



Office of
Compliance and Ethics
UNIVERSITY *of* WEST FLORIDA



Annual Report

2020-2021

Prepared by: Matthew W. Packard, CCEP
Chief Compliance Officer, Office of Compliance & Ethics

Executive Summary:

Since its inception in May of 2018, the University of West Florida (“UWF”) Office of Compliance and Ethics’ (“OCE”) core mission has been **to establish and maintain a centralized compliance and ethics function and promote a system-wide culture of compliance, integrity, and ethical behavior throughout the UWF system.** The OCE strives to achieve this mission through firm adherence to the elements of an effective compliance and ethics program that were originally set forth in *Chapter 8 § 8B2.1, Effective Compliance and Ethics Programs*, of the U.S. Federal Sentencing Guidelines and later granted regulatory authority via the *Florida Board of Governors (“BOG”) Regulation 4.003, State University System Compliance and Ethics Programs*.

Since their introduction in the 1991 edition of the Federal Sentencing Guidelines, these program elements have gained global recognition as fundamental requirements of an effective compliance and ethics program. In recognition of these guiding principles, the OCE annual report is presented within the context of these elements, which are as follows:

- Oversight and Accountability
- Code of Conduct, Policies, and Procedures
- Education, Awareness, and Communication
- Auditing, Monitoring, and Risk Assessment
- Delegation of Authority
- Enforcement, Incentives, and Discipline
- Measure Program Effectiveness

Lastly, special thanks go out to the many individuals who help make this mission a reality. The Office of Compliance and Ethics strives to facilitate a culture of compliance and ethical behavior; however, it is the actions and efforts of individual employees throughout the Argo Nation that are responsible for making UWF the amazing community of learners that we are today. None of the following achievements could have been achieved without the dedication and effort of countless individuals spread across the entirety of the UWF community. Compliance is collective effort, which goes far beyond the actions of the OCE. I offer my sincerest appreciation to all the UWF Compliance Partners, Vice Presidents, the University President, and the Board of Trustees (“BOT”) Audit and Compliance Committee for their time, energy, and effort in helping us establish an effective and valued compliance and ethics program. Go Argos!

Respectfully yours,



Matthew Packard, CCEP

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The Office of Compliance and Ethics

Program Benefits:

- Building an ethical culture and a positive workplace environment that promotes “doing the right thing”
- Identifies key risk areas through established risk assessment processes
- Empowers employees to report fraud/ wrongdoing



Report Highlights:

OCE Takes the Lead in SUS Program Effectiveness Peer Reviews

Improved Conflicts of Interest & Outside Activity Monitoring

Updated Policies & Procedures

OCE Expands its Footprint

Brand New Top Ten Risks

Oversight & Accountability

Before a compliance and ethics function can even begin to operate effectively it must be structured for success within the organization. This means access to all information and personnel and the authority to escalate compliance matters to the highest levels.

In order to ensure this organizational structure is in place at UWF, Matt Packard has been designated as Chief Compliance Officer (“CCO”) who is tasked with carrying out the Office of Compliance and Ethics Charter. This includes the sole responsibility for designing, implementing, overseeing and monitoring the compliance function.

At the institutional scale, the CCO reports functionally to the BOT Audit and Compliance Committee and administratively to the UWF University President. This organizational structure allows for the CCO to efficiently carry out operational responsibilities of the OCE without obstruction. Furthermore, this structure of governance helps to ensure the independence of the function.

The OCE also enjoys partnerships with a wide array of departments across our campus and across the State University System. As an office of limited size, this is of particular importance as it increases the overall footprint of the OCE, yielding greater influence to promote compliance and ethics systemwide.

Additional governance and oversight groups:

- Risk and Compliance Council, Vice-Chair
- Electronic Information Technology ("EIT") Accessibility Workgroup, Advisory Committee Chair
- Data Governance Workgroup
- InfoSys Committee Member
- SACSCOC Accreditation Workgroup
- Extended Cabinet
- Coordinator PCI DSS Compliance Program
- State University System Compliance and Ethics Consortium, UWF Rep
- GDPR Workgroup



SUS Compliance & Ethics Consortium: Working Together

The Florida State University System Compliance and Ethics Consortium (“SUSCEC”) was Founded in 2013, and provides an avenue for member institutions to discuss the development and improvement of compliance and ethics programs, new federal and state regulations, best practices, and the ad hoc issues we face on a day to day basis.

This year, CCO, Matt Packard, initiated the first quinquennial C&E program effectiveness review. Required by Board of Governors Regulation 4.003, the external review element is just one piece of a wide scale statewide initiative to ensure all Florida SUS schools meet the high standards that the Florida SUS system has come to expect.

In 2021, the SUSCEC continues to be an invaluable asset to the OCE, providing a wide range of insight and support. Including access to the plethora of "lessons learned" that have been collected by professional compliance officers will decades of collective compliance and ethics experience within higher education. Such support makes navigating the complex regulatory and legal environment of higher education far more achievable objective.



“UWF is committed to providing equal access to its programs, services, and activities through electronic information technology (EIT).”

Digital Accessibility for All

At the University of West Florida, we believe in the power of higher education to drive change. We see that impact on campus, in our region, across the state and around the world. This means developing and providing only products and services that are fully accessible to all persons regardless of ability.

The Office of Compliance and Ethics is proud to be a part of UWF’s EITA initiative by carrying out dozens of contract reviews each quarter to ensure every Argo has full and equal access to all product offerings.

Code of Conduct, Policies & Procedures

One of the most common challenges facing compliance is the development and implementation of impactful policies and procedures. Organizational policies are a reflection of an organizations overarching ethical attitude and are developed with specific outcomes in mind. UWF takes considerable time and effort to ensure our policy library adequately address our unique institutional pressures, both internal and external.

One way UWF carries out this obligation is through periodic policy reviews. This includes new policy development, existing policy adaptations, and when necessary, policy deletion or removal of specific passages. Because the only thing worse than no policy, is a policy that is not followed.

P-01.03-12.17 University Policy Development and Issuance Process, establishes that every UWF policy will be reviewed on a 5-year rolling basis to determine continued applicability.

Additionally, policies are reviewed, adapted, and/ or removed based on current events and potential exposure to risk(s).

One policy of particular significance, is *FIN-13.01-06/21, University Policy on Internal Controls*, which establishes key internal control activities and provides

for reasonable assurance across the UWF system with a focus on Enterprise Risk Management practices.

The following is a list of the policies that were developed and/ or updated over the previous year.

- *P-20.01-08/20, Distribution of Written Material*
- *P-19.02-06/21, Animals on Campus*
- *P-14.03-10/20, Sexual Harassment and Misconduct Policy*
- *HR-21.02-12/20, Separations from Employment*
- *HR-04.01-07/20 Reasonable Accommodation and Compliance with ADA/ ADAAA*
- *FIN-09.04-10/20, Procurement Card Policy*
- *AC-26.03-06/21, Study Abroad Policy*
- *BOT-09.03-7/20, Investment Policy*
- *FIN-13.01-06/21, University Policy on Internal Controls*
- *HR-23.01-07/21, Outside Activities and Conflicts of Interest*

Training, Education & Awareness

When it comes to regulation, there are few industries that are faced with the complex challenges that we face in higher education. With a myriad of hundreds of overlapping rules and regulations that span the risk portfolio from banking/ financial compliance to ensuring the safety of minors on campus, and everything in between. Therefore, it is imperative that our employees are provided an adequate understanding about the responsibilities

of their job role within this complex risk environment.

Accordingly, UWF offers a variety of options of both in-person and online training. In addition to standard New Hire Orientation, there are a variety of professional development opportunities and internal certifications available.

UWF Standard Training Offerings:

- Knowledge Worker (IT, Data Security)
- Harassment & Discrimination
- FERPA
- At-Risk Simulation
 - i.e., Kognito, BOG training program
- Employee Orientation
- Public Records
- Reporting Abuse
- Covid-19
- PCI DSS (Certified Credit Card

Auditing, Monitoring & Risk Assessment

Continuous improvement is a baseline requirement across the compliance industry. This is due to the fact that we operate in a constantly evolving regulatory environment, where static programs will inevitably fail to keep up with demand. Accordingly, continuous monitoring is central to the OCE mission.

In addition to ad-hoc monitoring and auditing, at the start of each new year the OCE coordinates the Risk and Compliance Council's annual Risk Assessment of the

UWF system. This process involves working with subject matter experts to map out UWF's current risk environment, define mitigating controls, and allows for UWF to proactively address risks in a systematic and transparent method.

The top ten risks (2020-2021):

1. Compression of wages/faculty and staff
2. Deferred maintenance
3. Continued freeze on tuition and fees

4. Professional liability claims
5. Unfunded mandates from the state
6. Employee Recruitment
7. Employee turnover/ loss of support positions
8. Challenging Policy-making environment toward higher education
9. Football sustainability
10. Succession Challenges

Response, Prevention & Enforcement

UWF has established a multifaceted system of response, prevention and enforcement activities. This involves a formal interview and employee screening process that helps identify employees whose ethical values align with those of the University. This includes requiring everyone in a potential position of trust to undergo a level 2 background check.

Central to UWF's response and prevention efforts is the UWF Integrity Helpline. OCE established this anonymous employee reporting option in 2017 and represents a cornerstone of UWF's

compliance and ethics function. The Helpline is administered by the Chief Compliance Officer and supported by the Chief Audit Executive and General Counsel.

According to reliable benchmarking data, the UWF Helpline has consistently reported lower than average reporting rates for an institution of our size. This trend was further exacerbated over 2020-21, as UWF experienced the lowest reporting levels to date.

It is the opinion of the OCE, that these low reporting levels are associated with the shift to a remote workplace. As much of

the previous Helpline activity is related to employee grievances, it makes sense that reporting would be less active when people are not working in a shared space.

The Helpline remains a key tool for in identifying bad actors and ensuring appropriate prevention and enforcement measures are carried out. Additional marketing and awareness campaigns are slated for the Fall and Spring.

Incentives & Discipline

UWF implements a progressive discipline program for all employees with key policies related to dealing with ethical infractions, non-compliance, and the corresponding disciplinary consequences. Among these are:

- BOT 07.01-03/08 Code of Conduct
- HR 13.00-2004/07 Changes in Duties, Reassignment, Demotion, and Transfer
- HR 15.04-07/21 Employee Code of Conduct
- HR 21.01-12/20 Separations from Employment

- HR 22.00-2004/07 Standards of Conduct
- HR 16.00-2004/07 Employee Recognition Program
- HR 15.03-07/20 Employee Code of Conduct, Outside Activity and Conflict of Interest Notice

Also, in an effort to ensure employee contributions towards UWF's culture of compliance don't go unnoticed, the OCE continuously promotes ethical behavior by highlighting exemplary units in its public reporting to the BOT and through its regular communications with UWF leadership.



Measure Program Effectiveness

One of the most fundamental challenges of the Office of Compliance and ethics is to remain adaptable in the face of an ever-changing regulatory environment. Unfortunately, higher education represents one of the more volatile regulatory environments that are particularly susceptible to external influences. Accordingly, the OCE reports, at least quarterly, to the Board of Trustees Audit and Compliance Committee and the University President to report on the ongoing activities and actions of the OCE. Additionally, the OCE publishes out a program plan, annual work plan and annual report to keep stakeholders abreast of the current direction and scope of the OCE.

The Florida Board of Governors recognizes the importance of measuring program effectiveness. Static programs will inevitably fall behind and will quickly become liability to their institutions.

For this reason, the State University System of Florida established a provision in Board of Governors Regulation 4.003, which requires all state compliance and ethics programs to undergo an external effectiveness review every 5 years.

2021 signals the first round of these program reviews, to which the OCE is happy to announce it's been selected to lead the first peer review. In June 2021, with the aid of Florida State University's Chief Compliance Officer, Robin Blank, CCO, Matt Packard, began the comprehensive review of the New College of Florida's compliance and ethics program. The program review is expected to be completed in August 2021. OCE's external review is scheduled for 2022.



“UWF Operates with Integrity in all Matters: Doing the Right Thing for the Right Reason.”

Office of Compliance and Ethics

11000 University Parkway
Building 10, Room 119
Pensacola, FL 32514

PHONE:

(850) 857-6070

E-MAIL:

oce@uwf.edu

mpackard@uwf.edu

We're on the Web!

See us at:

uwf.edu/compliance-and-ethics



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