

Important Changes to MCCCDC Tuition Waiver Program

Public Stewardship

The efficient and effective use of resources as the Maricopa Community Colleges prepare students for their role as productive world citizens. As caretakers of public resources that have been entrusted to us, we are fully accountable to the constituents that we serve.

Tuition waivers have long been offered as a benefit for employees to enroll in credit hour courses that are offered within our own college system. The cost of waiver usage is funded by the District, with past fiscal year expenditures ranging from \$2 - \$3 million annually for the program. Several changes were made to the MCCCDC Tuition Waiver program as a result of an internal audit conducted in 2009 that identified areas of improvement in the interest of public accountability, including on-going monitoring of waiver usage by employees and the dependents and spouses of employees for rates of non-completion and non-participation.

Non-Completion/Non-Participation

In order to reduce the costs associated with the non-completion of courses when a waiver has been repeatedly submitted for the same course or courses, the Office of Public Stewardship was assigned the task of routine monitoring. Non-completion (non-participation) is considered to be the assignment of a W, Y or Z grade. The audit found instances where employees, dependents and spouses of employees signed up for the same courses yet never complete or meet the attendance requirements. In these instances, the cost of tuition is still charged to the District and this type of activity is viewed as a waste

of public resources. Now, reports are run each semester to show the number of W, Y and Z grades that a tuition waiver user has received for a particular course and the percentage of withdrawals vs. completions over that user's entire MCCCDC history since June 1, 2010. The June 1st date is significant, as a program change was enacted that limited the number of times a tuition waiver could be used for any single course where a W, Y or Z grade was previously issued. This limitation regarding repeats is stated on the current tuition waiver forms used by full time employees, their dependents and adjunct faculty. Now, after evaluating waiver activity for two full semesters (Summer 2010 and Fall 2010), enforcement of this limitation is taking place during the present Spring 2011 semester. Employees and dependents who were at or who exceeded the limit have been notified. Essentially, once an individual has already received two previous instances of non-completion/non-participation for the same course, that person is responsible for the cost of tuition upon the third enrollment. Failure to pay will result in debt that will create a hold on their student account. The party will not be able to register for any classes until the balance has been paid in full and, like any other student debt,

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MCCCD Regulations Updated

On January 10, 2011 revisions to the Use of College Facilities (AR 1.5), Electronic Communications (AR 4.3), and Technology Resource Standards (AR 4.4) Administrative Regulations were approved by the Chancellor. The changes to these regulations are related and seek to clarify the definition of co-sponsorship when facilities are being used for events and to establish as an unacceptable use the use of college/district electronic resources to market an event that is otherwise prohibited under the Use of Facilities administrative regulation. The proposed changes were posted in September and additional edits were made to the Technology Resource Standards regulation regarding marketing standards.

Additionally, the Alcoholic Beverages Usage Administrative Regulation (AR 4.13) was revised to clarify the approval authority needed to address matters that are not expressly written or addressed in the regulation.

Revisions have been incorporated and the regulations in their entirety can be viewed in the online policy manual at www.maricopa.edu/publicstewardship/governance/adminregs/adminregs_toc.php. ♦

Conflict of Interest

The Office of Public Stewardship often receives questions as to whether certain activities are permissible for employees to participate in. Additionally, many *Maricopa Concernline* (the 24/7 anonymous reporting tool) allegations are related to conflict of interest.

In order to help inform employees on matters related to conflicts of interest and restrictions that we as public sector employees must adhere to, a Conflict of Interest Handbook which features various rules and regulations has been posted online at www.maricopa.edu/publicstewardship/Conflict.pdf. The handbook provides information on the Arizona Revised Statutes regarding conflicts of interest, ethics in public contracting, standards for financial disclosure to avoid conflict of interest in federally funded programs, and miscellaneous stewardship topics such as: Internal Controls (AR 6.12); Cash Handling (AR 1.17); Gifts, Gratuities and Unrelated Compensation (AR 1.18); Enrollment Irregularities (AR 3.7); Electronic Communications (AR 4.3); Technology Resource Standards (AR 4.4); Hiring of Relatives (All-Employee Manual A.14); and Internal Audit and Management Advisory Services (IAMAS) Fraud Warning Signs.

[Excerpt from Legal's Business Law and Contracts Conflict of Interest Web]: Nearly all employees of public institutions have an ongoing duty to ensure that they do not have a conflict-of-interest in their employment. The essential provisions of the law are in Arizona Revised Statutes §38-503, which requires that any public employee who has, or whose relative has, a "substantial interest in any contract, sale, purchase, or service" to the agency where the employee works "make known that interest" in the agency's official records and "refrain from voting upon or

otherwise participating" in the transaction. If a Maricopa employee (or the employee's relative) has a substantial interest in a transaction with, or decision by, the District (as well as any of its colleges or centers), the employee must do two things. First, the employee must disclose the substantial interest on the online form, which can be located at www.maricopa.edu/disclosure/. The completed form is an official record of the Maricopa Community College District that is available for public inspection. Second, the employee must thereafter refrain from voting or participating in any manner in the contract, sale, purchase or decision in which the employee has the substantial interest. For as long as the interest exists, the employee is under a continuing obligation to keep current the disclosure statement that the employee completed online.

In addition to Conflicts of Interest, vendor relationships also appear in *Maricopa Concernline* allegations. A question often asked of the ombudsperson—"Is it illegal if a vendor sponsors/buys/gives x?" Although it may not be illegal, it may cause damage to the public's trust in MCCCD employees as good stewards of public resources if accepted. Vendor-sponsored conferences, sports-event tickets, meals ... it's a slippery slope. Although there is a dollar limit detailed in the regulation of \$50, the value is not as important as public perception. The Gifts, Gratuities and Unrelated Compensation (AR 1.18) administrative regulation details what is permissible—and what is not when dealing with vendors.

Questions regarding potential conflicts of interest or acceptable gifts, gratuities or unrelated compensation may be directed to the Ombudsperson for review. Call (480) 731-8880 or (480) 731-8084. ♦

Board Policy Revisions

On February 22, 2011 the Governing Board adopted revised Board Policies, replacing existing language in full (with the exception of the All Employee Policy Manual and the Employee Job Group Policies, which were not part of the amendment proposal). Changes encompassed substantive edits, extensive amendments, and new placement of existing policy language (i.e., to different sections of Board Policy or as Administrative Regulations). The Board has adopted the corresponding policies: **Outcomes, Chancellor Limitations, Board-Staff Relations, and Governance Process.**

The proposed changes were the result of retreat discussions held on August 2010 and January 2011. Revisions to the policy were facilitated by Bill Charney of Charney Associates. He reviewed existing Board Policy language and rewrote MCCC's existing Board

Means (Governance Process and Board-Management Delegation) and Executive Duties and Responsibilities (Chancellor Limitations) policies. Mr. Charney also reviewed the feedback summary from five Community Policy Forums held in spring, 2010, and in light of that information, made modifications as suggested to the Vision, Mission, Values, and Outcomes (ENDS) policy statements.

Discussions on the review and revision of Governing Board policies were focused on good governance principles. Proposed revisions were reviewed at the January 11th Board Retreat, again at the January 25th Board Meeting, and lastly at the February 8th Work Session.

Questions regarding policy changes may be directed to the Office of Public Stewardship. ♦

Office of Public Stewardship Resources

Governance

- **Policy**
www.maricopa.edu/publicstewardship/governance/boardpolicies/boardpolicies_toc.php
- **Administrative Regulations**
www.maricopa.edu/publicstewardship/governance/adminregs/adminregs_toc.php

Ombuds

- **Ombudsman**
(480) 731-8084
- **24/7 Hotline**
(866) 447-9819
- **Maricopa Concernline**
www.concernline.maricopa.edu

Public Records

www.maricopa.edu/publicstewardship/pr/recordsrequest.php

Records and Information Management

www.maricopa.edu/publicstewardship/pr/retention.php

Ombuds Trend Report 2Q FY 2010-2011

The Office of Public Stewardship prepares quarterly reports on the types of concerns submitted to the Concernline or reported directly to the Ombudsman. The Concernline is a 24-hour/7-day-a-week service that is operated by Global Compliance, a third-party vendor. Also referred to as the 24/7 Hotline, this tool serves as an anonymous reporting mechanism for submitting concerns such as fraud, theft, policy violations, enrollment irregularities, conflict of interest and the misuse of public resources. Concerns may be submitted either by phone at 1.866.447.9819 or web at www.concernline.maricopa.edu.

Once reported, concerns are evaluated and assigned for review or investigation. All concerns receive a reply upon conclusion of the review or investigation.

Trend data reflect reports in areas such as discrimination, unfair employment practices, harassment or unfair treatment, environment/health and safety, conflict of interest and ethics/values and use of public resources. Also tracked are concerns about employee relations, requests by employee job groups, requests for general assistance and incidents of college-specific issues that do not fall in any other category.

The following concerns were reported for the second quarter of FY2010-2011 (October 1, 2010 to December 31, 2010):

- 1 discrimination
- 8 unfair employment practices
- 2 harassment or unfair treatment
- 1 environmental, health and safety
- 6 conflict of interest

- 1 quality of services, 1 misuse of resources and 1 technology resource standards (ethics/values and stewardship)
- 6 general assistance requests
- 46 college-specific issues (reflects a variety of issues including: 14 financial aid, 7 payment/enrollment debt, 3 tuition waiver and miscellaneous specific complaints)

All concerns are treated as allegations made and are examined in order to establish whether the claim is substantiated or not.

For more information concerning Equal Employment Opportunity/Discrimination complaints, contact 480.731.8832.

For more information regarding unfair employment practices, contact Employee Relations at 480.731.8480. ♦

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uncollected debts will be sent to the State’s Debt Set Off program and to collection agencies, as applicable. Since monitoring occurs after enrollment it is important for all who use waivers to know the status of their academic progress, particularly for those courses where a tuition waiver has been submitted two or more times.

Waivers to be Funded at the In-County Credit Rate

As part of the continuous review of costs to administer the tuition waiver program, effective July, 1 2011, tuition waivers will cover the in-county tuition credit hour cost and the student activities fee (for a total of \$76 per credit hour). Out-of-state and out-of-county surcharges and fees will no longer be waived. For those who use tuition waivers and have in-county residency status, this limitation will not impact the tuition waiver. Others who have out-of-state or out-of-county residency status who are otherwise eligible to use the waiver will be funded at the in-county rate of \$76 per credit hour. All out-of-county and out-of-state surcharges and fees will be the responsibility of the tuition waiver user. This includes enrollment for courses that begin during the Summer II and Fall 2011 semesters.

Questions regarding tuition waiver use can be directed to the Manager of the Office of Public Stewardship, (480) 731-8880 or the Senior Manager of Human Resources, (480) 731-8469.

The most current tuition waiver forms can be found at www.maricopa.edu/publicstewardship/resources/tw.php.

Maricopa Steward is published biannually by the Office of Public Stewardship (OPS), part of the Office of General Counsel for the Maricopa Community Colleges, and spotlights Maricopans who embody the ideals behind high impact service. OPS is charged with promoting stakeholder accountability and maintains the Maricopa Concernline, provides citizens’ and employee ombuds services, manages public records disclosures and supports Maricopa’s governance process.

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TW Costs 2005-2010	2005-2006		2006-2007		2007-2008		2008-2009		2009-2010		2010-2011**	
	#	%	#	%	#	%	#	%	#	%	#	%
All Waivers	\$2,181,193		\$2,453,343		\$2,414,203		\$2,724,546		\$3,237,615		\$1,435,402	
Employees	850,861	39.0	956,887	37.3	822,609	34.1	897,766	33.0	878,230	27.1	353,774	24.6
Dependents	804,521	36.9	911,859	35.6	874,533	36.2	961,791	35.3	1,099,741	34.0	505,202	35.2
Other*	525,811	24.1	694,597	27.1	718,061	29.7	864,989	31.7	1,259,645	38.9	576,427	40.2

*Other includes Salt River Pima-Maricopa Indian Community, Music Major Fee, Qualified Non-Employees, FT Teacher/FT Classroom Aide, Arizona-Sonora Exchange exceptions

**Summer II and Fall 2010 totals only ◆