The Road to February, 2017

Hold Ourselves Accountable:

*Update 2: Board Response to the December 16, 2015 Higher Learning Commission Determination*
The period of Probation mandated by the Board is two years at the end of which the Commission will evaluate the College again. Therefore, the Board requires that the College file with the Commission an Assurance Filing no later than February 2017, or eight weeks prior to a comprehensive evaluation scheduled for no later than April 2017. The Assurance Filing should provide evidence that the College has ameliorated the findings of non-compliance identified in this action that resulted in the imposition of Probation and that the College meets all the Criteria for Accreditation, the Core Components, Federal Compliance Requirements, and the Assumed Practices. While the College must address all of these requirements in its Assurance Filing, its particular focus should be on integrity, governance, the role of the Suburban Law Enforcement Academy in the College and its intersection with the criminal justice program, and effectiveness of governance and administration.
2.1.(1):

- As documented in the College’s internal audit report, **there have been regular breaches of the College’s investment policies** including exceeding the limits of specific types of investments that do not meet dollar, maturity, or asset requirements required by the Board Policy, and employees in the Financial Affairs Office, although regularly notified about this situation, **failed to bring these matters to the attention of appropriate individuals**;

**Update:** (a) Investment policy-outside advisors
  - Up for vote: 2/25/16
  - **Additional administrative checks:** in administrative presentation

(b) failure to notify the Board
  - **To Draft:** Memorandum of Understanding to increase communication between administration, Board members.
Criterion Two, Core Component 2.A.

2.1.(2): The College’s internal auditor brought 43 separate internal audits over the last three years about alleged illegal or unethical conduct or violations of College policy to the attention of senior administration at the College pursuant to the College’s audit plan, but the College could not document College actions taken in response to such information or that such information was regularly shared with the College’s Board;

2.1.(3): Other incidents at the College raise questions about whether the institution follows its own ethics policies and operates with integrity, including: 1) charges for alcohol at the Waterleaf restaurant that violated administrative procedures; monies paid to a former employee to his own private bank account for equipment and services not needed by the College; 2) awarding of non-competitive bid contracts to vendors whose owners were on the College of DuPage Foundation Board without a clear determination of whether such awards raised conflict of interest issues and in one case even though the contract was entered into after the stated contract deadline; 3) The College provides limited or no robust ethics training programs for faculty, staff and students;

(a) Board has had access to all 43 internal ethics/illegal/policy violation allegations; documentation to issue via audit committee by 2Q 2016.
(b) 1: BOT policies ended alcohol charges/Waterleaf abuses; 2: Alix Partners strengthened internal controls; 3: more oversight on bid contracts/conflicts.
(c) BOT authorized ethics training; BOT issued RFP for ethics and governance training at Board/SMT level.
Criterion Five, Core Component 5.B.

Specific Board leadership failures.

5.B.(1)(a)[1]: The Board of Trustees of the College did not provide effective leadership in the following circumstances:

- when it did not regularly receive and review financial statements in May-July of 2015; such statements had been prepared by financial staff in their regular course of work, but they were not presented to the full Board pending a complete review of, and changes made to, the reports;

Current BOT Progress: Done.

Financial Statements will continue to be in Board Packet at least once each month:

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Criterion Five, Core Component 5.B.

Specific Board leadership failures.

5.B.(1)(a)[2]: The Board of Trustees of the College did not provide effective leadership in the following circumstances:

2. when it did not enforce Board policies related to investments that had been placed in assets contrary to Board policy but were not apparent to the Board because of lack of detail in financial reporting;

3. when the Board or its members directly involved itself in matters appropriately delegated to the administration including management of the Waterleaf restaurant and hiring administrative staff.

Current BOT Progress: 2. Accountability for employee non-compliance; fully revised investment statements; independent investment advisor slated for approval 2/25/16; additional internal controls by Treasurer, Internal Auditor, Audit Committee added. 3. Specific administrative issues mentioned resolved. Board policies under review; need further volunteers.

BOT to consider: Can we better ensure compliance by having either additional internal or external compliance measures, particularly for potential breaches that arise higher in administrative chain? In-house counsel? External compliance reporting officer? Can we better respect institutional lines with Memorandum of Understanding?
Specific Administration leadership failures.

5.B.(1)(b), (c):

- Faculty governance did not function effectively at the College when neither the criminal justice faculty at the College nor Suburban Law Enforcement Academy instructors were consulted about or approved the increase in credit hours provided for non-credit courses taken in the Law Enforcement Academy;
- The administration of the College did not perform effectively when the faculty took a vote of no confidence, but the administration took no actions to address the concerns that led to the vote, and practices that led to faculty concerns continue unchanged; and

BOT to consider:
- Status on outstanding “no confidence” issues: 2/25/2016
  Administration Presentation: 2/25/2016 plus Accreditation Task Force
- Academic committee: undertake specific issues in March 2016
- SLEA presentation (academic quality, credit, students): faculty 2/25/2016
  - Accreditation Task Force plan needs to provide in detail where steps went wrong, proposed improvements; credit issues (HLC footnote). Update 2Q 2016?
Meets with Concerns

In addition, the College meets other Core Components but with concerns, as noted below.

The College meets with concerns Criterion One, Core Component 1.D, “the institution’s mission demonstrates commitment to the public good” and Criterion Two, Core Component 2.C, “the governing board is sufficiently autonomous to make decisions in the best interest of the institution and to assure its integrity” because the Board of the College has not worked cooperatively with the administration of the College or with fellow Board members. In addition, the Board has not properly respected the role of the administration in providing appropriate operational oversight of the College, thus impeding the College’s ability to serve the public good and make decisions in the best interest of the College.

The College meets with concerns Criterion Three, Core Component 3.A, “the institution’s degree programs are appropriate to higher education” because the College has inappropriately awarded college credits in criminal justice for the non-credit Suburban Law Enforcement Program (“SLEA”) without clear alignment with the College’s criminal justice program or a clear protocol for reviewing it as prior learning if it was intended as such and further increased this award without any increase in instruction or clock hours.

The College meets with concerns Criterion Four, Core Component 4.A, “the institution demonstrates responsibility for the quality of its educational programs” because the College lacked appropriate oversight over the SLEA curriculum and did not, therefore, include the program in its regular academic program review process, which ensures that students in this program are meeting the learning objectives of the College’s criminal justice program, even though the College simultaneously awarded credit in its criminal justice program for the non-credit SLEA program credits.

**BOT to consider:**

- Improving intra-Board cooperation. RFP issued for Board ethics/governance training. Board retreat to be scheduled; need date availabilities from all Trustees. Others?
- Improving Administrative cooperation: draft Memorandum of Understanding; revisions of Board policies.
- Program review: Academic Committee

**Improved cooperation and communications**

**SLEA/Academic review, commitment to academic process/protocols**
Action Plan  
February 25, 2016

- Key action items from January included: (1) resolving Board issues; (2) oversight administrative issues; (3) further information gathering.

- Implementation:
  - Investment plan in place;
  - Clearance of audit reports in progress
  - Issues relating to management/administrative hirings resolved
  - Board ethics and governance training RFP issued
  - Invitations to faculty re No Confidence vote and HLC Action Item for Feb. 25 Board meeting
  - Board retreat to improve cooperation: seeking dates from Trustees

- Administration: established Accreditation Task Force; issues to shared governance; Administration to provide the Board with updated reports post April 2016.

- Faculty: presentation tonight; Board to consider further follow up at March meetings.

- Target goal: all HLC items addressed prior to February, 2017.