:

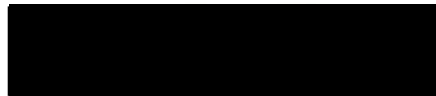
Administrative Actions and Appeals Service Group  
U.S. Department of Education  
Federal Student Aid/Program Compliance  
830 First Street, NE – UCP-3, Room 84F2  
Washington, DC 20002-8019

**Please identify the payment as Bill No. AAA201602020 to ensure proper crediting of your payment account.**

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If you have any questions about this letter, please contact Lawrence Mwethuku of my staff at 202/377-3684.

Sincerely,

A solid black rectangular box used to redact the signature of Susan D. Crim.

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

Enclosure

cc: Carrie Caine, Assistant to the Vice President, HLC, via [ccaine@hlcommission.org](mailto:ccaine@hlcommission.org)  
Dr. Karen Hunter Anderson, Executive Director, Illinois Community College Board, via  
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