

COMPLIANCE IN EDUCATIONAL INSTITUTIONS BASED ON STUDENTS EXPERIENCE SURVEY

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Abstract:

In this paper, we follow a survey approach to analyse the level of compliance with study and examination regulations governing two educational institutions in Switzerland. The results revealed that compliance with automatic registration was different in the two investigated units of analysis and in both we found deficiencies in compliance-related activities. For example in both institutions the deregistration process was not compliant because students were most often not informed about the process. In addition we found a compliance imbalance regarding the extent of assessments. With regard to the examination supervision the status of compliance was much better in one of the two analysed units. However, compliance regarding lecture sessions seemed balanced.

Keywords: compliance, management, quality, learning, education

1. INTRODUCTION

Nowadays compliance is a known term not only in multinational enterprises but also in educational institutions. In general, compliance means conforming to a rule, such as a specification, policy, standard or law (Roebuck, 2011). Roebuck describes compliance as a goal that any institutions aspire to ensure that personnel are aware of at least the consequences and take steps to comply with the relevant laws and regulations or internal policies.

“Compliance is everywhere” (Hocutt, 2000); this means that in countries, industries, companies, among others there are specifications, policies, plans, procedures, laws, regulations, contracts, or other requirements that must be adhered to. Enterprises and institutions are subject to various types of compliance requirements, e.g. regulatory, industry and corporate, as well as demands that need to be met, if the enterprise chooses to obtain external certification. Institutions need to establish compliance management processes within which compliance and related risks are managed and addressed (e.g., through mitigation) (Ho, 2009).

Educational institutions, in this context, must comply with laws, regulations and internal policies designed to ensure the smooth running of their activities. For example, universities must comply with teaching regulations as set out by various treaties; they must seek accreditation of their study programs regularly. Being compliant requires adopting and implementing a variety of costly activities related to process, people and not least technologies. These activities include ensuring that they have professional staff dedicated to compliance as well as enabling technologies to curtail risk.

Nowadays, there have been reported challenges with regards to compliance issues in most educational institutions. An example is one reported by Meier (2013), headlined “*The University of Bern has a tangible computer science problem: The new, million-dollar system to manage the learning operations produced mishap to mishap*”. This affects thousands of students. Meier reported that the software that integrates and manages all aspects of study-related data and processes (from enrollment to certification) had serious problems of data loss, duplication, denial of service, among others which left the university virtually in a standstill for months. Not to mention the loss of reputation in the public and among students.

The above case is only one of many. As outlined by Silverman (2008), passive and ineffectual governing bodies, failure to understand risk, inadequate internal controls, inattention to compliance issues, excessive greed, accounting failures, conflicts of interest, and corporate cultures that were indifferent to unethical conduct were the hallmarks of many institutions. Furthermore, formerly reputable organizations such WorldCom, Enron, United Way, Fannie Mae, Boeing, Citigroup, Global Crossing, Arthur Andersen, among others have all been victims of inadequate compliance.

In the absence of, or where compliance is inadequate, institutions are likely to be involved in litigations directly or indirectly. Direct ones include fines, banns, recalls, loss of funding, ratings. Indirect ones may include loss of students, reputation damage, loss of trust. An example is a suit filed by Abigail Fisher against the University of Texas (UT); Fisher, a white student, challenged the UT’s consideration of race in the undergraduate admissions process (UT, 2013). The point to consider in the example of Fisher is the number of students who have lost admissions as a result of race consideration.

The aim of this research is to find out and compare the level of educational compliance within the Master or Bachelor of Business Information Systems course at the School of Business, University of Applied Sciences Northwestern Switzerland (FHNW) and the University of Bern of Applied Sciences (FHB), as perceived by the students. Based on the results (as a pretest) it is planned to enhance the studies and to design a framework of compliance-related recommendation for educational institutions.

The Bern University of Applied Sciences is an application-oriented university situated in Bern, Switzerland. In addition to teaching, the university provides continuing education, research and development and services relating to its core competences (FHB, 2014). The university run programmes at the graduate and under-graduate levels. School of Business, University of Applied Sciences Northwestern Switzerland is situated in Olten, Switzerland. The University provides undergraduate education, continuing education, consulting, and applied research and development (FHNW, 2014). At the same time, it offers a greatly enhanced infrastructure and a wide choice of short-term programmes and facilities.

2. PROBLEM STATEMENT

Today's organizational environment requires regulatory compliance, controls, availability, change and continuous innovation to deliver stakeholder value. Fulfilling these demands heightens pressure on boards and executives to ensure effectiveness and making compliance integral to overall corporate governance (Robinson & Jodha, 2013). This can be transferred to educational institutions, program leaders or professors in charge; are accountable for the effectiveness of student-related processes. In addition automated processes IT compliance, governance and appropriate risk management cannot be ignored.

Educational institutions have not only to focus on the educational aspects because there exist interplay of numerous forces including judicial, legislative, culture, economic, societal, and technological aspects. It is therefore important to recognize and measure the extent of these forces and to benchmark it with comparable institutions. The FHNW and the FHB, use study and examination regulations governing their programs of study. These regulations serve as a guide to the study programs and the students - as universities customers - they must all be able to rely on consistent quality, from e.g. registration to deregistration process.

The research seeks to find out the extent to which the institutions are complying with study and examination regulations as enshrined. We seek to answer these questions based on substantial activities (from students' perspective):

1. How easy is it to register/enroll on a course or module?
2. How easy is it to deregister?
3. How is the effectiveness of
 - a. Assessments during tuition time
 - b. examination procedures and supervision
 - c. performance record listing and appeals
 - d. applying for exemption from obligatory assessment?

3. APPROACH

A research in compliance requires a thorough understanding of the approach and a reliable method to address the research questions. Having chosen quantitative methodology using the positivism philosophy, the next step was to choose the exact procedure for implementing it. There are several procedures; however, as a result of a number of considerations and the limitation therein, the survey method using online questionnaire was used. We chose a purposive sampling technique.

The study was focused on customers (students) from two different educational institutions in Switzerland; FHNW and FHB; both organizations and analyzed programs were comparable. The study was based on questionnaires regarding different compliance areas derived from the respective study regulations. In order to get outputs from different perspectives, target groups were bachelor and master students with the precondition that they had completed at least one semester of their studies. This was because they were assumed to have knowledge and some level of experience in the institutions.

4. COMPLIANCE-RELATED COMPONENTS

When an institution has chosen to ensure compliance, the focus of a potential audit is to check whether the organization has implemented the requirements of the regulations in which it is operating (Mechanisms, 2011). Several recommendations have been postulated. However, we agree with the prescription of the key components for an effective compliance program by the Federal Sentencing Guidelines for Organizations (FSGO) (Silverman, 2008). The following is recommended:

1. Establish compliance standards and procedures: the institution should establish compliance standards and procedures that can be followed by all stakeholders.
2. Assignment of responsibility to senior personnel: The institution should assign overall responsibility to senior members along the management hierarchy to oversee compliance with laid down standards and procedures by all.
3. Communication of procedures: The institution should communicate effectively its standards and procedures to all employees and customers.

4. Compliance monitoring and auditing: The institution should take reasonable steps to achieve compliance with its standards (e.g., monitoring and reporting).
5. Consistent enforcement: The institutions should enforce standards consistently by means of a disciplinary system under which those who violate the organization's code of conduct are reprimanded appropriately in relation to the offense.
6. Organization and responsibilities: The institutions should define who is responsible for governance, implementation and effectiveness, and who the relevant stakeholders are within the institution.

Compliance Processes

An educational institution is among others not static; requirements are issued (or become obsolete), systems/policies are being introduced, upgraded or discarded. Very often compliance programs are by themselves static and may be left unattended. The link between compliance-related components and the compliance processes in educational institutions is to first underline the key components and then operate or tune it with compliance processes. It is therefore vital for all institutions to blend all compliance programs with an implementation process discussed below.

A compliance process calls for vigilance and responsiveness. The first step is to analyze both external requirements based on laws and internal designed requirements. Does the requirement apply to this institution? Are we already doing what is required? Are we doing so everywhere, without exception? If there are exceptions, how would we know? There is the ultimate, unsavory decision not to comply simply because the cost of adherence is more onerous than the penalties for defiance.

Once the decision is taken to act, the requirements need to be interpreted and made understandable in operational terms.

5. SURVEY RESULTS

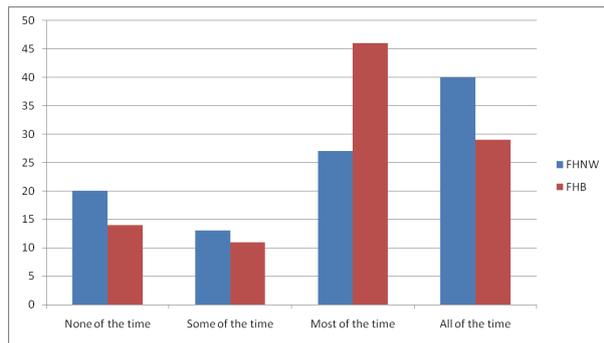
In this section, results, based on the guiding questions are presented. Discussions on specific items follow immediately after the item's results presentation. We are however hopeful that the results provides data that can be used as a starting point for further investigations. With a total of 53 realized students at FHNW and 63 at FHB, our target was 90% response, but this was not achievable. Instead, we ended up having 53% (FHNW) and 55% (FHB) responds rate respectively. FHB was purposively selected because the institution has lately been involved in a number of compliance issues as reported by by Meier (2013). FHNW served as the benchmark institution. A systematic comparison was possible because the two institutions had similar charracteristics, and therefore compliance at one institution is likely to reflect compliance at the other institutions.

A research of this nature needed wider coverage of all the students of the two institutions. However, we believe that the compliance services provided by the intitutions offers the same trends and experience independent of the number of people as such the data was representative and certain that it was generally applicable to all other students of the institutions.

It appeared that the students were satisfied with the registration/enrollment process; 70% of the students at FHNW responded they had no problem during the registration process; 30% did not provide any response to the registration process. However, with regard to problems with the registration process 46% of the students at FHB said none of the time, 50% said some of the time, while only 4% said all of the time. There seemed to be a greater satisfaction at FHNW than at FHB.

On the question of whether the students were automatically registered for modules upon enrollment, as shown in figure 1, 40% of the students at FHNW agreed and said all the time, 13% some of the time. 27% said most of the time while 20% responded they were not enrolled when they registered and therefore responded none of the time. 14% of the students at FHB said none of the time, 11% some of the time, 46% most of the time, while 29% said all of the time.

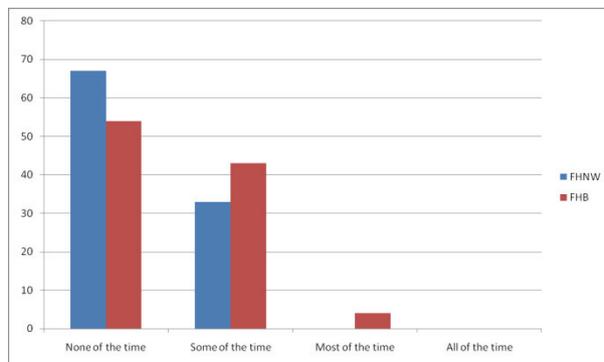
Figure 1: Students' automatic registration



Source: survey data

It appeared that students did not deregister frequently; as shown in figure 2, 67% at FHNW responded they had never deregistered; 33% said sometimes. On the other hand, 54% of the students at FHB said none of the time, 43% said some of the time, 4% said most of the time while no one said all of the time.

Figure 2: Students' deregistration



Source: survey data

There appeared to be an imbalance on how students were informed how to deregister; as shown in figure 3, 53% of the students at FHNW responded they had never been informed while 47% responded that they were informed. The level of information regarding deregistration was found to be low at FHB as only 39% said they were informed and 61% said they were never informed.

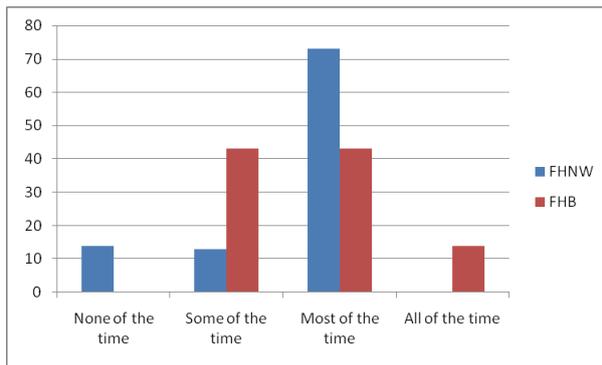
Figure 3: Information on deregistration



Source: survey data

On assessments (assignments, pre-exam, presentations, group work, among others), as shown in figure 4, 73% of students at FHNW were satisfied on how they were conducted during tuition time as they responded most of the time; 13% responded assessments were some of the time conducted while 14% responded they were not conducted at all. At FHB, 43% said some of the time, the same percentage said most of the time, while only 14% said all of the time.

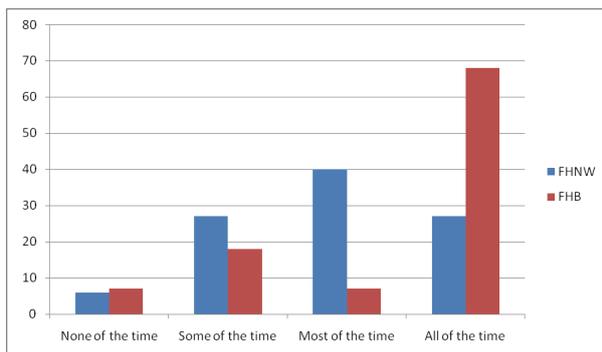
Figure 4: Assessments (e.g. assignments, pre-exam, presentations)



Source: survey data

In order to find out the level of examination compliance at the two institutions, the students in each case were asked whether examination supervisors were appointed or around for examinations, the reason being that it is often stated and mostly obligatory that examination supervisors are appointed for examination supervisions and not solely by the module lecturer. As shown in figure 5, 27% of the students at FHNW responded all of the time, 40% said most of the time, 27% responded some of the time while 6% did not agree that examination supervisors were appointed and were around for examinations. It appeared the level of examination compliance at FHB was more than that at FHNW as 68% of the FHB students said all of the time, 7% most of the time, 18% some of the time, with 7% disagreeing and responded none of the time.

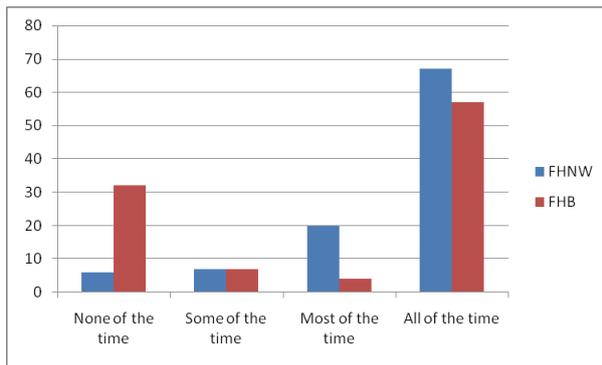
Figure 5: Level of examination supervision



Source: survey data

On the question, “Have you ever received performance record listing of modules taken, together with ECTS credits and grades at the end of each semester?” the responds are shown in figure 6: 6% of the students at FHNW responded none of the time, 7% some of the time, 20% most of the time. 67% responded that at all times they received performance record listing of modules taken, together with ECTS credits and grades at the end of each semester. At FHB, 32% responded none of the time, 7% some of the time, 4% most of the time, while 57% agreed and responded all of the time.

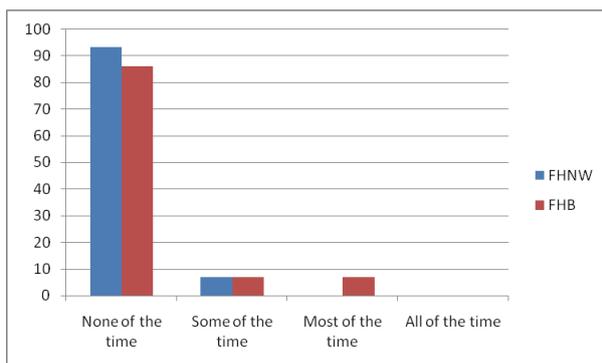
Figure 6: Performance record listing status



Source: survey data

The majority of the students at FHNW appeared satisfied. Most of them take part in assessments as planned and therefore have no problem applying for exemptions. As shown in figure 7, 93% responded that they have never applied for exemption from obligatory assessment. 7% said some of the time, while no student responded to most of the time and all of the time. At FHB 86% said none of the time, 7% said some of the time, the same percentage said most of the time, no student said all of the time.

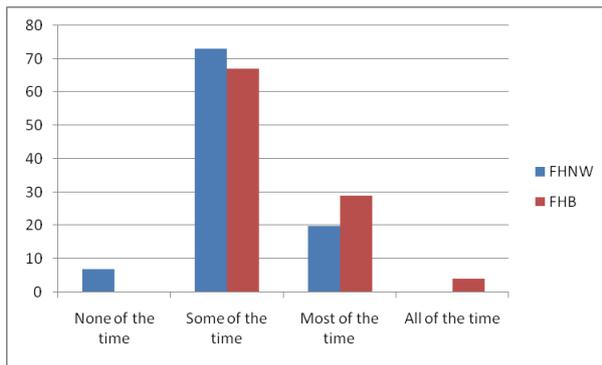
Figure 7: Applying for exemptions



Source: survey data

Effectiveness of lecture sessions sought the compliance with lecture session from the perspective of the students. It sought to find out such issues as lecturer punctuality, timeliness, delivery, content, materials, among others. Respondents had some what similar response on the overall effectiveness of lecture sessions at the two institutions. As shown in figure 8, 7% of the students at FHNW were not satisfied and therefore responded none of the time; 73% were satisfied to some extent and responded some of the time. 20% were okay and found lecture sessions to be very good. However, no student agreed that lecture sessions were all of the time excellent. None of the students at FHB agreed that lecture sessions were excellent, 67% said some of the time, 29% said most of the time, with 4% responding all of the time.

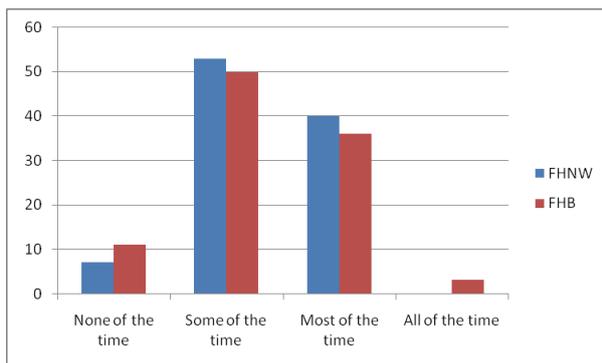
Figure 8: Effectiveness of lecture sessions



Source: survey data

The effectiveness of examination sessions measured the extent to which the institutions complied with the general examination process; the procedures, the conduciseveness of the examination environment, students' identification and authentication, handling of non-permissible items, among others. As shown in figure 9, 7% of the students at FHNW were not satisfied and therefore responded none of the time; 53% were satisfied to some extent and responded some of the time. 40% were okay and found examination sessions to be most of the time excellent, while no student said all of the time. At FHB, 11% said none of the time, 50% said some of the time, 36% said most of the time with 3% responding all of the time.

Figure 9: Effectiveness of examination sessions



Source: survey data

6. SUMMARY

There are a number of substantial differences with regard to compliance-related processes in the two institutions. For example enrollment, it is very important for the students because it corresponds to automatic registration of modules. The results show that compliance with this process was quite better at FHNW than in the comparable FHB. Deregistration was uncommon at both FHNW and FHB; comparatively, it was more uncommon at FHNW than at FHB.

Compliance with informing students on how to deregister was found to be inadequate as in each of the two institutions. There were more respondents who said they were never informed more than those who responded in the affirmative.

Again, there appeared to be compliance imbalances at the two institutions regarding the extent of assessments (e.g. assignments, pre-exam, presentations, group work); whereas greater portion of the students (70%) at FHNW responded most of the time, majority also responded none of the time. Majority at FHB responded most of the time while more also responded all of the time. There was a compensation which balanced out the responses from the two institutions.

Examination supervision compliance was better at FHB more than at FHNW while Performance record listing compliance at FHNW was better at FHNW than at FHB.

Applying for examination exemptions was uncommon at the two institutions. However, compliance regarding lecture sessions seemed balanced. Compliance with examination sessions at FHNW appeared better than at FHB.

7. CONCLUSIONS

In this paper, the results of collected survey data from two different educational institutions were presented to find out the level of compliance regarding their study programs.

We noted that although compliance appears good, there are lapses in some aspects, this maybe as a result of communication dilution from the side of policy makers to the interpretation of the implementers. Compliance with automatically enrolling students on modules should be looked at; even though performance record listing of students appeared quite good at the two institutions, there should be strict guidelines on ECTS credits and grades and clear deadline on when they should be released to students especially at FHB. Based on the results, students should be better informed on the deregistration process.

First Recommendations

This section shows opportunities for further research in the area of educational institutions compliance. Based on our experiences collected during the conduct of the survey, the literature and the limitations we faced we are sure there is a research gap and more research is necessary in order to effectively test and further on improve compliance. The survey covered a limited number of the entire students and therefore the sampling used did not to some extent qualify as a microcosm of the entire students. We recommend that more coverage should be considered.

As the number of process improvement methodologies is continuously rising, more criterion indicators should be looked at e.g. with regard to supervision of project works, marking and scoring of students, attendance and punctuality of lecturers, among others, the relevance of the assortment should be checked by conducting more frequent student surveys from time to time.

Again, compliance at educational institutions needs to be committed to as more and more people are conscious of the compliance process.

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