

Code of Conduct Training: Institutional Policies & Compliance

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2022

Code of Conduct Training Purpose

As an institution of higher education, Barton is dedicated to high ethical, professional and legal standards in daily interactions, communication, and publications with and for current, prospective, and former students. This training is the annual reminder of Barton's commitment to this performance by all employees, and especially to those who act in a capacity of marketing/advertising, recruiting, admission, enrollment, and administering financial aid.

HLC Accreditation Requirements

Criteria for Accreditation

2.A.2. The institution operates with integrity in its financial, academic, human resources and auxiliary functions.

2.B. The institution presents itself clearly and completely to its students and to the public.

1. The institution ensures the accuracy of any representations it makes regarding academic offerings, requirements, faculty and staff, costs to students, governance structure and accreditation relationships.

HLC Assumed Practices

A. Integrity: Ethical and Responsible Conduct

2. The institution has ethics policies for faculty and staff regarding conflict of interest, nepotism, recruitment and admissions, financial aid, privacy of personal information, and contracting.

HLC Assumed Practices

5. The institution makes readily available to students and to the general public clear and complete information including:
 - b. full descriptions of the requirements for its programs, including pre-requisite courses.
 - c. requirements for admission both to the institution and to particular programs or majors
 - d. its policies on acceptance of transfer credit, including how the institution applies such credit to its degree requirements.
 - e. all student costs, including tuition, fees, training, and incidentals; its financial aid policies, practices, and requirements; and its policy on refunds.

Federal Compliance

<https://www.hlcommission.org/Policies/publication-of-transfer-policies.html>

An institution shall demonstrate that it has transfer policies that are publicly disclosed and that such policies include, at a minimum:

1. Any established criteria the institution uses regarding the transfer of credit earned at another institution and any types of institutions or sources from which the institution will not accept credits;
2. A list of institutions with which the institution has established an articulation agreement; and
3. Written criteria used to evaluate and award credit for prior learning experience including, but not limited to, service in the armed forces, paid or unpaid employment, or other demonstrated competency or learning.

Federal Compliance

<https://www.hlcommission.org/Policies/public-information.html>

Required Information for Students and the Public

- An institution demonstrates that it makes available to students and the public fair, accurate and complete information in catalogs, student handbooks, and other publications that include, at a minimum, information about the institution's calendar, grading, admissions, academic program requirements, tuition and fees, and refund policies.

Advertising and Recruiting Materials and Other Public Information

- An institution's public information including its advertising and recruiting materials shall evidence the same fairness and accuracy HLC expects in an institution's catalog and other documents for students.

2021-2022 FSA Handbook

Volume 2, Chapter 6: Consumer Information & School Reports

MISREPRESENTATION

Misrepresentation is defined as a false, incorrect, or misleading statement made directly or indirectly to a student, prospective student, state agency, an accrediting agency, the public, or the Department.

A *misleading statement* includes any statement that has the likelihood or tendency to mislead. Misrepresentation includes any statement that omits information in such a way as to make the statement false, erroneous, or misleading. A statement may still be misleading, even if it is true on its face.

U.S. Department of Education

2021-2022 FSA Handbook

34 Code of Federal Regulations

Misrepresentation

34 CFR Subpart F

Definition

34 CFR 668.71(c)

Misrepresenting educational program

34 CFR 668.72

Misrepresenting financial charges

34 CFR 668.73

Employability of graduates

34 CFR 668.74

<https://fsapartners.ed.gov/sites/default/files/2021-11/2122FSAHbkVol2Ch6.pdf> Page 2-193

Institutional Prohibitions

It will not request from or charge any student a fee for processing or handling any application, form, or data required to determine a student's eligibility for, and amount of, Title IV, HEA program assistance;

Incentive Compensation

- (i) It will not provide any commission, bonus, or other incentive payment based in any part, directly or indirectly, upon success in securing enrollments or the award of financial aid, to any person or entity who is engaged in any student recruitment or admission activity, or in making decisions regarding the award of title IV, HEA program funds.

Incentive Compensation

- (A) *Commission, bonus, or other incentive payment* means a sum of money or something of value, other than a fixed salary or wages, paid to or given to a person or an entity for services rendered.

Incentive Compensation

- (B) *Securing enrollments or the award of financial aid* means activities that a person or entity engages in at any point in time through completion of an educational program for the purpose of the admission or matriculation of students for any period of time or the award of financial aid to students.
- (1) These activities include contact in any form with a prospective student, such as, but not limited to - contact through preadmission or advising activities, scheduling an appointment to visit the enrollment office or any other office of the institution, attendance at such an appointment, or involvement in a prospective student's signing of an enrollment agreement or financial aid application.
- (2) These activities do not include making a payment to a third party for the provision of student contact information for prospective students provided that such payment is not based on -
 - (i) Any additional conduct or action by the third party or the prospective students, such as participation in preadmission or advising activities, scheduling an appointment to visit the enrollment office or any other office of the institution or attendance at such an appointment, or the signing, or being involved in the signing, of a prospective student's enrollment agreement or financial aid application; or
 - (ii) The number of students (calculated at any point in time of an educational program) who apply for enrollment, are awarded financial aid, or are enrolled for any period of time, including through completion of an educational program.

Incentive Compensation

- (C) *Entity or person engaged in any student recruitment or admission activity or in making decisions about the award of financial aid* means -
- (1) With respect to an entity engaged in any student recruitment or admission activity or in making decisions about the award of financial aid, any institution or organization that undertakes the recruiting or the admitting of students or that makes decisions about and awards title IV, HEA program funds; and
- (2) With respect to a person engaged in any student recruitment or admission activity or in making decisions about the award of financial aid, any employee who undertakes recruiting or admitting of students or who makes decisions about and awards title IV, HEA program funds, and any higher level employee with responsibility for recruitment or admission of students, or making decisions about awarding title IV, HEA program funds.

Incentive Compensation

- (D) *Enrollment* means the admission or matriculation of a student into an eligible institution.

Incentive Compensation

- <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-VI/part-668>

Barton's Institutional Policies

<https://docs.bartonccc.edu/policies/1165-conflictofinterest.pdf>

1165 – Conflict of Interest

The Board of Trustees, administrators, faculty, and staff at Barton Community College recognize a shared responsibility to protect the integrity of the institution and to conduct business according to the highest legal and ethical standards. Therefore, it is the responsibility of the President to ensure that the College, its Board members, and employees adhere to standards and principles that are legal, ethical, and morally correct and avoid actual, potential, or perceived conflicts of interest.

Approved by: President

Date: 6/1/15

Revision(s): 9/30/21 (update)

Barton's Code of Conduct

Alternative/Private Educational Loans

<https://www.bartonccc.edu/financialaid/othersources#ALTloans>

- The following Student Loan Code of Conduct has been developed to prohibit a conflict of interest with responsibilities of Barton Community College employees in regards to private education loans and in compliance with the Higher Education Opportunity Act:
- Barton Community College's Financial Aid Office does not use a lender list for students seeking a private education loan nor does it limit the choice of lenders for students.
- Barton Community College's Financial Aid Office does not assign a borrower's private education loan to a particular lender and does not delay or refuse to certify loans based upon the borrower's selection of a particular lender.
- Barton Community College does not enter into any revenue-sharing arrangement with any private education loan lender. The term "revenue-sharing" means an arrangement with any lender under which (1) a lender provides or issues a private education loan to students attending the institution or the families of such students and (2) the institution recommends the lender or the loan products and in exchange, the lender pays a fee or provides other material benefits, including revenue or profit sharing, to the institution, an officer, an employee or an agent of the institution.
- Employees of the Barton Community College Financial Aid Office and those who have responsibilities with respect to private education loans are prohibited from receiving or soliciting gifts from a lender, a guarantor, or a loan servicer of private educational loans. In addition, gifts to family members of an employee or agent, or to any other individual based upon the individual's relationship with the employee/agent is prohibited if the gift is given with the knowledge and acquiescence of the employee/agent and the employee/agent has reason to believe the gift was given because of the official position of that individual. Exception: Professional training, materials, and programs for financial educational purposes are acceptable.
- Barton Community College prohibits employees of the Financial Aid Office and those who have responsibilities with respect to private education loans from performing consulting or accepting contracting arrangements for compensation from any lender or affiliate of any lender for any type of services related to educational loans.
- Barton Community College does not request or accept from any lender any offer of funds to be used for private education loans in exchange for the institution providing concessions or promises.
- Barton Community College does not request or accept from any lender assistance with call center staffing or financial aid office staffing.
- Any Barton Community College Financial Aid employee who serves on an advisory board, commission, or group established by a lender is prohibited from receiving advisory board compensation except for reasonable expenses in performing these duties.

Barton's Institutional Code of Conduct for Financial Aid Professionals

<https://www.bartonccc.edu/financialaid/office/conduct>

Code of Conduct for Institutional Financial Aid Professionals

1. No action will be taken by financial aid staff that is for their personal benefit or could be perceived to be a conflict of interest.

Employees within the financial aid office will not award aid to themselves or their immediate family members. Staff will reserve this task to an institutionally designated person, to avoid the appearance of a conflict of interest.

If a preferred lender list is provided, it will be compiled without prejudice and for the sole benefit of the students attending the institution. The information included about lenders and loan terms will be transparent, complete, and accurate. The complete process through which preferred lenders are selected will be fully and publically disclosed. Borrowers will not be auto-assigned to any particular lender.

A borrower's choice of a lender will not be denied, impeded, or unnecessarily delayed by the institution, even if that lender is not included on the institution's preferred lender list.

No amount of cash, gift, or benefit in excess of a de minimis amount shall be accepted by a financial aid staff member from any financial aid applicant (or his/her family), or from any entity doing business with or seeking to do business with the institution (including service on advisory committees or boards beyond reimbursement for reasonable expenses directly associated with such service).

2. Information provided by the financial aid office is accurate, unbiased, and does not reflect preference arising from actual or potential personal gain.

3. Institutional award notifications and/or other institutionally provided materials shall include the following:

A breakdown of individual components of the institution's Cost of Attendance, designating all potential billable charges.

Clear identification of each award, indicating type of aid, i.e. gift aid (grant, scholarship), work, or loan.

Standard terminology and definitions, using NASFAA's [glossary of award letter terms](#).

Renewal requirements for each award.

4. All required consumer information is displayed in a prominent location on the institutional web site(s) and in any printed materials, easily identified and found, and labeled as "Consumer Information."

5. Financial aid professionals will disclose to their institution any involvement, interest in, or potential conflict of interest with any entity with which the institution has a business relationship.



Questions?

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