



Washington State Auditor's Office

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Whistleblower Investigation Report Community Colleges of Spokane

For the period July 1, 2013 through June 30, 2014

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Christine Johnson, Chancellor
Community Colleges of Spokane

Report on Whistleblower Investigation

Attached is the official report on Whistleblower Case No. WB 14-035 at the Community Colleges of Spokane.

The State Auditor's Office received an assertion of improper governmental activity at the College. This assertion was submitted to us under the provisions of Chapter 42.40 of the Revised Code of Washington, the Whistleblower Act. We have investigated the assertion independently and objectively through interviews and by reviewing relevant documents. This report contains the result of our investigation.

Questions about this report should be directed to Whistleblower Manager Jim Brownell at (360) 725-5352.

Sincerely,

JAN M. JUTTE, CPA, CGFM
ACTING STATE AUDITOR
OLYMPIA, WA

cc: Ms. Lisa Hjaltalin, Chief Financial Officer
Governor Jay Inslee
Kate Reynolds, Executive Director, Executive Ethics Board
Joshua Collette, Investigator

WHISTLEBLOWER INVESTIGATION REPORT

Assertion and results

Our Office received a whistleblower complaint asserting a supervisor directed staff to inflate the student enrollment figures by adding courses to registration forms in order to maintain funding for education programs. It was also alleged that offenders were allowed to continue in programs despite not making satisfactory progress to ensure enrollment targets were met.

We found no reasonable cause to believe an improper governmental action occurred. However, we identified monitoring activities need improvement over the Corrections Education Program.

Background

The Department of Corrections (Department) contracts with community colleges to provide basic education and job training for offenders. The Corrections Education Program receives its funding through an appropriation from the Washington Legislature. The funding is passed through the State Board of Community and Technical Colleges (State Board) to the community colleges through interagency agreements. The funding is used primarily to cover the costs of salaries and benefits for instructors.

Each year, the Department develops a service plan that sets the enrollment target for each facility based on the number of hours of instruction provided to the offenders; 15 hours of instruction equal one credit, 45 credits equal one full-time equivalent unit, or FTE. Community colleges receive funding to cover the payroll costs of providing instruction based on the number of target FTEs set by the service plan, funding can be reduced if enrollment targets are not met.

Unlike most college courses, which have set beginning and end dates, several of the courses offered to offenders can be started and completed at any time during the quarter. This can result in offenders not completing courses by the end of a quarter. Learning disabilities, health issues, or other matters beyond the control of the offender, may also result in non-completion of courses. In these instances, the community colleges are allowed to issue a grade that does not penalize the offender. The Community Colleges of Spokane issues a “z-grade” for incomplete courses, allowing the offender to complete the course the following quarter.

About the Investigation

During the investigation we obtained registration forms, program documents, and interviewed staff at the Department, the State Board and three community colleges.

We found there is insufficient guidance from the Department and State Board on the reporting of program enrollment. There is no documented guidance on the maximum number of credits an offender may be enrolled during one quarter, or the number of quarters an offender may be

enrolled in a specific course without receiving a passing grade, before it is considered unsatisfactory progress and the offender is not allowed to reenroll.

We spoke with the Department's Administrator of Education who explained that the interagency agreement between the Department and the State Board is the guidance for the program. He said the Department relies on the State Board to ensure community colleges report enrollment accurately. The interagency agreement provided general guidelines, but it did not contain specific procedures describing how the State Board should monitor the program to ensure enrollment is reported accurately. When we spoke with the staff at the community colleges they said they follow past practices and procedures to complete enrollment.

We reviewed 475 registration forms from the Spokane Community College for the spring quarter of 2014. The forms were typed by instructors and signed by the offenders. We confirmed this was the enrollment reported to the State Board by recalculating enrollment from the forms and comparing the figures to the State Board's program reports. We found 14 registration forms had handwritten alterations increasing the number of courses registered. The subject said the courses were added to ensure the offenders were registered for the standard 20 credits. Through the course of interviewing witnesses, we found no evidence the subject directed staff to inflate enrollment.

We reviewed the grade report for the spring quarter and found over half of the registered credits from vocational programs received z-grades, including 82 percent of the credits for interactive media courses. We also reviewed the grade reports for winter, summer and fall quarters of 2014 and found it was common for offenders to receive z-grades for one or more quarters before receiving a passing grade. We also found:

- One instance when an offender received grades for 34 credits in one quarter.
- Two instances when offenders received z-grades for courses in three consecutive quarters.
- Three instances when offenders registered for courses for which they had already received a passing grade.

The subject explained offenders are registered for more than 20 credits if they are taking vocational support courses, such as English and math, or if they complete their initial 20 credits and begin new courses. Regarding the offender who was registered for 34 credits referenced above, the subject explained the offender finished two courses (10 credits) started during the previous quarter and registered for three vocational courses (15 credits) and three vocational support courses (nine credits).

The subject said it is unacceptable for an offender to be registered in courses for which they had already received grades. Regarding the offenders who received z-grades in three consecutive

quarters, the subject said the offenders should have been dropped from the courses for unsatisfactory progress. The subject said the instructor is responsible for addressing these matters. However, he said he may not have been monitoring the program as well as he should have.

During the investigation, the Department began to evaluate the large amount of z-grades issued by instructors. The interactive media program was considered to be unsuccessful, and the one-year certification obtained upon completion is not sufficient for job placement after the offender's release. The Department plans to eliminate the interactive media program at all facilities.

The State Board provides the Department quarterly reports updating the program enrollment for each facility; the information used to create these reports comes from the community colleges. Staff at the State Board explained it normally performs program reviews from its office rather than at the program's location. They also acknowledged they have fallen behind schedule on these reviews. Staff at the Community Colleges of Spokane confirmed the State Board has not been on site to review its records in several years.

We found no reasonable cause to believe the subject directed instructors to inflate enrollment. However, we found:

- The subject failed to effectively monitor the program, which resulted in enrollment irregularities and program objectives not being met.
- The State Board failed to ensure the enrollment information it received was accurate and program objectives were being met.
- The Department did not ensure the State Board effectively administered the Corrections Education Program, which resulted in offenders being enrolled in courses that failed to meet program objectives.

Recommendation

We recommend the Department, State Board and College work together to establish processes and procedures to improve program monitoring and ensure program objectives are met.

State Auditor's Office Concluding Remarks

We thank College officials and personnel for their assistance and cooperation during the investigation.

WHISTLEBLOWER INVESTIGATION CRITERIA

We came to our determination in this investigation by evaluating the facts against the criteria below:

RCW 42.40.020 - Definitions.

(4) “Gross mismanagement” means the exercise of management responsibilities in a manner grossly deviating from the standard of care or competence that a reasonable person would observe in the same situation.