Discussion Item

CARL-4 Policy and Compliance Updates

Background Information

Kristen Bonatz, Deputy General Counsel, and Enyonam Williams, Associate General Counsel, will provide an update on the University’s policy and compliance functions.

Attachment

4.1 University-Wide Policy and Compliance Program Update (see below)
• Policy Program Overview and Update
• Compliance and Integrity Program Overview
  • Regulation of Higher Education
  • Guidance for Effective Compliance Programs
  • Defining & Assessing UNCG’s Compliance Risk Universe
• 2023-2024 Compliance Work Plan
• Regulatory Changes in the Pipeline
Relationship Between Policy, Enterprise Risk Management, Compliance, and Audit
Policy Review Process

Stage 1
- Drafter Submits Form to Liaison and OIIGC (with confirmation from Responsible Executive)
- Draft reviewed by OIIGC and other identified stakeholders

Stage 2
- Liaisons and Stakeholders provide comments
- Policy Action Group reviews
- Returned to Drafter, copy to liaison for finalizing

Stage 3
- Liaison shares final draft with Responsible Executive
- Submitted to Chancellor’s Council for endorsement by consent or discussion
- Chancellor reviews/revises

Stage 4
- Content reviewed with Drafter, Annual review scheduled and added to review cycle
- Final policy posted on website
- Community informed, history and archives updated
Policy Program Update

Academic Year 2022-2023

- Completed Policy Manual Website Conversion
- Currently have 110 officially designated University Policies
- Completed Substantive review of 20 policies
- Non-Substantive Revisions or Updates to 11 additional policies
- Rescinded and/or Consolidated 12 policies
Regulation of Higher Education

- Higher Education governed by federal, state, and local regulatory agencies
- More than 300 federal laws alone apply to higher education, accompanied by mountains of regulation
- Increasing regulatory demands and expectations
  - New federal and state laws
  - Growing complexity of requirements
  - More aggressive enforcement initiatives
- Increasing regulatory burden leading to increase in university costs
Regulation of Higher Education

• Compliance is highly decentralized and everyone’s responsibility

• Compliance missteps can result in:
  • Safety and security risks
  • Financial consequences
  • Enhanced monitoring
  • Reputational impact

One Example

Colleges Under Fire for Foreign Gift Reporting

Department of Education issues report accusing colleges of "pervasive noncompliance" with federal law requiring reporting of foreign-sourced gifts and contracts.

By Elizabeth Redden
Effective Compliance Program Elements

- Implementing Policies
- Prompt Corrective Action
- Well-Publicized Disciplinary Guidelines
- Compliance Officer
- Training
- Monitoring
- Communication
**ENTERPRISE RISK HIERARCHY**

**LIFE, HEALTH, AND WELLBEING**
- Managed by ERM
- Academic
- Accounting & Finance
- Athletics
- Equity & Diversity
- Ethics
- External Relations
- Financial Aid & Student Billing
- Governance
- Health & Safety
- Human Resources
- Immigration & International Activities
- Information Security

**COMPLIANCE/LEGAL** (Managed by OIIGC)
- Intellectual Property & Technology Transfer
- Privacy
- Records & Information Management
- Research Integrity

**OPERATIONAL**
- Managed by ERM

**FINANCIAL**
- Managed by ERM

**REPUTATIONAL**
- Managed by ERM

**STRATEGIC**
- Managed by ERM
## COMPLIANCE RISK UNIVERSE

### ACADEMIC
- Accreditation
- Admissions
- IPEDS and External Reporting
- State Authorization
- Drug Free Schools Act

### ETHICS
- Accountability
- Acknowledgements and Rewards

### HEALTH & SAFETY
- Emergency Management / Insurance
- Campus Safety
- Environmental Health & Occupational Safety
- Sexual Violence (Students)
- Minors on Campus
- Housing and Dining (Safety: FDA, OSHA, etc.)
- Student Activities

### INTELLECTUAL PROPERTY & TECHNOLOGY TRANSFER
- Technology Transfer
- Copyright

### ACCOUNTING & FINANCE
- Accounting, IRS, & Taxes
- Social Security Act and FICA
- Higher Education Act
- Assets, Endowment, Banking and Trust
- Procurement and Contract Review (Goods and Services)
- Grant and Contract Management
- Payroll

### EXTERNAL RELATIONS
- Government Relations
- Donor Gift Restrictions

### HUMAN RESOURCES
- EEOC (Civil Rights Act Title VII)
- Drug Free Workplace Act
- Insurance & Workers Comp
- Employee Benefits
- Employee Classification
- Employee Eligibility Verification

### PRIVACY
- Student Privacy
- Data Security and Privacy (HIPAA)

### ATHLETICS*
- Equity in Athletics Disclosure Act
- NCAA Compliance
- Title IX

### FINANCIAL AID & STUDENT BILLING
- Financial Aid
- Student Billing

### IMMIGRATION & INTERNATIONAL ACTIVITIES
- Immigration
- International Activities & Programs

### RECORDS & INFORMATION MANAGEMENT
- Records Retention
- Public Records

### EQUALITY & DIVERSITY
- Digital Accessibility
- Antidiscrimination & Harassment
- Disability Accommodations
- Housing and Dining (Accommodations: ADA, etc.)

### GOVERNANCE
- UNC System
- North Carolina Law

### INFORMATION SECURITY*
- Data Security
- Access Controls, Virus/Hacking Prevention
- Payment Card Industry Data Security Standard (PCI DSS)

### RESEARCH INTEGRITY
- Research Integrity/Scientific Misconduct
- Research Involving Animals
- Research Involving Humans
- Export Controls
- Conflicts of Interest

### ANALYSIS
- **16 Domains**
- **54 Programs**
# COMPLIANCE PROGRAM WORKPLAN

<table>
<thead>
<tr>
<th>1 INVENTORY AND ORGANIZE</th>
<th>2 DEFINE RISK STATEMENTS</th>
<th>3 ASSESS RISK STATEMENTS</th>
<th>4 DEFINE CONTROLS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Inputs</strong></td>
<td><strong>Inputs</strong></td>
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<tr>
<td>• Authoritative sources and policies</td>
<td>• Compliance risk universe</td>
<td>• Compliance risk statements</td>
<td>• Risk register</td>
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<tr>
<td>• University objectives</td>
<td></td>
<td></td>
<td>• Authoritative sources</td>
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<tr>
<td>• Review top enterprise risks</td>
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<tr>
<td><strong>Activity</strong></td>
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<tr>
<td>• Define compliance risk relationships &amp; hierarchy</td>
<td>• Inventory of events or actions that impact UNCG's ability to achieve its objectives.</td>
<td>• Assess risk statements, analyzing the impact and likelihood</td>
<td>• Document what is currently done (or could be done) to mitigate the risk</td>
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<tr>
<td><strong>Outcomes</strong></td>
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<tr>
<td>• Defined compliance risk universe</td>
<td>• Compliance risk statements</td>
<td>• Prioritized compliance risk register</td>
<td>• Documented control objectives and control activities/procedures</td>
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<tr>
<td>• Compliance risk register</td>
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<td>• Inherent and residual risk ratings for all risks</td>
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<td><strong>Target Completion</strong></td>
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<tr>
<td>• Mid-September</td>
<td>• End of November</td>
<td>• January-March</td>
<td>• June-August</td>
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Regulatory Changes in the Pipeline

- Title IX
- Web & Mobile App Accessibility
- Expanded Scope of Public Records Act
- Student Debt Transparency
- Free & Compelled Speech
- Implementation of SFFA