Office of
Compliance and Ethics

UNIVERSITY *of* WEST FLORIDA

Annual Report
2021-2022

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Chief Compliance Officer, Office of Compliance & Ethics

Executive Summary:

The mission of the University of West Florida's ("UWF") Office of Compliance and Ethics' ("OCE") *to establish and maintain a centralized compliance and ethics function and promote a system-wide culture of compliance, integrity, and ethical behavior.*

The OCE strives to achieve this through adherence to the elements of an effective compliance and ethics program, originally set forth in *Chapter 8 § 8B2.1, Effective Compliance and Ethics Programs, of the U.S. Federal Sentencing Guidelines* and enshrined with regulatory authority via the *Florida Board of Governors ("BOG") Regulation 4.003, State University System Compliance and Ethics Programs*.

In recognition of these guiding principles, the OCE annual report is presented within the context of these elements, which UWF defines as the following:

1. Governance & Accountability
2. Policies & Procedures
3. Education & Awareness
4. Auditing, Monitoring, & Risk Assessment
5. Response, Prevention, & Enforcement
6. Incentives & Discipline
7. Measure Program Effectiveness

Special thanks go out to the many individuals who help make OCE's mission a reality. Compliance is a collective effort and none of the following achievements could have been possible without the dedication and effort of countless individuals who dedicate their time, energy, and effort toward helping UWF meet its compliance goals. Go Argos!

Respectfully yours,

Matthew W. Packard, CCEP
Chief Compliance Officer

Annual Report

2021-2022

The Office of Compliance and Ethics

Program Benefits:

- Reducing the risk exposure

- Promoting a "Speak Up" culture

- Proactively protecting UWF's reputation through risk mitigation

Report Highlights:

State University System Peer Reviews / Program Evaluations

Electronic and Information Technology Accessibility "EITA"

Risk Assessment and Risk Heat Map Exercise

New report appendices including Integrity Helpline

Governance & Oversight

UWF's compliance and ethics function depends on operational independence and access to UWF leaders to effectively carry out its mission. To implement this "top – down" approach, Matt Packard, CCEP, serves as the Chief Compliance Officer ("CCO") and focal point for UWF's compliance and ethics operations. In this role, the CCO reports administratively to the UWF President and functionally to the Board of Trustees.

This organizational structure provides the CCO the authority to carry out operational responsibilities without obstruction, hindrance, or the appearance of outside interference. Such unfettered access to leadership exemplifies UWF's commitment to compliance and ethics and enables the CCO to quickly escalate concerns to the highest levels, if necessary.

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As a smaller office, OCE relies on Compliance Partners and participation with various committees/ workgroups to increase its operational footprint and incorporate program goals into the wider UWF strategic plan. The following are a sample of the CCO's current committee memberships/ workgroup assignments:

- Risk and Compliance Council, Vice-Chair
- InfoSys Workgroup
- Extended Cabinet
- FL SUS Compliance and Ethics Consortium, UWF Representative
- UWF Copyright Compliance, UWF DMCA Officer
- Research Integrity Office Advisory Group
- Hiring Committees, Various

- EIT Accessibility Advisory Group, Lead
- SACSCOC Accreditation Workgroups
- PCI DSS Compliance Program, Lead
- GDPR Workgroup, UWF GDPR Privacy Officer
- Foreign Influence Workgroup
- Research Support Group
- Employee Awards Selection Committee

Accessibility by Design

One of the lasting impacts of the COVID-19 pandemic is a dramatic shift toward online education. A trend that continues today and will likely have a lasting impact on the future of higher education.

This trend has led to an explosion of products and services aimed at enabling institutions to effectively serve its constituents through remote instruction and via digital platforms.

Despite recent improvements in the quality of online and remote learning, this trend can have an outsized negative impact on persons with disabilities. Particularly, those with vision and motor impairments.

It is for this reason that UWF's Electronic Information Technology & Accessibility ("EITA") Advisory Group is working with staff and faculty to further educate our community on this important topic and help develop coursework and digital environments that are fully accessible. This entails efforts to begin developing accessible products and services by design,1 not as an afterthought. Developing tools to empower our students to reach their full potential.

"Accessible design is good design"

Compliance in the Classroom

In a first for the Office of Compliance and Ethics, CCO, Matt Packard, was invited to give a lecture on the costs of compliance to EDH 6505 CSAA (College of Student Affairs Administration-M Ed), A budget class for Higher Education, as part of an effort to further incorporate the strategic ideals of service excellence, inter-departmental effectiveness, and community involvement into OCE's operations.

In collaboration with UWF's Vice President of Facilities & Maintenance, Betsy Bowers and Matt Packard presented on two oft overlooked, yet crucially important, aspects of higher education administration, Costs of Compliance and Deferred Maintenance. Providing professional insights to the next generation of higher education administrators.

Policies & Procedures

UWF's system of policies and procedures are designed with intention and address specific risks and regulations. This system is governed by *UWF Policy P-01.03-12.17, University Policy Development and Issuance Process*, which establishes the policy review and renewal procedures to ensure the continued applicability of all UWF policies.

At the local level, UWF updated 6 policies over the past year. This is a slight decrease from the previous year, which revised 10 policies. A list of the 2021-22 updated policies are located below:

1. *HR-23.02-04/22 Outside Activities and Conflicts of Interest*
2. *HR-24.00-4/22 Bonuses*
3. *P-09.04-5/22 Emergency Management*
4. *AC-39.03 Faculty Qualifications*
5. *SR-08 Export Control*
6. *IT-01.00 UWF Server Administration*

In addition, we also witnessed a significant number of regulatory updates stemming from the Board of Governors level. The Florida Board of Governors submitted 19 separate regulatory revisions and/ or updates, including an update to Regulation 4.003, which established fundamental program requirements for all SUS compliance and ethics programs:

1. *BOG 3.005 Examination and Assessment Instruments*
2. *BOG 4.001 University System Processes for Complaints of Waste, Fraud, or Financial Mismanagement*
3. *BOG 4.002 State University System Chief Audit Executives*
4. *BOG 4.003 State University System Compliance and Ethics Programs*
5. *BOG 4.004 Board of Governors Oversight Enforcement Authority*
6. *BOG 6.006 Acceleration Mechanisms*
7. *BOG 7.003 Fees, Fines and Penalties*
8. *BOG 7.008 Waivers and Exemptions of Tuition and Fees*
9. *BOG 8.006 Civic Literacy*
10. *BOG 8.011 Authorization of New Academic Degree Programs and Other Curricular Offerings*
11. *BOG 8.013 Limited Access*
12. *BOG 9.006 University Personnel Definitions and Compensation*
13. *BOG 9.012 Foreign Influence*
14. *BOG 9.015 University Bonus Plans*
15. *BOG 10.005 Prohibition of Discrimination in University Training or Instruction*
16. *BOG 10.015 Institutes and Centers*
17. *BOG 14.001 Definitions*
18. *BOG 14.002 Reserves for New Construction*
19. *BOG 14.003 Fixed Capital Outlay Projects - University Budgeting Procedures*

Education & Awareness

As a public institution of higher education, UWF is responsible for maintaining compliance with hundreds of varying, often overlapping, rules, regulations, policies, procedures, statutes, etc. Originating from the local, state, and federal levels, this complex regulatory environment makes higher education one of the most heavily regulated industries on the planet.

This makes employee education and awareness paramount and one of the most important lines of defense for UWF.

To meet our regulatory demands, the university has established a dedicated system of online education programs and awareness resources that continuously provide our faculty and staff with on-demand training and education throughout the year.

The Office of Compliance and Ethics has created a number of accountability and awareness resources. Examples include the UWF Compliance Calendar, Accountability Matrix, and Compliance Database, which provide up-to-date information on UWF's reporting requirements and the accountable job roles.

A sample of UWF's standard training offerings include:

- Certified Knowledge Worker
- Harassment Prevention
- FERPA
- New Employee Orientation
- Public Records
- Reporting Abuse
- Compliance and Ethics
- PCI DSS

Auditing, Monitoring & Risk Assessment

As Vice-Chair of the UWF's Risk and Compliance Council, it is the responsibility of the CCO to spearhead the annual system-wide risk assessment and ensure the consistency and integrity of the collected data. This process involves the coordination of subject matter experts from across the university spectrum to gather and map out UWF's contemporary risk environment, identify and define mitigating controls, and determine their effectiveness

2022 is the sixth consecutive year the CCO spearheaded the risk assessment process.
See Appendix C for the current Risk Heat Map.

The top ten risks of 2021-2022 (with Residual Risk Rating):

1. Compression of wages/faculty and staff (100)
2. Deferred maintenance (75)
3. Continued freeze on tuition and fees (75)
4. Professional liability claims (64)
5. Unfunded mandates from the state (60)
6. Employee Recruitment (60)
7. Employee turnover/ loss of support positions (60)
8. Challenging Policy-making environment toward higher education (60)
9. Football sustainability (48)
10. Succession Challenges (48)

Response, Prevention & Enforcement

The UWF Integrity Helpline is a cornerstone of the Compliance and Ethics program. Originally established in 2017, this anonymous employee reporting system helps to facilitate a "speak up" culture by providing employees a safe space to voice concerns or report wrongdoing. Without any fear of retaliation or retribution.

Since its inception, the Helpline reporting levels have remained below average. For the second consecutive year, the Helpline experienced a drop off in reporting levels. During the 2021-22 FY, the Helpline receive approximately 3/5

(0.60) reports per month, down from 1 per month the previous year. This trend is largely associated with the increase in remote worker population and UWF employee preference to report directly to the more established offices of Human Resources and Internal Auditing and Management Consulting [See Appendix B for Helpline statistics].

In terms of where the reported cases originated, the majority of cases stemmed from Human Resources (42.7%), followed by Academics (14.3%), Athletics (14.3%), Safety (14.3%), and Title IX (14.3%).
These trends are largely in line with Higher Education industry, where

Human Resources constitute the vast majority of all reported cases.

Another tool in the university's effort to the prevent wrongdoing is our proactive hiring practices. UWF's implements stringent screening processes, which maintain that no job finalist will receive an offer of employment without clearing a background screening. Even more, those applying for elevated positions of "Special Trust" are required to undergo "Level 2" fingerprint background check as an additional precaution. This helps to ensure only trustworthy and ethical employees hold positions of authority.

Incentives & Discipline

To proliferate our cultural values and shared expectations, OCE, collaborates with the Office of General Counsel, Human Resources, and Internal Auditing and Management Consulting to triage employee reporting and properly coordinate any subsequent investigations.

Depending on the result of the investigation, disciplinary measure may be necessary. UWF's employs specific disciplinary procedures which are explicitly delineated within UWF Policy HR-22.00-4/22, Standards of Conduct. Specifically, the UWF Standards for Disciplinary Action Table outlines progressive disciplinary actions for a variety of work standards. This method helps ensure disciplinary actions are carried out with consistently and expedience, thus, providing for the fair and equitable treatment of all employees.

Lastly, to make sure employee contributions don't go unnoticed, the OCE promotes ethical behavior by highlighting exemplary units in its public reporting and through its regular communications with UWF leadership. Furthermore, for the second consecutive year, CCO, Matt Packard, CCEP, served as a member of the Employee Recognition and Awards Selection Committee. Bestowing the CCO with the honor of helping determine the annual Nautilus Excellence Award winners.
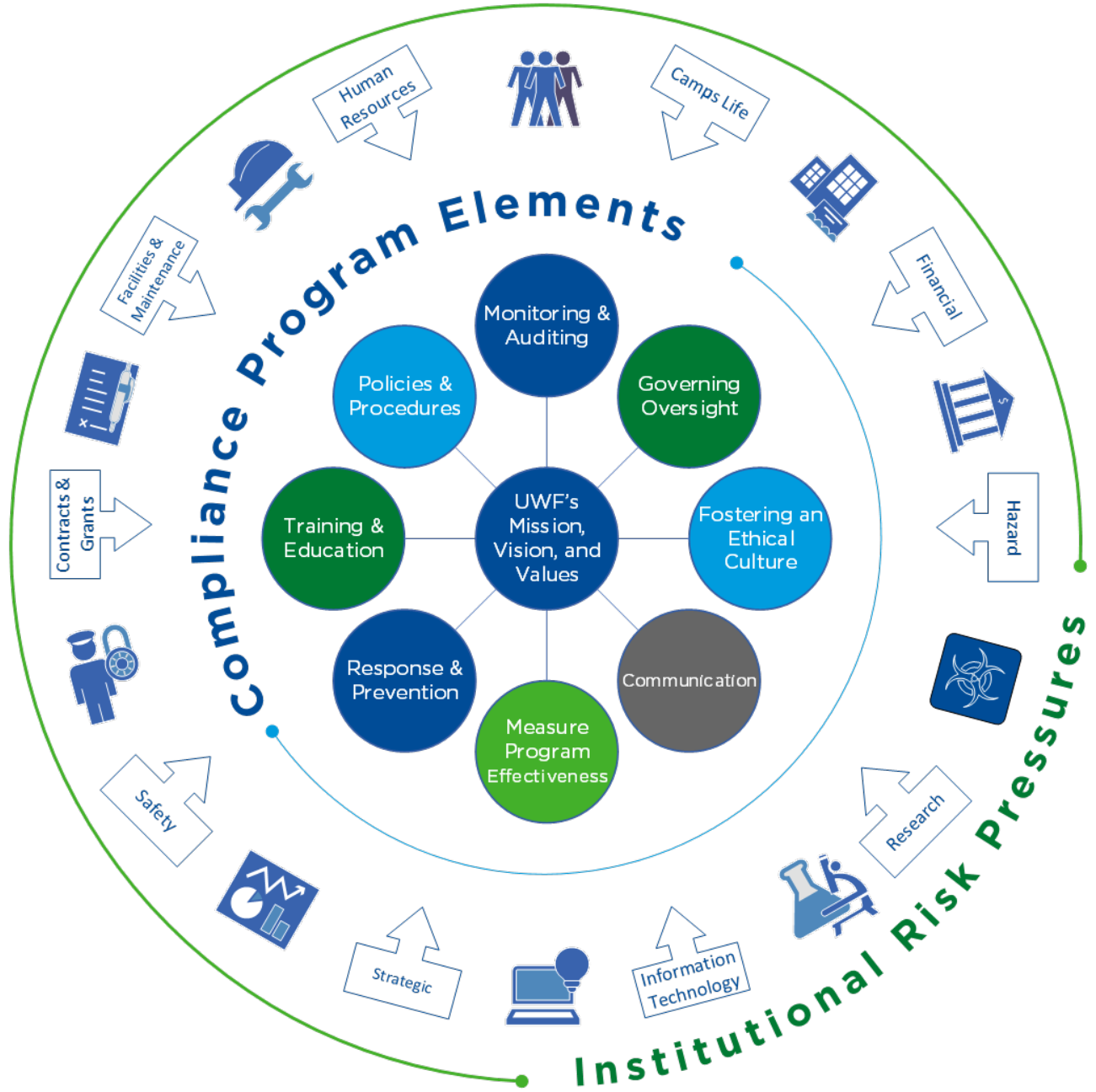

Measure Program Effectiveness

Over the past year, OCE took part in a statewide effort to formally evaluate the effectiveness and maturity of the State University System's compliance and ethics programs. This activity was two-fold. During the first phase, CCO, Matt Packard, CCEP, conducted a peer review of the New College of Florida in collaboration with Robyn Blank, CCO, Florida State University. An effort carried out in accordance with the SUS Evaluation Tool that was developed by the SUS Compliance and Ethics Consortium. Secondly, UWF compliance program underwent our own external evaluation, which was conducted by Joann Campbell, CCO University of North Florida and assisted by David Blanton, CCO/ Chief Audit Executive at Florida Polytechnic University.

All of our efforts over the past 5 years have paid off as UWF performed admirably during our 5-year effectiveness review, meeting all of the Board of Governors performance goals and regulatory requirements that were established in *BOG Regulation 4.003, SUS Compliance and Ethics Programs*. Furthermore, UWF OCE received praise for its efforts in developing and publishing functional accountability resources, which provide for the clear delegation of authority across UWF's regulatory requirements, down to the last policy.

Thank you to everyone who took the time to be interviewed and for all the support OCE receives from the Argo nation!
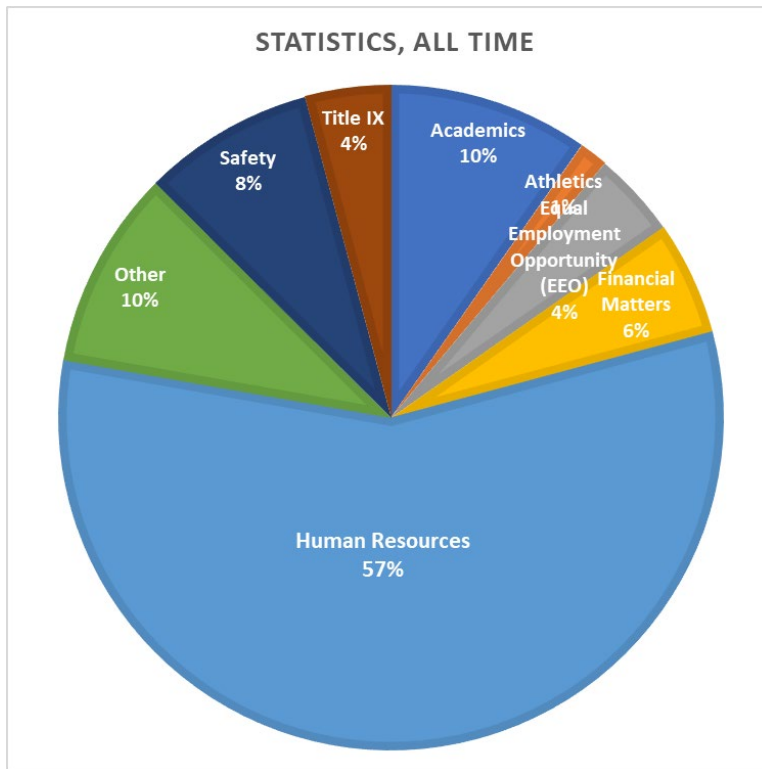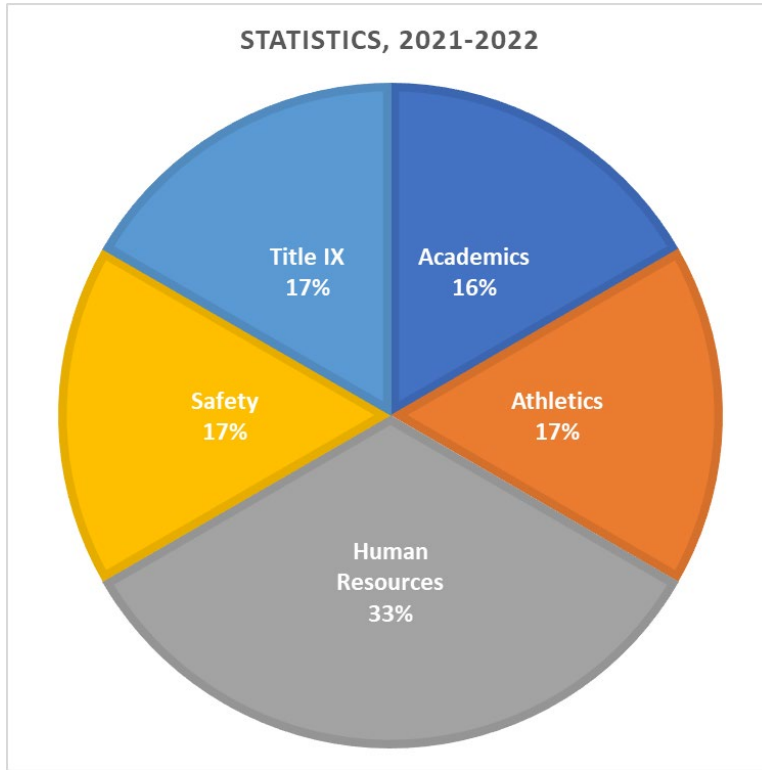
UWF Compliance Risk Framework

Compliance Program Elements

Human Resources · Camps Life · Financial · Hazard · Research · Information Technology · Strategic · Safety · Contracts & Grants · Facilities & Maintenance

Monitoring & Auditing · Governing Oversight · Policies & Procedures · Fostering an Ethical Culture · Training & Education · UWF's Mission, Vision, and Values · Communication · Response & Prevention · Measure Program Effectiveness

Institutional Risk Pressures

UWF Integrity Helpline Statistics

STATISTICS, 2021-2022

- Title IX 17%
- Academics 16%
- Athletics 17%
- Human Resources 33%
- Safety 17%

STATISTICS, ALL TIME

- Safety 8%
- Title IX 4%
- Academics 10%
- Athletics 0%
- Equal Employment Opportunity (EEO) 4%
- Financial Matters 6%
- Other 10%
- Human Resources 57%
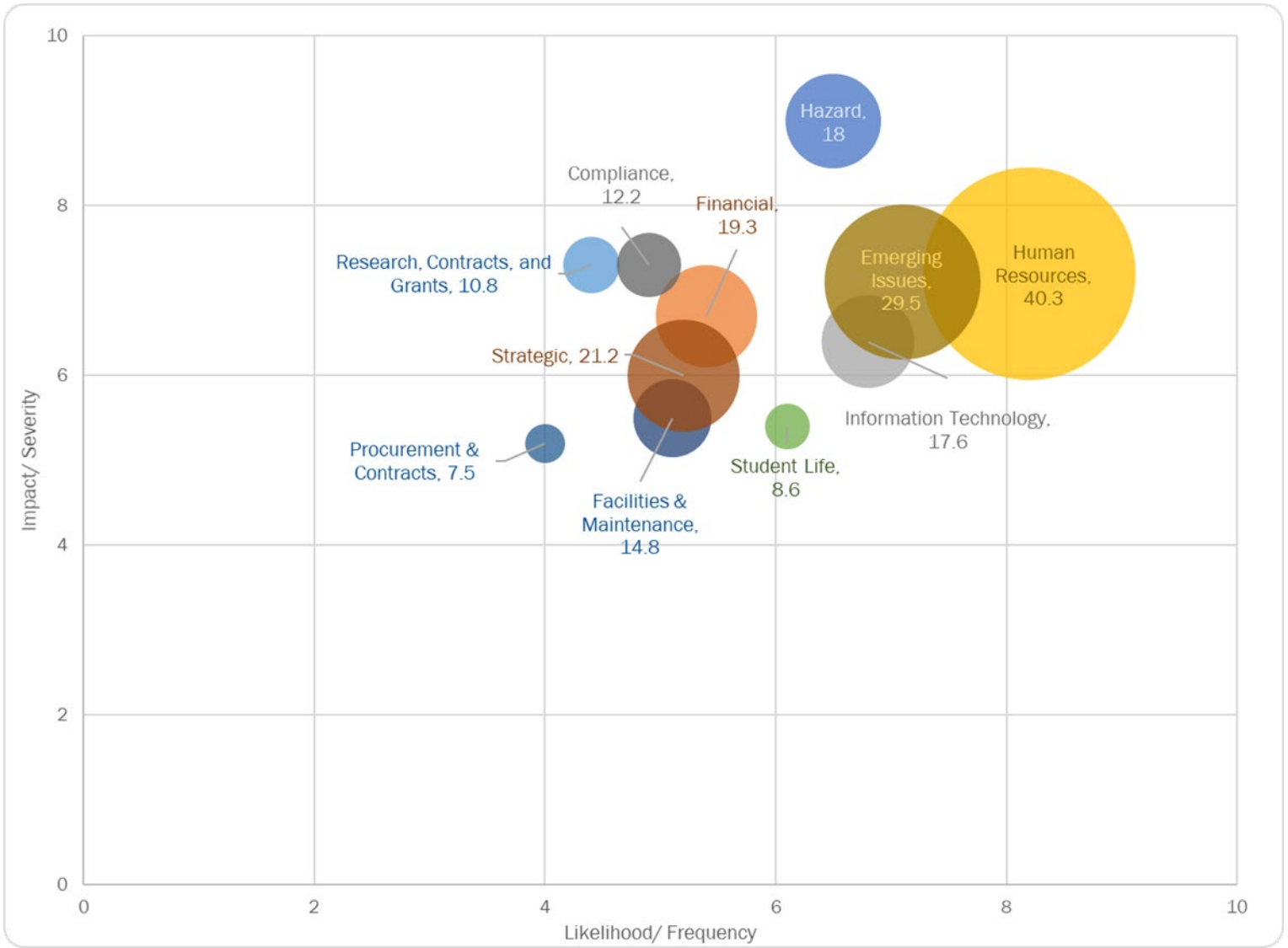
2021-2022 Risk Heat Map

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