



THE TEN COMMANDMENTS OF COMPLIANCE

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Not every school has the luxury of a full-time compliance professional on-site providing guidance on issues and answers to every question that comes up. That said, *ignorantia juris non excusat*, which is Latin for “ignorance of the law does not excuse.” Where does this leave smaller schools or chains where the owner wears many hats, including compliance?

Our firm works with many different types of organizations, including publicly traded school companies, privately owned chains, single campuses and family-owned businesses. All school types have one thing in common: they are obligated to know and understand the laws and regulations that govern our sector and comply with them, regardless of size. The laws and regulations come from state regulations and individual board requirements, institutional and programmatic standards of accreditation for your accreditor, the Higher Education Opportunity Act, FERPA (Family Educational Rights and Privacy Act), SEVIS (Student Exchange and Visitor Information Service), and state and federal labor regulations. The list is long and it varies depending on the school, if it is accredited, what state(s) it does business in, the type of programs it offers and its student financing options.

How could anyone know all of this?

Other than compliance specialists and school legal experts, it is rare that anyone knows *all* of the answers. Typically people learn just what they need to know to do their best to get through each day, hope for the best and that they are not breaking any rules. That does not mean that regulators and the accrediting bodies lower their expectations, though.

On the contrary, they make every effort to make the information available and feel that it is the responsibility of school owners, operators and administrators to educate themselves. Thanks to the Internet, the information we need is available at the click of a mouse. If you're too busy then consider asking the pros. Most compliance professionals will provide phone time to their clients to answer questions as they arise, and this can prove to be a cost-effective way to get clear, concise information if you cannot afford to hire a full-time compliance director.

If I have a smaller school, what should I do?

First, meet with all of your employees and demonstrate your commitment to compliance by telling them that it is a priority for YOU and that it needs to be considered “mission critical” to everyone. Tell them everyone needs to do their best to learn the rules and

regulations and when in doubt – ASK! Employees in smaller schools should go to supervisors or owners for answers regardless of how large or small an issue. Owners and directors should engage their employees by developing a strong culture of compliance and lead by example.

Educational Advisors' Ten Commandments

While the following is *not* a complete list of do's and don'ts, it is something you can use to post on a bulletin board in the staff lounge or e-mail to employees. It is a great way to stimulate dialogue on the important topic of building a compliance-culture at your school.

- ONE:** You shall base business practices on the most stringent requirements you are governed by.
- TWO:** You shall embrace the industry through continuing education.
- THREE:** You shall not recruit students already enrolled in another institution.
- FOUR:** Remember your integrity is based on behavior, not words.
- FIVE:** Honor and promote the success of your employees and students.
- SIX:** You shall not jump to conclusions. Gather all facts prior to making decisions.
- SEVEN:** You shall not make up data to meet requirements.
- EIGHT:** You shall not distribute copyrighted materials without written consent from the author/publisher.
- NINE:** You shall not use white-out to hide incorrect information.
- TEN:** Student files shall communicate a student's entire enrollment experience without having to ask an employee for an explanation.

Whatever your plan, follow the ten commandments at a *minimum* to get started in developing your compliance culture.

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