



# Business Services

(Human Resources, Business Office, Facility Management,  
Campus Safety, Bookstore, Print Shop)

Federal Compliance Presentation For Board Of Trustees  
Presenter: Mark Dean  
November 13, 2018

## Compliance - Human Resources

- Age discrimination in employment act
- Cafeteria plan regulations
- Children's health insurance program reauthorization act of 2009
- Consolidated omnibus budget reconciliation act
- Consumer credit protection act
- Drug-free workplace act
- Employee polygraph protection act
- Equal employment opportunity act
- Equal pay act
- Fair and Accurate Credit Transaction Act
- Fair Credit Reporting Act
- Fair Labor Standards Act
- Family and Medical Leave Act
- Federal Insurance Contributions Act
- Federal Motor Carrier Safety Administration
- Fringe Benefits (Taxation of)
- Genetic Information Nondiscrimination Act
- Health Information Technology for Economic and Clinical Health Act

## Compliance - Human Resources

- Health insurance and portability act
- Immigration and nationality act
- Lilly Ledbetter fair pay act
- Medicare, Medicaid and schip extension act
- Patient protection and affordable care act
- Pregnancy discrimination act
- Section 504 (as it relates to employees)
- Social security act
- Student exchange and visitor information system (sevis)
- The Veteran's Readjustment Benefits Act
- Title IX
- Title I of the Americans With Disabilities Act
- Title VII of the Civil Rights Act
- Uniformed Services Employment and Reemployment Acts
- VAWA
- Worker Adjustment and Retraining Notification Act
- Worker's Compensation

## Compliance - Human Resources

- Anti-kickback act
- Bankruptcy abuse prevention & consumer protection act
- Consumer credit protection act
- Electronic fund transfers
- Equity in athletics
- Federal volunteer protection act
- Higher education act - audits
- Higher education act - cash management
- Higher education act - incentive compensation
- Higher education act - information distribution
- Independent contractors
- Public disclosure of material
- Qualified tuition and student loan interest reporting
- Reporting of payments and royalties
- Sarbanes Oxley act
- Truth in lending
- Uniform administrative requirements cost principles and audit requirements
- Unrelated business income

## Compliance Areas For:

Facility Management, Campus Safety, Bookstore, Print Shop

- Americans with disabilities act
- Campus crimes and prevention act
- Clean water act / KDHE / KDWR
- Drug & alcohol testing of transportation employees
- Emergency planning and community right to know act
- FCC - wireless communications licensing
- Guarding and use of hand & portable powered tools / KDHE
- Hazardous materials transportation
- Higher education act - disclosure of fire and safety standards
- Higher education act - drug and alcohol abuse
- Higher education act - missing person procedure
- Higher Education Textbook Information Act
- Jeanne Clery disclosure of campus security and crime statistics, policies and procedures
- OSHA / KDHE hazard communication standard
- OSHA / KDHE welding, cutting, brazing
- Resource conservation and recovery act
- Section 504 of the rehabilitation act
- Sherman Antitrust Act
- Toxic substances control act



## Compliance Federal / State

The regulations listed above are Federal regulations. There are many other regulations that the College must comply with (State, HLC, various accrediting agencies, etc.). As you can see, Human Resources has an extensive list of compliance regulations that they must follow. Again, these are Federal regulations, but understand that we must also comply with all of the individual State regulations for any State in which we have an employee.

These regulations continually change and we must comply with each State's requirements in addition to the Federal regulations. Examples of the individual State requirements include the requirement to offer a variety of different benefits to employees in a State, and in some circumstances these requirements differ depending on the city in which the employee lives in.

Due to the number of HR regulations, a separate HR presentation has been prepared for the Board.



## Equity In Athletics

This is an annual Federal athletic report. It requires that Barton track and report the following information to ensure that we are providing equitable athletic opportunities to both male & female programs and our male & female coaches. Barton's information can be found at:

<https://ope.ed.gov/athletics/#/institution/details>

It requires Barton to track and report the following information for every program (separated for male/female):

- Number of athletes per team
- Operational expenditures
- Game day expenditures
- Travel expenditures
- Tuition / Fees/ Housing revenue
- Scholarships
- Financial Aid per student
- Number of Head and Assistance coaches and gender
- Salaries & Benefits for each coach

## Higher Education Act - Cash Management

Compliance is verified each year as part of the Annual Audit -

<https://www.bartonccc.edu/administration/finance>

There are multiple areas covered by this regulation - They include:

- Establishes rules for requesting maintaining and disbursing Title IV funds (student financial aid and refunds)
- Requirements that the College verify and maintain securities to cover our cash deposits over and above FDIC insurance
- Limits where the College can deposit it's reserve funds
- Requires policies and procedures for internal controls
- Requires Federal tracking and reporting for payments which qualify for Federal form 1099





# Qualified Tuition And Student Loan Interest Reporting

This regulation requires the College to track and report student tuition / scholarship reporting. This is done by filing a Federal tax form 1098 for all eligible students.

- This requires reporting to the Federal Government by SSN or TIN - <https://www.bartonccc.edu/billing-payment>
- Students can log into their portal and retrieve the 1098 form that Barton Submitted to the Federal Government on their behalf. The students will use this form when filing their taxes.
- We have a large number of students that either don't have a SSN / TIN, or don't report the number to us correctly
- Regulations require Barton to solicit students for their correct SSN / TIN. Failure to collect this information results in a \$50 fine to Barton per incorrect SSN / TIN reported. This process takes an enormous amount of time and crosschecking.

## Uniform Administrative Requirements Cost Principles And Audit Requirements

This Federal Regulation required an annual audit by an independent auditor - <https://www.bartonccc.edu/administration/finance>

- Requires filing of the audit with the Federal Government
- Establishes specific audit requirements and standards per the Governmental Accounting and Standards Board (GASB). These include:
  - Cash Management
  - Auditing Procedures
  - Conflict of Interest
  - Internal controls
  - Policies and Procedures
- Barton's Business Office Staff continually work on the Audit, the collection of documentation, and verification of processes year round. This is probably the most time consuming regulation that the Business Office staff must comply with.

## Americans With Disabilities Act

The Americans with Disabilities Act crosses over in to all areas of the College. As it related to Facility Management and Human Resources, we must:

- Ensure that our facilities are accessible to our students, visitors, and employees. This includes new construction as well as existing facilities
- We must make reasonable accommodations to individuals requesting assistance, to ensure access to our facilities and programs
- We must make reasonable accommodations to employees to ensure access to their work space and to assist them in completing their jobs with Barton
- We receive annual KDHE inspections which actually audit our facilities for safety and compliance. In addition, we receive an inspections from our insurer each year.
- KBOR selects colleges for Civil Rights audits in which our facilities are audited to ensure that we meet ADA standards -

<https://docs.bartonccc.edu/humres/ADA%20Civil%20Rights.pdf>

## Clean Water Act / KDHE / KDWR

The Clean Water Act is a Federal regulation, but is it administered by KDHE and KDWR. This regulation is one of the most time consuming regulations for us. It requires:

- Barton must have an individual who maintains both a Potable Water License and a Wastewater License
- Requires annual professional development training for the licensed individual
- Requires daily testing of our water supply
- Requires the weekly submission of our water to KDHE for testing (collecting, mailing, tracking)
- Requires annual testing for chemicals and quality to meet the clean water standards
- Requires annual reporting to all individuals that use our water supply as well as KDHE (Both College and RWD systems) –

<https://docs.bartonccc.edu/humres/Barton%20Consumer%20Confidence%202018.pdf>

- Requires monthly tracking of usage per source
- Requires annual usage monitoring and reporting
- Also includes tracking and reporting of our Agricultural water supplies
- Fines are issued for violations

## Higher Education Textbook Information Act

This Federal regulation requires that Barton publish all information about the required textbook and supplies required for each of our classes -

<https://docs.bartonccc.edu/stuservices/bookstore/fall-books-2018.pdf>

This includes:

- Author
- Title
- ISBN #
- Publisher
- Price (New, Used, Rental)
- Edition

This list changes from semester to semester. Unfortunately, there are also differences in the textbooks used for the same classes being taught by different instructors.

## Jeanne Clery Disclosure Of Campus Security And Crime Statistics, Policies And Procedures

This Federal Regulation requires all institutions of higher education that participate in federal student financial aid programs to disclose information about certain campus policies, procedures, and crime that occurs on the campus and certain off campus locations. This regulation takes an enormous amount of time for many individuals across campus. Barton's report link:

<https://bartonccc.edu/campussafety/crimesecurityact>

- Requires that Campus Safety request these statistics from law enforcement responsible for all off campus locations
- Requires daily and annual tracking of the statistics
- Requires an enormous amount of data collection and reporting