

Code of Ethics and Standards of Conduct

An initiative to develop an employee code of ethics, led by College Governance, started in 2014 and continued throughout 2016. A draft code of conduct was developed and moved forward from the College Council to the President's office in fall 2016. This is ground breaking work, as Montgomery College has never had an employee Code of Conduct in place. A Student Code of Conduct is in place and is a cornerstone for student standards of conduct, but an employee code has not been part of our institutional practice.

From the work of governance, a *College Code of Ethics and Standards of Conduct Policy* was drafted. The policy will be reviewed by the PEC for approval and eventual review by the Board of Trustees. An employee code of ethics has been recommended through various entities:

- In consecutive College Ombuds reports (2014-2016);
- By the Office of Compliance, Risks and Ethics, in alignment with the Federal Sentencing Guidelines for effective compliance programs, and
- As a recommendation adopted by and moved forward by College Governance.

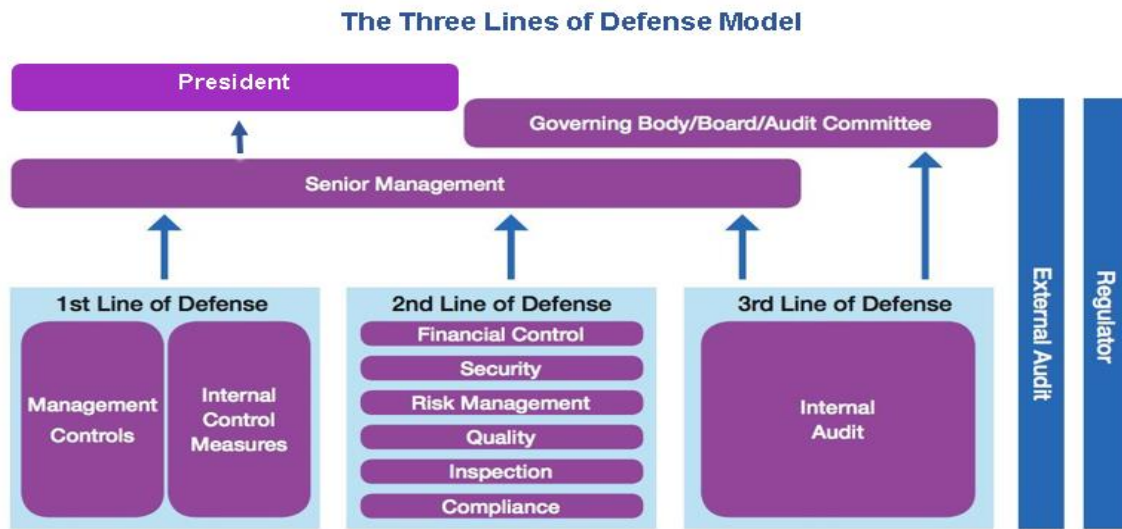
We anticipate that the Code of Ethics and Standards of Conduct College Policy and the ethics program to support it will be implemented in 2017. The implementation, rollout and management of the ethics program is being led by the Office of Compliance, Risk and Ethics.

Compliance, Risk and Ethics Program Strategic Plan

With newly added responsibilities to the Office of Compliance, Risk and Ethics, it is critical to integrate processes from each area into a comprehensive risk management approach that acknowledges the relationships of the various functions and managing how these areas work together. The successful integration of these functional areas will provide senior management and the College community with the information needed for optimal decision-making concerning the management of risks and opportunities facing Montgomery College.

Data management is a critical component of managing the information of a robust compliance, risk and ethics program. As the office has matured, the need for updated data management systems have become more apparent. Compliance systems features include increased efficiency and sharing of data elements; recall of historical institutional data; report generation for senior leaders and risk owners, and maintenance of accurate and consistent information. The compliance, risks and ethics office data management system will be implemented in 2017. The new system will enhance both the office's and risk owner's ability to track; document and monitor progress to reduce compliance risks; improve how we work and collaborate among risk owners, and assist to provide oversight.

The integration and layering of risk management functions is depicted below in the three lines of defense model. Each risk function has a unique role and they work together as a comprehensive and coordinated system of risk management. Multiple lines of defense increase the effectiveness of risk management and assure the integrity of our comprehensive risk program.



*Adapted from ISO Framework

Figure 2: Three Lines of Defense Model

Specific Program Goals

Program Goals for Regulatory Compliance

- Monitor changing landscape of higher education compliance.
- Expand use of compliance data system incorporating compliance risk mitigation monitoring and notifications for mandated disclosures and reports.
- ADA – Establish captioning process for instructional material for faculty outside of an accommodation requirement. This will increase the overall accessibility of instructional materials for all students.
- Title IX – Increase levels of student completion of Haven training, training for prevention of sexual misconduct.

Program Goals for Enterprise Risk Management

- Develop an Enterprise Risk Management (ERM) policy and procedure
- Deploy ERM framework
- Establish Enterprise Risk Council
- Engage senior leadership in the use of ERM data in decision-making

Program Goals for Ethics

- Develop a Code of Ethics and Standards of Employee Conduct policy and procedure
- Develop and implement ethics program processes

- Implement ethics training and awareness
- Establish ethics reporting line

Program Goals for Internal Audit

- Fulfill the multiple-year audit plan with audits beginning Spring 2017
- Develop and implement internal audit processes
- Provide continuity from audits conducted prior to July 2016, when the internal audit function transitioned to the Office of Compliance, Risk and Ethics
- Build awareness of the advisory services role of internal audit

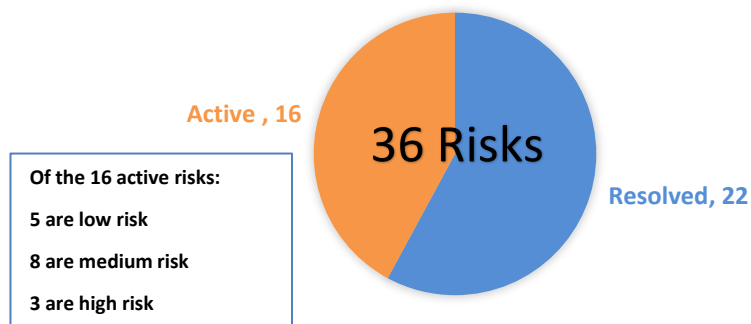
Compliance Risk Report and Progress

Work across all compliance risk areas this year has resulted in risk reduction in the areas of:

- IT Accessibility
- Protection of Minors
- Affordable Care Act
- Athletics Compliance (Title IX and NJCAA)
- Copyright
- Bond Compliance
- Clery Act

The chart below shows the number of active vs. resolved compliance risks. It is important to note that of the 16 active compliance risks being monitored, 11 are in the medium to high risk levels.

IDENTIFIED COMPLIANCE RISKS



Compliance, Risk and Ethics Office Outreach, Training and Professional Development

An important part of any effective compliance program is compliance training and awareness. Ensuring that the College community is aware of applicable compliance requirements and providing mandated training is the first line of defense against non-compliance. Ongoing compliance training and awareness is a critical responsibility for the Office of Compliance, Risk

and Ethics. The training and awareness efforts include campus events, scheduled webinars, unit informational meetings, online training, and professional development for the compliance office personnel. The office shares information through routine communications, training sessions, awareness events, and newsletters to reach specific audiences.

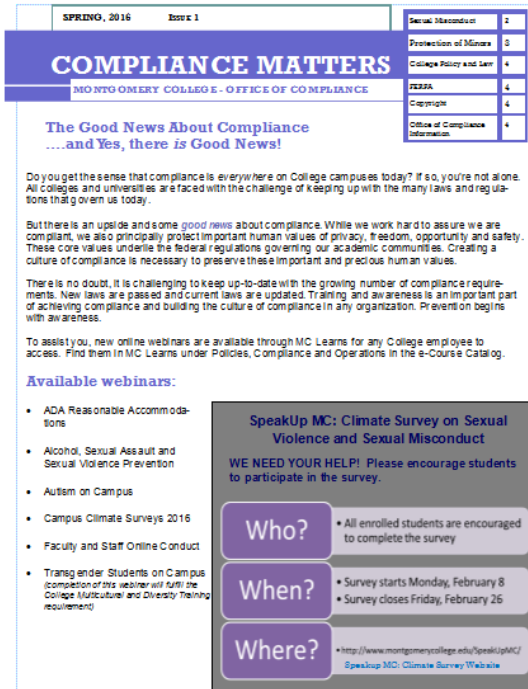


Figure 3: Compliance Matters Newsletter for College Employees

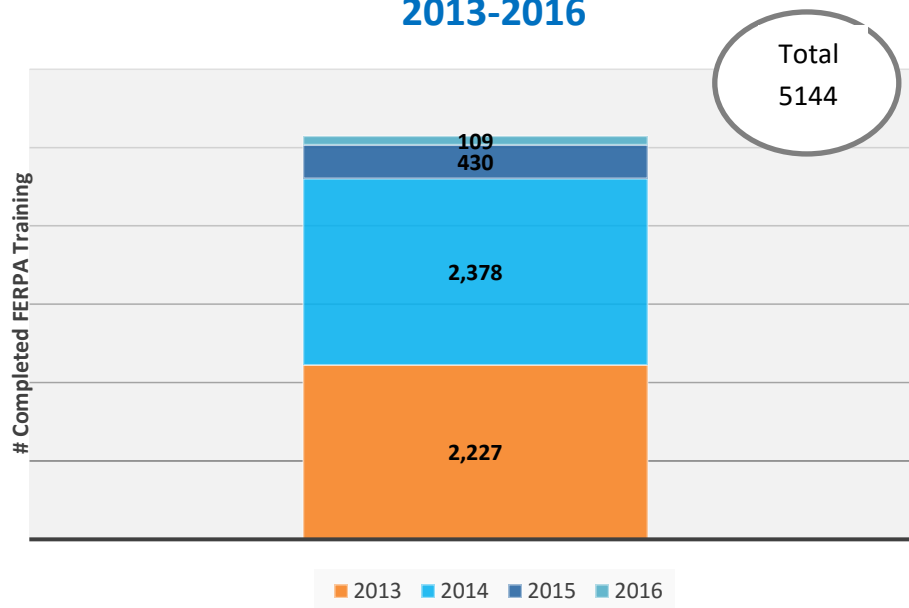
Introduced this year are two new required online training programs involving Title IX and youth protection:

Training Title	Required for:
Child Abuse and Molestation Awareness and Prevention in Maryland	All employees and volunteers in all divisions who come in contact with minors associated with any College program or activity
Title IX Bridges: Building a Supportive Community	New employees in Academic Affairs and Student Affairs divisions

Several other compliance topics continue to be included in required training for employees:

Training Title	Required for:
Family Educational Rights and Privacy Act (FERPA)	New employees in Academic Affairs and Student Affairs divisions (within 12 months of hire)
ADA: Accommodating Students with Disabilities in Higher Education	New employees in Academic Affairs and Student Affairs divisions
Preventing Sexual Harassment and Workplace Discrimination	All new Administrators, Department Chairs, and Supervisors in all divisions
A Manager’s Guide to Diversity, Inclusion and Accommodation	All new Administrators, Department Chairs, and Supervisors in all divisions

Employee Completed FERPA Training 2013-2016



Beginning in FY13, FERPA training was the first mandatory compliance training required of all employees. The chart above shows the number of employees having completed the training. Note that the dramatic decrease starting in 2015 is due to the fact that most employees have completed the training and majority of the 109 employees completing training in 2016 are new employees.

National Compliance Awareness Week

National Compliance Awareness Week, the first week of November, is celebrated with a series of collegewide events designed to raise compliance awareness. The goal is to educate both

students and employees on the role of a compliance office and learn about current compliance topics. Compliance fairs were held at each campus with information tables from the following compliance partners:

- Americans with Disabilities Act
- Title IX
- Compliance
- Cybersecurity
- Drug & Alcohol Abuse Prevention-Employees
- Equal Employment Opportunity/Family Medical Leave Act
- Environmental Safety
- Emergency Planning
- Family Educational Records Privacy Act (FERPA)
- Safety and Security
- Youth Protection
- Accessibility

Each event had information, prizes and snacks to engage attendees. Collegewide online activities engaged all employees, which included a prize drawing of those who participated.

In addition to campus fairs, employees were invited to attend information sessions, presented by College risk owners, with topics offered on the higher risk areas at the College.



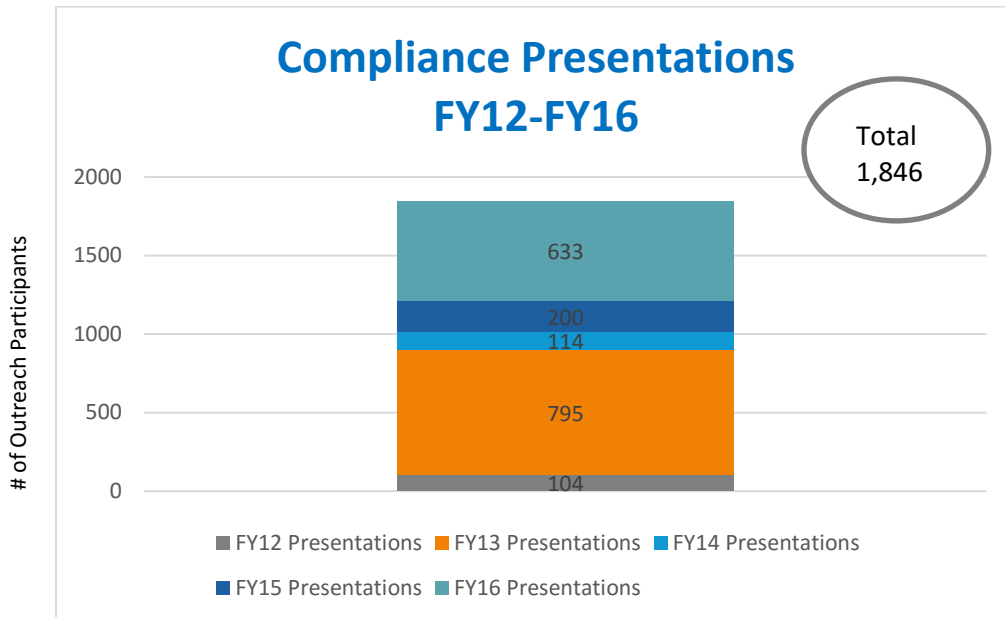
Figure 4 – National Compliance Awareness Week Photos

Compliance, Risk and Ethics Office Outreach and Professional Development

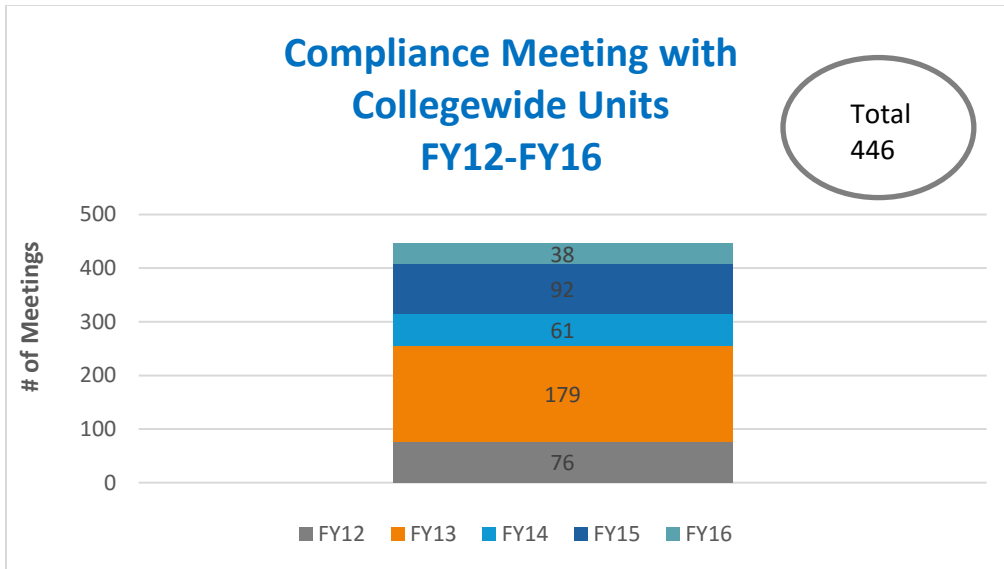
Ongoing training for the Office of Compliance, Risk and Ethics staff is critical to stay current with the evolving regulatory landscape. The office staff participates in webinars, conferences, affinity groups, and self-initiated research. In 2016, the Chief Compliance, Risk and Ethics Officer presented on compliance topics at the Community College Risk Managers Conference in July, at the Association of College and University Auditors in September and conducted a national online webinar for Paperclip Communications in September.

New information and compliance updates are routinely shared between compliance risk owners and the Office of Compliance, Risk and Ethics as part of a compliance professional network. Compliance risk owners are the known compliance experts in their respective areas and the compliance office provides an oversight role, partnering with College units to assure compliance.

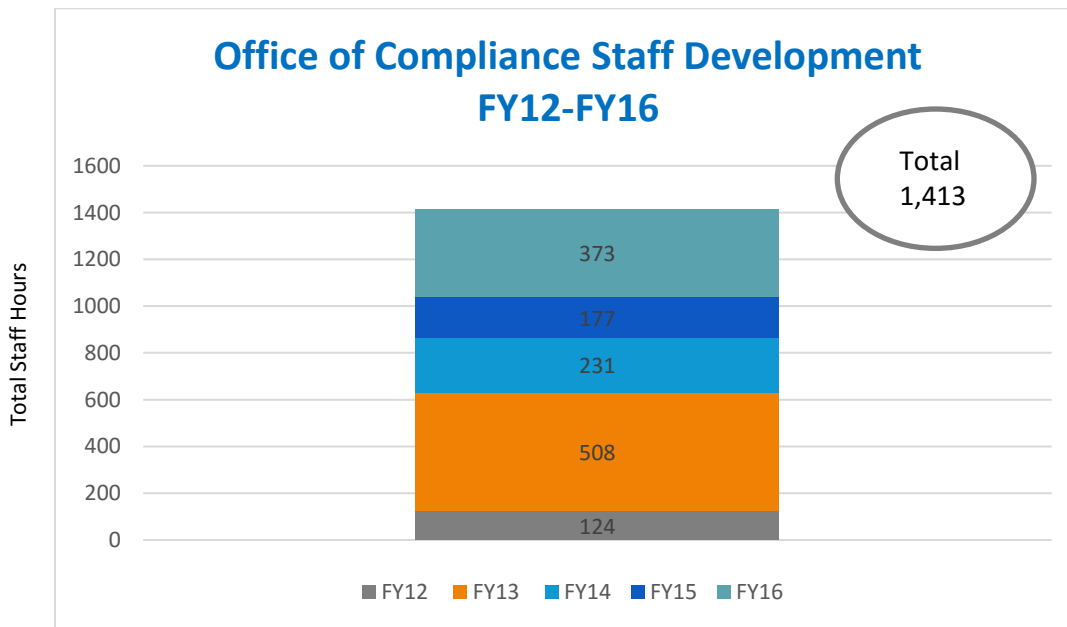
Assuring the College community stays abreast of new and changing regulations—and their impact—is an essential duty of the College and a key responsibility of the compliance program. This requires an enterprise commitment to ongoing professional development and training in the area of compliance. Compliance training and awareness is conducted throughout the year and in a variety of formats and venues.



The chart above shows the number of students and/or employees attending presentations made by members of the compliance, risks and ethics office in each year since the inception of the compliance office. These presentations have been on a variety of compliance-related topics and have been presented to varying types of audiences ranging from specific College units to all administrators and academic department chairs. In FY13, the 795 employees who received training were mainly as an education effort on the role of the compliance office. In FY16, the 633 employees who received training were mainly in the high risk areas of Title IX and youth protection.



The chart above details the number of meetings held with collegewide units each fiscal year since the inception of the Office of Compliance, Risk and Ethics. It is our practice to meet each fall with the key collegewide units with compliance responsibilities. We meet with each new or newly assigned (including interim assignments) administrator to provide a compliance orientation at Montgomery College.



The chart above represents the total number of staff hours spent by compliance office staff in professional development activities for each fiscal year since our inception. Continual professional development is essential in the field of compliance as there are a wide variety of different compliance topics as well as an increasing number of new or changing laws/regulations.

Conclusion

The Office of Compliance, Risk and Ethics is in its 7th year as an office and most recently, expanded risk management functions with new responsibilities that coalesce enterprise risk oversight collegewide. The risk management processes and standards have been established for compliance oversight and will be applied to provide oversight in other risk categories beyond compliance: financial, operational, technology, human capital, legal liability, and operational. A more deliberate and holistic approach to managing risk and opportunity reflects trends in higher education institutions that lead in enterprise risk management principles. This is both a long term and ambitious institutional goal that will involve focused and purposeful risk decisions and the follow-through of actions and priority setting to align the decisions made.

The internal audit function has the opportunity to play an important role in the maturing of our risk function and increased accountability. Fulfilling the internal audit plan is a key part of the ability of the Office of Compliance, Risk and Ethics to conduct a comprehensive risk program. The internal audit function at the College over recent years has not been properly positioned or fully empowered to fulfill the opportunities of a high functioning internal audit office. Changes are in progress toward a high quality and empowered internal audit program.

The employee Code of Ethics and Standards for Conduct is a critical initiative for the College to set a higher level of awareness and adherence to ethical standards. The Office of Compliance, Risk and Ethics will analyze opportunities for logical associations between the compliance and ethics programs; between the audit and compliance programs; and for the ERM and compliance program. Some of the efficiencies in implementing risk management in the different office functions can be potentially achieved through training programs, communication efforts, reporting mechanisms, and with capitalizing on existing relationships with risk owners.

The Middle States Accreditation process includes a significant focus on institutions' state of compliance. This fits with the recent national trend toward a greater focus on assuring compliance to federal laws and regulations. The Chief Compliance, Risks and Ethics Officer is leading a College effort to develop the compliance report that is required as part of Middle States accreditation process. This effort is currently underway and will conclude with the report being submitted in late 2017.

During this past year of expanded responsibilities for the compliance program, and going forward, the goal is to implement effective risk management practices in an efficient manner, with practices that reflect a progressive and forward thinking institution. The identification, education and awareness, monitoring, and prevention of unwanted risk provides value to the institution for being proactive in risk management, rather than reactive. Effective risk management will create more transparency, dialogue, and opportunities around risk - when to reduce risk and when to increase risk – to increase the likelihood of institutional goals.