

MEMORANDUM

October 22, 2009

TO: Management and Fiscal Policy Committee
FROM: Justina J. Ferber,  Legislative Analyst
SUBJECT: Briefing – Suspension of MC Employee Tuition Assistance Program

Background

On September 14, the MFP Committee discussed current investigations of the Montgomery County Employee Tuition Assistance Program by the offices of the County Attorney, Human Resources, Inspector General and Sheriff. The Committee was advised that there is coordination among the offices and each would be issuing a specific report. In response to the Committee's request for resolution of issues prior to FY11 budget deliberations, the County Attorney and OHR Director will attempt to conclude their investigations prior to the Council break in December and return to the Committee with their findings.

Responses to questions asked at the September 14 session are attached at ©1. OHR is compiling a database of all course descriptions for credit courses, non-credit courses or seminars related to an employee's current County job or normal career progression. The database will be available to the Committee by November 23. Course descriptions for a college degree or certificate program are not required to be submitted; therefore, the database will not show a description of those courses.

Briefing

Office of Human Resources Director, Joe Adler, has requested time on the MFP agenda to brief the Committee on the suspension of the County Tuition Assistance Program. Attached at ©5 is a copy of an email to employees from the Chief Administrative Officer notifying them of the suspension of the program. Mr. Adler will give a brief report on the suspension, allowing time for Councilmember questions.

Attachments: Memo from OHR Director re Questions of MFP Committee ©1
CAO Email re Suspension of Tuition Assistance Program ©5



OFFICE OF HUMAN RESOURCES

Isiah Leggett
County Executive

Joseph Adler
Director

MEMORANDUM

October 20, 2009

TO: Duchy Trachtenberg, Chair
Management and Fiscal Policy Committee

FROM: Joseph Adler, Director
Office of Human Resources

SUBJECT: Tuition Assistance Program

At our last MFP session, a number of questions were raised which are addressed in this memorandum. In addition, we also wanted to highlight a few policies for the Tuition Assistance Program. The Office of Human Resources has administered the Tuition Assistance Program for more than thirty years. The tuition assistance program is an *employee-initiated* program and is available to help pay the costs of education and training selected by County employees to take during their off-duty hours.

The OHR Director may approve the use of tuition assistance to pay for:

1. Educational Tuition Assistance (ETAP)
Education or training to obtain a certificate, associate degree, baccalaureate degree or graduate degree related to normal career progression or a field of study which will prepare the employee to make a career change within the County.
2. Job Improvement Tuition Assistance (JITAP)
Covers credit courses, non-credit courses or seminars related to an employee's current County job or normal career progression not leading to a degree.

Employees receiving tuition assistance must participate in the educational activity:

- (a.) during the employee's off-duty hours; or
- (b.) provide authorization from supervisor to flex work schedule; or,
- (c.) approved leave, other than administrative leave.

The following questions were asked of the Office of Human Resources.

1. Provide Council members a course description for courses taken by employees.

The Office of Human Resources maintains an individual tuition assistance file for all employees' participating in the program. For coursework not leading to a degree or certificate program; OHR requires the employee to submit a copy of the course description for review. The Office of Human Resources is currently compiling an electronic database of all course descriptions for credit courses, non-credit courses or seminars related to an employee's current County job or normal career progression. The Office of Human Resources will provide electronic database to the MFP committee by *November 23, 2009*.

Course descriptions for a college degree or certificate program are not required to be submitted.

2. How many courses related to behavioral health and foreign language have been taken by public safety personnel?

During FY08 and FY09, public safety personnel enrolled in approximately 74 behavioral health courses and approximately 16 foreign language courses.

3. What are the number of degrees and certifications that result from the tuition assistance program?

Of approximately 752 employees working towards a degree, 121 employees reported earning a degree from FY 05 through FY 2010 and 128 employees are anticipated to earn their degree in the next several years.

During that same time period, 18 employees reported earning a certificate and another 6 employees anticipate earning a certificate in the next several years.

4. When will there be an evaluation of tuition assistance program effectiveness and how often is the program evaluated?

The Office of Human Resources will work with the County Stat office this fiscal year to develop a comprehensive strategy for evaluating the Tuition Assistance Program's effectiveness during FY11.

5. Are employee evaluations of classes processed, and are the evaluations used as a tool to continue/discontinue classes?

Given the way the program is currently structured, this option is not viable. Employees select the classes/programs they wish to attend from an array of available vendors: university and college classes, professional association certificate programs or for profit training programs, etc. Unlike the courses

available in the FY 10 training catalogue, ETAP and JITAP courses are not contracted or administered by OHR and made available to employees.

The standards for evaluating courses through the tuition assistance program are established and conducted by the educational institutions or organizations for which the employee is taking the coursework and not by the Office of Human Resources.

As indicated above, the Office of Human Resources administers an extensive centralized training and professional development program for all County employees including communication, diversity studies, supervisory, and leadership development courses, technology training, and computer based training. OHR seeks feedback from employees and managers on all training provided through the use of web-based surveys, focus groups, individual interviews, and best practice benchmarking. Based on the needs assessments, training programs are tailored to support the learning needs of the County, management and employees in providing services to the residents of Montgomery County. In addition, OHR reviews individual student evaluations immediately after the course is completed and surveys employees two months after the course completion date to evaluate the transfer of learning to their job.

6. How do courses relate to jobs and do courses change/update to meet current needs and times?

As explained in response # 5, the tuition assistance program is an *employee-initiated* program; it is the employee's responsibility to select the appropriate educational institute or organization that best meets their educational needs.

7. How do supervisors and OHR receive feedback on course taken by employees?

The Office of Human Resources encourages supervisors to discuss with employees their professional development and career objectives through performance management.

8. In addition to program guidelines and policies outlined in the personnel regulations, what other criteria are used for approving classes and vendors? What additional criteria are needed? Who determines which vendors and courses are appropriate?

The Office of Human Resources has taken the following steps to ensure increased program oversight:

- 1) Two layers of management review.
- 2) For educational institutions or organizations unfamiliar to the department, OHR is requesting additional documentation from employees or educational institutions such as web site, course catalog, etc.

- 3) Thorough review of course descriptions and job relatedness is being examined with management.
- 4) Requesting an itemized statement to include a break down of all educational expenses to ensure appropriate coverage of tuition and fees.
- 5) OHR will conduct a second review of all FY 2010 tuition assistance files to ensure appropriateness.
- 6) There are a number of investigations underway (Office of the Inspector General, the County Attorney's Office and Internal Audit). Upon completion these investigations, the Office of Human Resources will negotiate and develop recommended revisions to the collective bargaining contract language, as well as revise personnel policies and procedures related to the Tuition Assistance Program.

9. Is there an explanation for the 33% increase in tuition assistance costs? Is the increase a function of outreach, personnel, inflation?

We contribute the increase in use of tuition assistance funds to the County's fiscal constraints, departments reducing their professional development funds and by word of mouth. The Office of Human Resources did not conduct any additional outreach for the program.

10. What steps will the Ethics Commission and Executive staff take to identify conflicts of interest? What amendments will be needed in the Ethics law?

The Office of Human Resources will collaborate with the County Attorney's Office. The County Attorney's Office will take the lead with the Ethics Commission in addressing conflicts of interest and amendments needed.

The Office of Human Resources is committed to ensuring the Tuition Assistance Program is in compliance with all established guidelines and OHR will carefully review our program to ensure that it serves its intended purpose most effectively.

Ferber, Justina

From: MCG Postmaster
Sent: Wednesday, September 30, 2009 5:02 PM
To: #MCG.ALL
Subject: A message from the Chief Administrative Officer

Effective today, I have directed the immediate suspension of the Montgomery County Tuition Assistance Program.

The program, which began in 1979, has made significant contributions over the years to continuing education and training for Montgomery County employees. However, serious questions have been raised about the appropriateness of a small number of the hundreds of courses covered by the program.

In those few cases where payments were made for educational expenses other than tuition, the County is seeking and will continue to seek reimbursement from the individuals involved. The County's internal audit unit will be reviewing program records to ensure past and present compliance with established guidelines and the intended purposes, and will be reviewing management controls.

Commitments for employees' courses already made by the Office of Human Resources in FY10 will be honored, subject to review for compliance with established guidelines. All other requests are suspended. The program will resume if and when every part of the program works the way it should.

Questions should be directed to the Office of Human Resources. Thank you for your patience while we review this program to ensure that it serves its intended purpose.

Timothy L. Firestine
Chief Administrative Officer