From: The President
To: MC Communications List
Subject: New Office of Compliance
Date: Tuesday, October 11, 2011 7:03:25 AM

MONTGOMERY COLLEGE
Office of the President

October 11, 2011

MEMORANDUM

To: Montgomery College Colleagues

From: Dr. DeRionne P. Pollard, President

Subject: New Office of Compliance

One of my responsibilities as president is to assure that the College is in compliance with legal, regulatory, and accreditation requirements. Maintaining our good standing in these arenas is essential to our funding, our operations, and our reputation. Successful compliance results from a team effort. While the College has a good track record, we need to stay ahead of the potential impact of changes in enforcement requirements for higher education institutions because regulatory agencies are broadening their reach and becoming stricter.

To strengthen our ability to maintain our good record of compliance, I am creating the new Office of Compliance for Montgomery College. Having such an office is becoming a best practice among leading colleges and universities. The Office of Compliance will be charged with assuring that all Montgomery College policies, procedures, and practices will remain current and that all our obligations will be met.

Many changes in legal expectations are emerging from the reauthorization of the federal Higher Education Opportunity Act (HEOA) of 2008. For example, the HEOA requires us to disclose certain student "consumer information," which we do through a new web page. You may have also noticed that the annual campus security report, called the Clery Act Report, now has a new link on the College home page. The Gainful Employment rule, which went into effect in July, requires us to reorganize certificate program websites and to post completion and employment information.

A number of existing federal laws also require higher education institutions to take certain actions and issue various reports. For example, our Security Offices are keenly aware of the Clery Act in their work to provide safe and secure campuses. The Drug-Free Schools and Communities Act guides specific activities in our Student Development Offices as well as the Office of Human Resources. Abiding by the Americans with Disabilities Act requires the involvement of a dedicated administrator, counselors, staff, the Office of Facilities, the Office of Information Technology, and many others.

At the state level, new Maryland laws and regulations also have an impact on colleges and universities. For instance, we now publicize textbook ISBNs well before classes begin, as a result of the HEOA-inspired Maryland Textbook Competition and Affordability Act of 2009.

The Maryland Higher Education Commission requires an annual community college performance accountability report delineating key academic factors including student achievement and completion.

In addition, the agencies that accredit higher education institutions—including our accreditor, Middle States Association (MSA)—are raising their expectations as a result of the HEOA. It is becoming more common for institutions to be placed on probation during their reaccreditation process, especially for concerns related to assessment practices. In fact, according to MSA, two-thirds of all institutions undergoing review are required to submit follow-up reports, an indicator of increased scrutiny.

The stakes are high when it comes to compliance matters. Depending on the issue, institutions can be admonished, warned, or fined. The most serious sanction is the loss of the ability to offer students federal financial aid. Just last year our students received over $40 million in financial aid.

Several recent developments have deepened my desire to assure the College's continued good standing. One relates to accreditation. MSA now reaffirms an accreditation status after the periodic review process, in which we are currently participating. Previously, accreditation status was addressed every 10 years; the new cycle results in a decision every five years. In addition, new MSA requirements are causing us to examine our academic offerings through different lenses and to restructure our Banner financial system to track academic expenses in a new way.

In a recent matter, the Department of Education expressed some concerns regarding the Clery Act requirement at the College. Its inquiry prompted us to review and improve our practices and reporting.

To be sure, many people at the College are currently engaged in activities that assure our legal, regulatory, and accreditation compliance. They do wonderful work. What we do not have is a single office overseeing the coordination of our efforts. That is what the Office of Compliance will provide in an environment that is becoming more demanding and more complex.

Over the coming weeks, I will work with the College's senior leadership to compose the structure of the Office of Compliance. The office will report directly to me and will have the authority to examine and change College practices in order to assure our compliance at all levels—local, state, and federal laws and regulations, and our accreditation requirements. I anticipate that this office's work will lead to some policy and procedure realignment. The impact may well be that all of us may need to adjust certain aspects of our work.

Thank you for your diligence in all matters, especially your attention to our compliance requirements. Special thanks to all the individuals across the College for whom compliance is already woven into their job responsibilities. Together, we can continue the successful work of the College and focus our efforts to further empower our students to change their lives.