



Prairie View A&M University
Office of University Compliance



Prairie View A&M University

- Second oldest public institution of higher education in Texas – established in 1876
- An HBCU
- Part of the Texas A&M University System
- Over 9,000 students
- Over 1,200 employees



Course Objectives

- Why “building a culture of compliance” was the approach taken to change and improve the university’s overall compliance environment.
- Factors that assisted in successes towards changing the compliance culture and factors that distracted from the university making progress.
- Lessons learned by the Office of University Compliance during the first two years of our “building a culture of compliance” journey.

History of Compliance Program at PVAMU

- Started in early 2000’s to address many audit issues
- Was the CFO’s eyes and ears
- Investigated hotline reports
- Conducted compliance reviews and made recommendations
- Provided trainings to campus community
- Facilitated the university’s policy development process

Compliance Program Required by Policy

In 2012, the A&M System Board of Regents passed an Ethics and Compliance policy that required:

- Each member of the A&M System to establish and maintain an effective compliance program, appoint a compliance officer, implement a compliance plan, and establish a member compliance committee.
- The compliance committee shall meet quarterly to address mitigation of risk, to provide appropriate resources for compliance and to ensure appropriate action for noncompliance issues.

“Building a Culture of Compliance” - Why is that Important?

“Because CULTURE determines what we actually do”

PVAMU has plenty of policies, directives, guidelines, procedures, audits, etc. that tells its employees and students “what to do.” The PVAMU culture determines what we “actually do.”

When We Started This Journey



What Did We See and Hear About Compliance

- “Because the auditor said so”
- Backlog of outdated rules and university procedures
- Lack of accountability
- Leadership and operational management – not in sync on what is really happening
- Limited communication between divisions
- Avoid change
- Check a box mentality
- Avoid conflict

First Steps in the Journey

- Get university rules and procedures updated and current
- Get outstanding audit recommendations implemented
- Continue to provide training
- Define mission and goals of the office
- Change perception as a secondary audit shop
- Build relationships

Successes Along Our Journey



Compliance Matters

PRAIRIE VIEW A&M UNIVERSITY
OFFICE OF UNIVERSITY COMPLIANCE
QUARTERLY NEWSLETTER

MAY 2018

Welcome!

This newsletter is prepared by the Office of University Compliance and is intended to provide you with current information about updated policies and procedures, along with compliance updates from across campus, and

Ask Our Vice President!

We asked Vice President Michael McFrazier:

"How does PVAMU work to empower students, faculty and staff to do the right thing?"



Prairie View A&M University (PVAMU) is committed to providing educational experiences, comprehensive programs, and dedicated services that promote ethics, integrity and empower students, faculty and staff to *do the right thing*. Members of the PVAMU community are encouraged to subscribe to and be governed by the PVAMU Core Values. The PVAMU Core Values, which shape the vision, the culture and informs the words, actions and deeds of community members, include: Access and Opportunity; Diversity; Leadership; Relevancy; and Social Responsibility.
<https://www.pvamu.edu/strategicplan/core-values/>

Students, faculty and staff at PVAMU are also admonished to adhere to the established Codes of Conduct found in their respective handbooks. Furthermore, there are federal, state, and system rules, laws, policies, and guidelines that establish the protocols for processes and procedures in the learning and work environment.

Through specific academic offerings and more than 100 registered student organizations, students at PVAMU have the opportunity to enhance their knowledge, skills, and competencies in communication, conflict resolution, decision-making, goal setting, problem solving, and personal/professional etiquette. Faculty and staff, through professional organizations, have the opportunity to strengthen their knowledge through active participation in learned societies, attending professional conferences, and conducting relevant research.

Based on the aforementioned programs and services, a solid foundation to promote "*doing the right thing*" at PVAMU is in place. This foundation has been established over one hundred and forty-two year history of the institution. However, beyond the established foundation, if we truly want to empower students, faculty and staff to *do the right thing*, they must be challenged to be guided by their conscience. *Why is this important?*

Our conscience is that internal guide that helps us to be ethically and morally sound. Our conscience helps us to analyze and evaluate all that we have done, are doing, and intend to do and provides an assessment as to whether our actions are proper.

Dr. Martin Luther King, Jr. once stated: "On some positions, cowardice asks the question, is it expedient? And then expedience comes along and asks the question, is it politic? Vanity asks the question, is it popular? Conscience asks the question, is it right? There comes a time when one must take the position that is neither safe, nor politic, nor popular, but he must do it because conscience tells him it is right."

This year commemorates the 50th year anniversary of the assassination of Dr. Martin Luther King Jr. He was committed to living a purposeful life in service to humanity. His life is an example for all to view and emulate in terms of *doing the right thing*. Dr. King, without fear of the consequences to his own life, was contentious about always *doing what was right*.
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Visit us at <http://www.pvamu.edu/universitycompliance/>

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NEED TO REACH
US?

936-261-2144

WR BANKS BUILDING
SUITE #224

Policy Central

Policy Central brings awareness to the University Community about new and updated University-wide policies & guidelines. Each newsletter will cover any significant new and revised University policies.

Listed below are the links to new or revised System Policies, which were approved by the Board of Regents: System Regulations, which were approved by the Chancellor; and, PVAMU Rules, Administrative Procedures and/or Administrative Guidelines, which were approved by the University President. All approvals were effective between January and March 2018 and the updated versions are posted in the PVAMU Policy Library.

System Policies:

[01.03 Appointing Power and Terms and Conditions of Employment](#) (Effective 02/08/2018)

[07.04 Benefits, Gifts and Honoraria](#) (Effective 02/08/2018)

[10.01 Internal Auditing](#) (Effective 02/08/2018)

[11.09 Low-Producing Degree Programs](#) (Effective 02/08/2018)

[13.03 Texas Public Educational Grants](#) (Effective 02/08/2018)

[15.01 Research Agreements](#) (Effective 02/08/2018)

[22.02 System Investment](#) (Effective 01/02/2018)

[24.01 Risk Management](#) (Effective 02/08/2018)

[41.01 Real Property](#) (Effective 02/08/2018)

[51.03 Art Acquisitions for New and Renovated Facilities](#) (Effective 02/26/2018)

System Regulations:

[11.99.01 Diplomas](#) (Effective 02/19/2018)

[15.99.03 Ethics in Research, Scholarship and Creative Work](#) (Effective 03/12/2018)

[16.01.02 Privacy](#) (Effective 02/20/2018)

[25.07.03 Acquisition of Goods and/or Services](#) (Effective 02/20/2018)

[29.01.03 Information Security](#) (Effective 02/05/2018)

[31.04.01 System Holidays](#) (Effective 03/05/2018)

[31.05.03 Witnesses in Judicial Actions or Legislative Proceedings](#) (Effective 02/12/2018)

[31.08.01 Granting of Emeritus Status to Faculty and Staff](#) (Effective 03/22/2018)

[33.99.09 Employment of Foreign Nationals](#) (Effective 02/19/2018)

[41.01.01 Real Property](#) (Effective 02/11/2018)

PVAMU Rules:

[33.99.14.P1 Criminal History Record Information – Employees and Applicants](#) (Effective 03/05/2018)

[34.06.02.P1 Carrying Concealed Handguns on Campus](#) (Effective 02/08/2018)

PVAMU Administrative Procedures:

[01.01.99.P0.01 Development and Publication of PVAMU Rules, Administrative Procedures and Guidelines](#) (Effective 01/28/2018)

[12.02.99.P0.01 Institutional Procedures for Implementing Tenure](#) (Effective 02/08/2018)

[29.01.03.P0.15 Information Resources – Authorized Software](#) (Effective 03/28/2018)

[29.01.03.P0.16 Information Resources – Portable Computing](#) (Effective 03/28/2018)

[29.01.03.P0.17 Information Resources – Change Management](#) (Effective 03/28/2018)

PVAMU Administrative Guidelines:

[21.01.08.P0.G1 PVAMU Vehicle Fleet Management Operational Guide](#) (Effective 02/09/2018)

If you have any questions or concerns, please contact Craig Nunn, Compliance Officer I, at cnunn@pvamu.edu or at ext. 2117.

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Athletics Compliance

We would like to educate all of our student-athletes, staff and faculty members on the Preferential Treatment vs. Extra Benefit as it relates to the NCAA Rules and Regulations:

There is a difference between extra benefits and preferential treatment?

*The provision of extra benefits involves institutional staff members or boosters

*Preferential treatment occurs when institution does not have knowledge of the treatment, benefit or services being provided to the individual

Clay Court is a tennis student-athlete at Ocean State University (OSU). Clay asks his coach to call the pro at a country club in his hometown, so that he can have some free time on one of the indoor courts during the Christmas holiday. The coach arranges for Clay to hit balls free of charge. This country club offers student discount rates throughout the year.

Does this arrangement constitute a violation?

Yes, other college students are not able to play for free. They pay a discounted rate.

Is this an extra benefit or preferential treatment?

This arrangement is an extra benefit because of the coach's involvement.

Would this arrangement still be a violation if the coach was not involved?

Yes, the violation would be preferential treatment.

NCAA Bylaw: 12.1.2.1.6 Preferential Treatment, Benefits or Services.

Preferential treatment, benefits or services because of the individual's athletics reputation or skill or pay-back potential as a professional athlete, unless such treatment, benefits or services are specifically permitted under NCAA legislation.

NCAA Bylaw: 16.02.3 Extra Benefit.

An extra benefit is any special arrangement by an institutional employee or a representative of the institution's athletics interests to provide a student-athlete or the student-athlete's relative or friend a benefit not expressly authorized by NCAA legislation. Receipt of a benefit by student-athletes or their relatives or friends is not a violation of NCAA legislation if it is demonstrated that the same benefit is generally available to the institution's students or their relatives or friends or to a particular segment of the student body (e.g., foreign students, minority students) determined on a basis unrelated to athletics ability.

Contacts: Brittney Johnson (bnjohnson@pvamu.edu) & Christina Ross (ctross@pvamu.edu)

Compliance Across Campus



Clery

A test of the Timely Warning System and Emergency Notification System were performed in February. Areas for improvement were identified as it related to the Emergency Notification System. Please check your email for information on how to update emergency contact information.

A test of the Timely Warning System and the Emergency Notification System will take place in May. Please be sure to review any notification received and contact the Clery Coordinator with any questions.

Contact: Vanessa Wright (vwright@pvamu.edu)

"Do The Right Thing"

The Texas A&M University System is dedicated to adhering to the highest ethical standards and principles. If you have factual information suggestive of fraudulent, wasteful or abusive activities, we want you to report it. Examples of reportable issues include fraud; misuse of resources or information; violations of safety rules; inappropriate conduct, harassment or discrimination. We encourage you to report such issues through the Risk, Fraud & Misconduct Hotline, a telephone and web-based reporting system.

1-888-501-3850 or select "file a report" at the top of the page at www.ethicspoint.com. The hotline is independently operated and available 24 hours a day, 7 days a week. Reports can be submitted anonymously, and will be forwarded to the appropriate institution or agency official for action.

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Why Is The World So Lacking In Moral Courage?

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By Michael Shaub, Professor Texas A&M University; See Full Article—<http://mays.tamu.edu/ethics/>

Why do we scratch our heads and say, "How did Olympic gymnastics doctor Larry Nassar get away with his morally repugnant and abusive behavior for so long?" "Why did people enable movie mogul Harvey Weinstein's egregious behavior, not just ignoring it, but facilitating it?" "Why did no one speak up when the police from my home town, Baltimore, allegedly carried around toy guns and BB guns to plant on people they happened to shoot?" Moral courage is the willingness to take a potentially costly moral action simply because it is your duty to do so, or "the right thing to do." It is acting in spite of the personal consequences because of the harm that can be prevented or good provided to others. Moral courage is what turns moral judgment into moral action. We make moral decisions based on duties and consequences. When people are condemned for their moral decisions, it is largely because they did not recognize duties or because they miscalculated consequences to themselves and others...

What stops us

Two of the primary inhibitors of moral courage are the fear of consequences and misplaced duties. The first inhibitor is obvious, but fear of consequences may inhibit moral action even by those who actually recognize duties. The second inhibitor is often underestimated. Duty to a team, a friend, or a cause may prevent someone from acting who is morally uneasy about a situation. This behavior is evident in retrospect for most sexual assault scandals around college athletic teams. It seems inexplicable that teammates who are not even engaged in the behavior not only fail to report it, but stand by while it is happening right in front of them or in the next room. As this behavior is treated as normal on college campuses, and not just with athletes, moral courage is short-circuited.

Two of the primary enablers of moral courage are exemplars and express permission provided by influential people. The Olympic gymnastics scandal is a classic example of how the floodgates of moral courage can be opened if one or two people step out and confront egregious behavior. The sentencing phase of Larry Nassar's trial consisted of a series of women able to overcome their feelings of personal shame and bring to the light the massive harm caused by someone they trusted. This happens in the business world when whistleblowers like Cynthia Cooper at WorldCom reveal what is going on in a corporation to mislead financial statement users, despite consequences.

What we see less frequently is the other empowering force for moral courage—express permission to speak out against moral wrongs. Most in power are reluctant to grant this permission, even when they themselves are not engaged in bad behavior, because of the uncertainty of the consequences that can arise from empowering others. If moral wrong has been buried for a long time, revealing it can result in rapidly multiplying harm to an organization, as both USA Gymnastics and Michigan State University are likely about to find out. It is this potential, and not just the consequences to an individual, that can make a leader hesitate, or a whistleblower reluctant to speak.

A wise leader continually probes the organization with professionally skeptical questions, rather than just believing assertions about performance. This can be done with moral issues as well, gauging the organization's potential exposure to everything from a harassment suit to bribery allegations. Finding things early is a little like letting the air slowly out of a balloon rather than having to pop it later. A wise leader minimizes the need for significant moral courage in the organization by proactively searching out potentially dysfunctional behavior. Because, in the end, moral courage is an individual decision, and it is rare. We do well to minimize the situations in which it is necessary. We do better to act intentionally to enable moral courage when it is required.

Trainings

- Compliance Week
 - “Compliance Carnival”
 - “Compliance Tailgate”
- New Employee Orientation
 - “Building a Culture of Compliance – Why Should We Care”

Compliance Champion Contest

- Compliance Champion Trophy
- Submit application to Compliance Office
- Application review
- Champion selected and announced to campus community



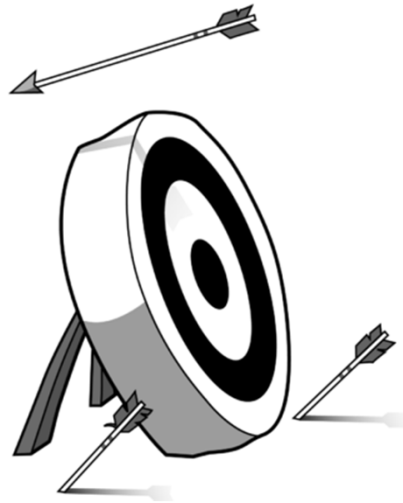
Tone at the Top Shift

- Leadership changes at president and provost positions
- Emphasis on ethics and integrity
- President Executive Committee is the University Compliance Committee
- Emphasis on students and faculty

Policy, Audit and Communication Changes

- University rules and procedures up-to-date and less restrictive
- Follow-up audits resulted in no “repeat findings”
- Subject matter expert list published and communicated to the campus community
- Multiple venues for communicating compliance information – PV Place, faculty folders

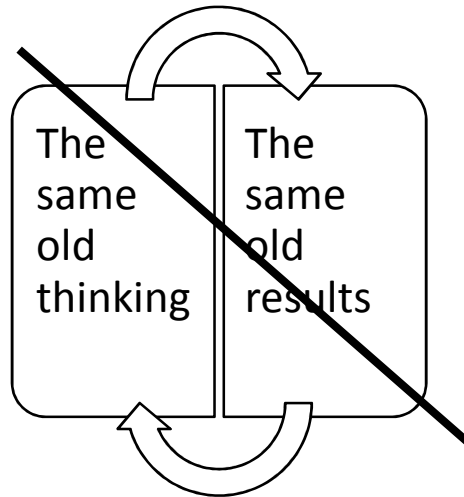
Missteps Along the Way



Where We Still Have Challenges

- Communication issues
- Holding meetings and making decisions without ALL parties present
- Disconnect between upper and middle management
- Lack of ownership/accountability
- Misuse of anonymous hotline reporting system and investigative processes

Where Are We Today



What Are We Doing

- Building relationships and helping to solve problems
- Are consultants instead of auditors
- Keeping compliance issues in the forefront
- Improving the effectiveness of the university compliance committee
- Training employees on why a “culture of compliance” is important

What Are We Doing

- Asking for peer commitment – peers support one another in doing the right thing
- Asking for employees to embed ethical values into their daily activities
- Expect violations to be reported and hold violators accountable
- Recognize and reward those that do the right thing

Where Do We Want to be in the Future



Where Do We Want to be in the Future

- More consistent and defined investigation program
- Better management monitoring processes
- More effective training programs for all compliance areas
- More effective lines of communication
- Stronger accountability with enforcement, discipline and incentives

What Are We Doing To Get There

- Involving the President
- Working on relationships and building trust
- Creating better tools and processes for the campus community
- Developing knowledge and expertise
- Recommending software/technology solutions
- Being more transparent in communications and sharing of information

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