Annual Compliance Report

2018-2019

EXECUTIVE SUMMARY

This report highlights the tremendous efforts of Wright State University in maintaining an effective compliance program during the 2018-2019 academic year. The Office of University Compliance and all functional compliance areas have engaged in activities, including policy review and development, training and education, and committee participation, to ensure that the university is meeting its compliance and regulatory obligations.

History

Traditionally, institutions of higher education have approached compliance in a very decentralized and siloed manner. Recognizing that this is not always the most effective approach, Wright State implemented a centralized compliance function in the fall of 2016 to coordinate compliance efforts across campus and to build and sustain a mature infrastructure to support all the elements necessary for a strong compliance program.

Purpose

Wright State University operates in an increasingly complex regulatory and accreditory environment that is constantly changing and brings financial and reputational risks associated with non-compliance, both of which could have a negative impact on the university's mission. Implementing an effective compliance progam helps Wright State employees (as the program's primary customers) mitigate these risks by incorporating the University's mission and values into our systems and procedures to create a culture where ethical and legal behavior is ingrained in every day operations.

Structure

The Director of Compliance has a dual reporting line to the Vice President for Finance and Operations and Chief Business Officer and the Governance and Compliance Committee of the Board of Trustees. The Director works with partners in functional compliance areas throughout the university as they perform compliance activities within their existing reporting structures.
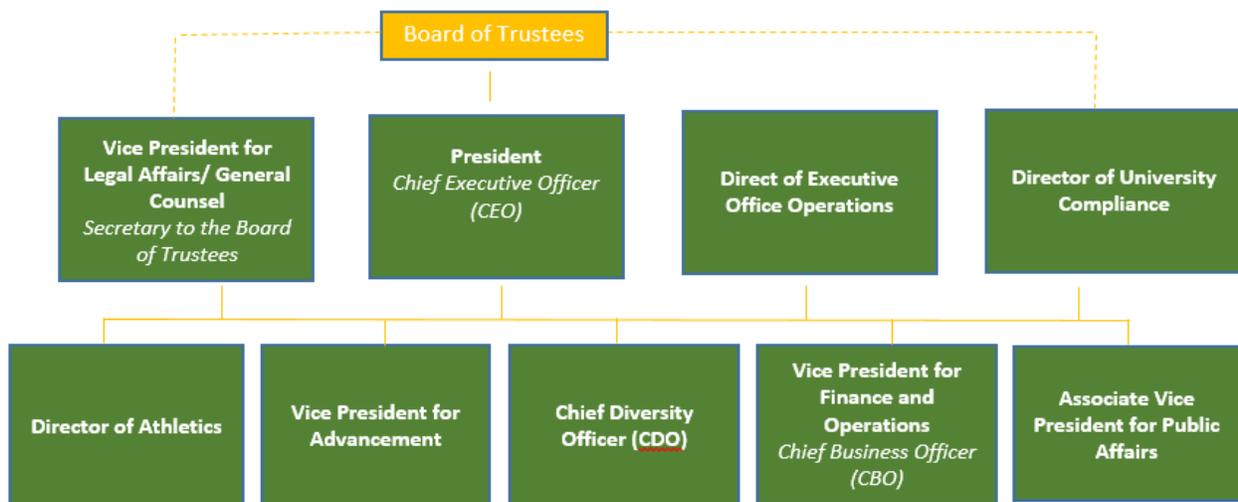
Policy development and updates

Athletics Compliance

- Athletics Compliance updated existing policies and procedures, and also created and implemented new policies and procedures with the passing of new NCAA legislation.
- A new policy was created and implemented with the introduction of the NCAA Transfer Portal.
- A new policy was created and implemented with the passing of new NCAA legislation requiring all member schools to provide completion assistance for former men's and women's basketball student-athletes.
- Existing policies and procedures in the Athletics Compliance Handbook were updated to help streamline and put in place checks and balances in regard to monitoring.
- The department successfully transitioned to a new compliance software system, Front Rush Software, that will help ensure monitoring and enforcement of university and NCAA policies and procedures.

Office of Equity and Inclusion

- Gender-Based Harassment & Violence Policy is being updated to comply with anticipated new Title IX regulations, as well as changes in 6th Circuit case law.
- Made changes to student hearing process to comply with 6th circuit court decisions.
- A Minors on Campus policy was created and is going through the University policy approval process.

Americans with Disabilities Act and Section 504 of the Rehabilitation Act

- The Office of Disability Services, Office of General Counsel, Office of Marketing and the Computing and Telecommunications Services collaborated to develop a University Digital Accessibility Policy. This policy was adopted in October 2018 and will ensure any University webpage that is public facing will be ADA accessible for users with disabilities. This policy also identifies ongoing monitoring, training and coordination of efforts by a University Web Accessibility Coordinator.
- Improvements over the past year include enhanced policies, processes, procedures, and services for students with disabilities enrolled at Wright State's Dayton or Lake Campus. Both campuses now use the Accessible Information Management (AIM) database to transition the intake and accommodation process online and provide a consistent experience. Both campuses are working together so that students from both campuses follow the same procedures and fill out the same forms for services online including exam accommodations, note-taking services, assistive technology, letter of accommodation requests, books in alternative accessible formats and accessible on-campus housing.
- Communications with students have also been drastically improved. Students who cannot make it in-person to the office can skype with their case managers in the office or connect by phone. Also, in addition to emailing students, the AIM database has the ability for students to opt-in for the texting system so that students can receive reminder texts if that is their preferred method of communication rather than email.

Financial Aid

- Updated student release of information policies and procedures to align with new financial aid data sharing regulations.

Research Compliance

- Adoption and implementation of new U.S. Export/Trade Controls Compliance policy.

Emergency Management

- Emergency Management is responsible for developing plans, policies, and procedures to ensure the University is prepared to respond to, recover from, and mitigate the effects of any type of campus emergency.
- A new University Emergency Operations Plan (EOP) was created and promulgated. The EOP establishes the framework by which University personnel with assigned roles and responsibilities will operate under to respond to campus emergencies.

Campus Safety

- 14 General Orders have been reviewed/updated or newly issued.

Human Resources

- Significantly revised the University's Leaves of Absence Policy related to the Family and Medical Leave Act.
- Renamed the Exit Clearance policy to Employee Separation outlining key requirements for returning university property and the process for exiting the university.

University Compliance

- Continued to work towards compliance with the University Policy on Affiliated Entities approved by the Board of Trustees in October of 2016. Wright State Applied Research Corporation and Double Bowler Properties Corp. submitted annual reports in compliance with policy requirements. Agreements with the Wright State University Foundation, Wright State Physicians, and the Dayton Regional STEM School are being negotiated.

TRAINING AND EDUCATION

Information Security and Privacy

- Periodic security reminders sent to campus community to educate on topics, such as phishing, ransomware, and storing sensitive information.
- Health Insurance Portability & Accountability Act (HIPAA) training provided to staff and incoming trainees at the Ellis Human Development Institute.

Athletics Compliance

- Athletics Compliance provided athletics compliance education to athletics employees, student-athletes, and constituents.

Office of Equity and Inclusion

- Title IX Coordinator received updated training
- Office of Community Standards and Student Conduct received updated training
- 2 out of 4 Human Resources Business Partners received updated training
- One faculty member who sits on hearing boards received updated training
- Minors on Campus training in place for athletics staff members
- Yearly Title IX notification email sent out to campus community that listed training opportunities
- Offered training to new staff
- Online Module Training
  - 284 faculty and staff -took online training on preventing discrimination and harassment
  - 43 supervisors (self identified) – took online training on preventing discrimination and harassment
  - 323 employees took training on Preventing Sexual Violence

Research Compliance

- The Office of the Vice President for Research subscribed to the Public Responsibility in Medicine and Research (PRIM&R) Ethical Research Oversight Course (EROC). All members of the Institutional Review Board (IRB), voting, non-voting, and support staff are required to complete the course.
- The University's human subjects' consultant has provided training to the IRB members on the Revised Common Rule at several of its regular monthly meetings. The consultant also provided campus-wide training to Wright State investigators that included guidance on the Revised Common Rule and tips for avoiding common IRB submission errors.
- Created Export Controls and Responsible Conduct of Research training sessions.

Emergency Management

- University personnel with assigned roles and responsibilities under the EOP participated in a drill and training exercise that tested the activation of the University emergency operations center. The emergency operations center is where University staff will convene to coordinate and support emergency response and recovery activities across campus

Jeanne Clery Act Compliance

- Completed online training for faculty and staff identified as Campus Security Authorities. These employees are considered "mandatory reporters" and must disclose to the proper authorities crimes observed or reported by students.

Campus Safety

- The Wright State University Police Department maintains certification from the Ohio Collaborative Community-Police Advisory Board. The Police Department conducted 18 ALICE Trainings, 12 SAFE Trainings, 4 trainings for the resident halls, and 32 other miscellaneous trainings at both the Dayton and Lake Campuses for compliance with the Community Engagement Standard. It also held four training sessions for compliance with the Use of Force Standard and Firearms Standard.
- Additional trainings included 2 Ohio Law Enforcement Gateway (OHLEG)/Law Enforcement Automated Data System (LEADS), 1 Campus Security Authority session, 2 Ethics and Professionalism training sessions, and 3 Violence Against Women Act trainings.
- A Department newsletter is distributed during Spring and Fall Semesters.
- The Crime Prevention Unit has been changed to the Community Resources Unit.

Registrar's Office

- A Family Educational Rights and Privacy Act (FERPA) training module has been added to Pilot and tested with the office's student workers and some of the staff in the Boonshoft School of Medicine. Conversations are underway with human resources to add the training as a component of new employee orientation as well as with the Student Government Association representatives serving on University committees.
- An annual FERPA notification continues to be sent to students each fall. Faculty and staff receive a printable email or pamphlet annually as well to highlight FERPA compliance requirements and any changes in language or application that have occurred.

Human Resources
- HR Operations Team participated in the I-9 training webinar conducted by the U.S. Citizenship and Immigration Services (USCIS) agency.
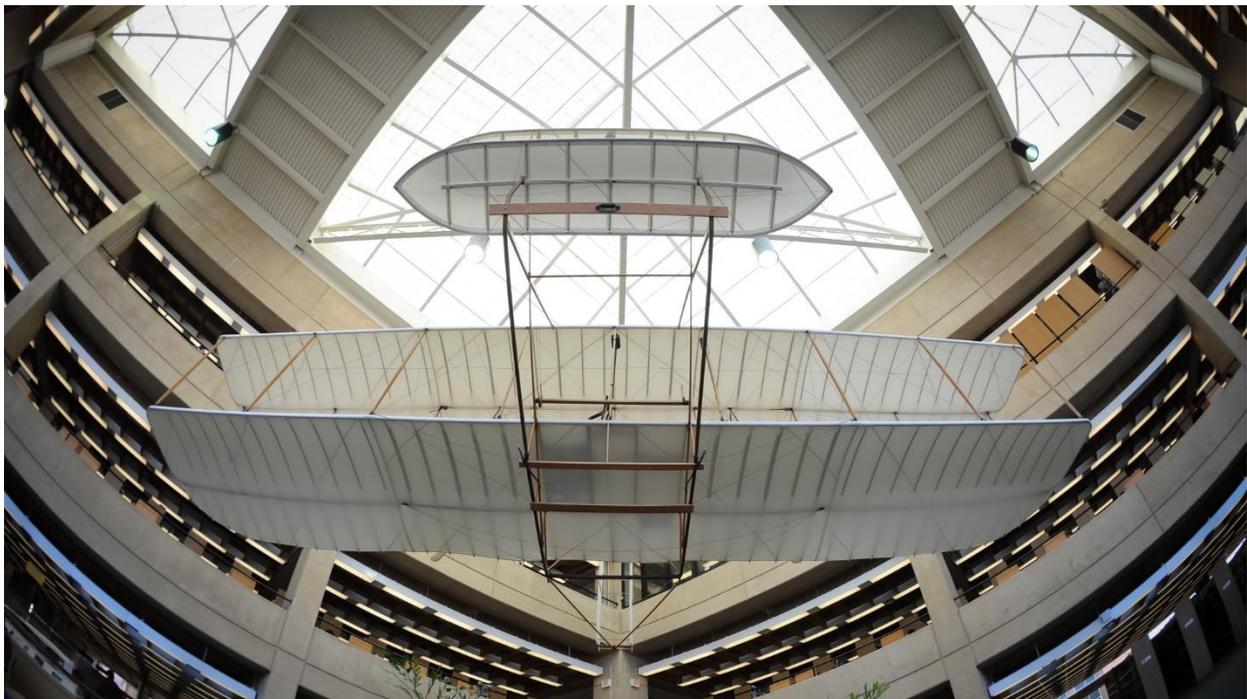
COMMITTEES

Compliance Council

- The Compliance Council meets monthly and is composed of key representatives from various functional compliance areas within Wright State University. The Compliance Council partners with the Director of Compliance in:
  - Coordinating oversight and monitoring of compliance areas
  - Ensuring consistent university-wide adherence to compliance policies and standards
  - Identifying compliance priorities and risks
  - Identifying compliance resources that are needed and resources that can be shared across compliance areas

Compliance Council Members:

-Director of Compliance (Chair)
-Director of Research Compliance
-Interim Vice President for Research, Facility Security Officer
-University Controller
-General Counsel
-Chief of Police
-Emergency Management Director/Clery Compliance
-University Audit

-Director of Equity and Inclusion
-Director of Disability Services, ADA/504 Coordinator
-Director of Risk Management
-Financial Aid Compliance
-Director of Environmental Health and Safety
-Athletics Compliance
-Chief Information Security Officer

- Advancement Services
-Director Community Standards and Student Conduct
-Associate Vice President and Chief Human Resources Officer
-University Registrar
-Chief Information Officer
-Lake Campus Administration
-Director of University Center for International Education

President's Council on Diversity and Inclusion

- Will be formed once the new Chief Diversity Officer arrives.

Coordinated Community Response Team

- This Committee is a compliance component of maintaining the University's Violence Against Women Act (VAWA) grant.

Digital Accessibility Committee

- The University created a Digital Accessibility Committee that the ADA Coordinator and the CIO co-chair. The committee meets to talk about the University strategies and initiatives for improving access to our digital resources. The committee has representation from Disability Services, IT, the Center for Teaching and Learning, Faculty Senate, General Council, Compliance, and the Web Team.
- One of the committee's most significant initiatives was to contract with the Tampa Lighthouse for the Blind to have them assess the main pages of our website along with two course sites in our Learning Management System to identify areas for improving the accessibility of our websites. This process has allowed us to focus on specific areas of accessibility improvement with our university web development team.

Data Governance Committee

- The University established the Data Governance Committee in 2016 to ensure the proper collection, storage, accuracy, protection, and reporting of institutional data. The Data Governance Committee meets regularly, no less than quarterly, and is responsible for the strategies, policies, standards, processes, metrics, reporting tools, education and technologies required to manage fully the University's institutional data.

Emergency Management Committee

- An Emergency Management Committee was re-established to allow input from variety of subject-matter expertise on the development of the emergency management program.
- The Committee approved: 1) A multi-year strategic plan to guide the development of the program according to federal standards and industry best practices; and 2) a training and exercise plan to ensure aspects of the EOP are regularly test and evaluated to identify opportunities for improvement.

Environmental Health and Safety

- Representatives from the Department of Environmental Health and Safety participated on the following University committees: Institutional Biosafety Committee, Radiation Safety Committee, Institutional Review Board, Compliance Council, Emergency Management Committee, Institutional Animal Use and Care Committee
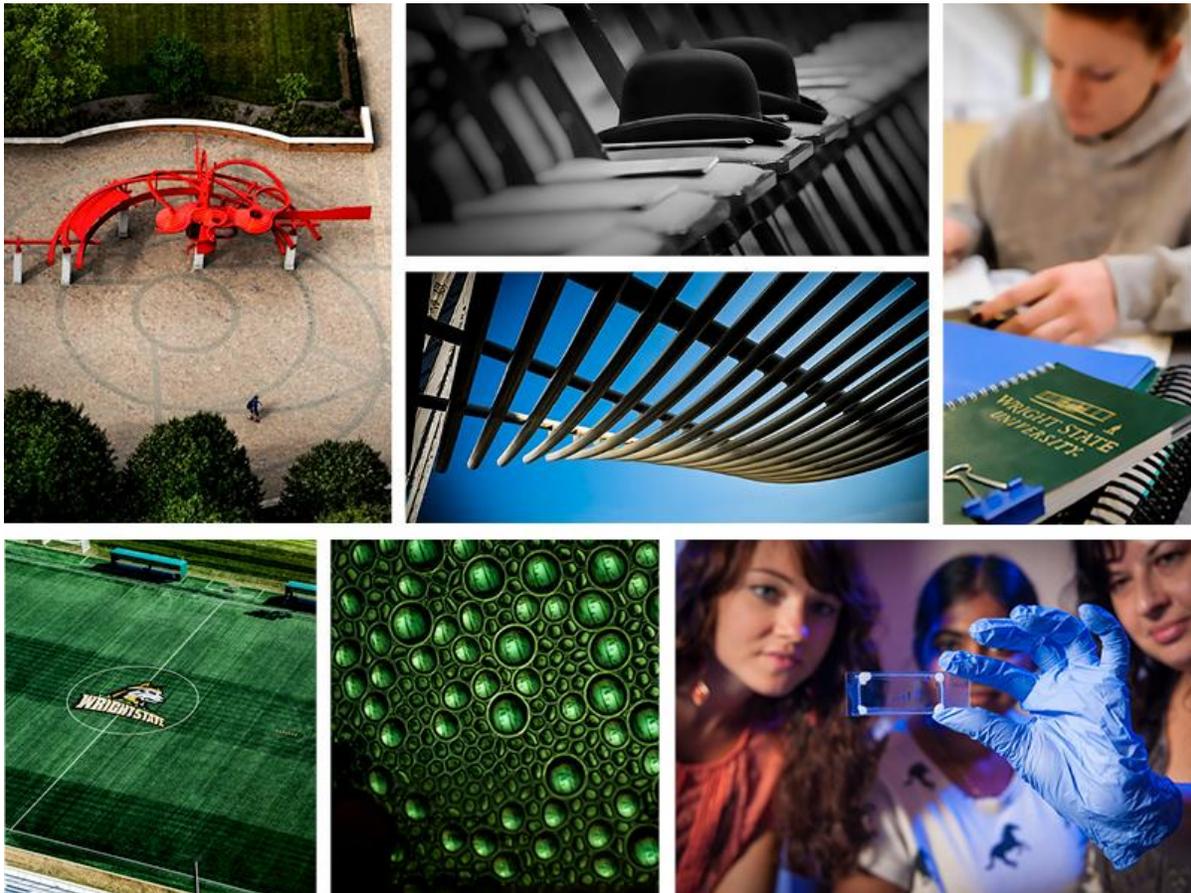
REGULATORY ACTIVITIES

University Compliance

- Completed compliance risk assessment with the assistance of members of the Compliance Council and creating mitigation plans for the highest risks that were identified.
- A Compliance Knowledge Survey was distributed to faculty, staff, and students to measure knowledge of the University's compliance program.
- Administered the University's anonymous reporting line, and cases were assigned to the appropriate functional compliance department for review and investigation. 111 reports were submitted to the university's anonymous reporting hotline between September 2018 and July 2019.

Information Security and Privacy

- Annual Payment Card Industry Data Security Standard (PCI-DSS) risk assessment was completed by the Bursar's Office and the Office of Information Security.
- Internal and external pen tests completed for PCI-DSS compliance.
- Two-Factor Authentication was made mandatory for faculty and staff placing the University in a better position to meet future compliance demands.
- HIPAA security risk analysis completed for the Ellis Human Development Institute.

International Education

- Successfully renewed the J-1 Exchange Visitor Visa Program and the F-1 International Student Visa Program.
- UCIE will be completely paperless in all areas: Recruitment, Admissions, International Student and Scholar Services, and Study Abroad by the end of this year which will help with FERPA compliance.

Office of Equity and Inclusion

- Prepared the annual affirmative action plan for the University in compliance with Office of Federal Contract Compliance Programs (OFCCP) regulations.
- Prepared EEO/IPEDS filings for the State of Ohio and the City of Dayton to preserve university's eligibility for state and local grants.

Office of the Chief Diversity Officer

- The University has an entire division dedicated to diversity, inclusion and accessibility that includes the following staffed areas:
  - Office of Disability Services
  - Women's Center
  - Bolinga Black Cultural Resource Center
  - Office of Latinx Affairs
  - Office of LGBTQA Affairs
  - Veteran and Military Center
- Retain the 9 Initiative was created by the Student Government Association with a focus on retaining underrepresented minorities at Wright State.
- Climate survey will be distributed in the fall which was a result of the strategic plan.

Financial Aid

- Annual Gramm-Leach Bliley Act risk assessment reviewed and updated for 2019.
- The Office of Financial Aid is working with an external auditor on the annual A-133 audit.

Research Compliance

- Enhanced restricted party screening processes implemented.
- Continue collaborating with Computing and Telecommunications Services (CaTS) on Controlled Unclassified Information compliance.
- Established an Insider Threat Program Plan and named an Insider Threat Program Working Group in accordance with the requirements of the National Industrial Security Program Operating Manual (NISPOM).

Jeanne Clery Act Compliance

- The 2018 Annual Security and Fire Safety report was distributed to the campus community on October 1, 2018.
- Completed a seven-year audit of all crime statistics to ensure they were accurately collected and classified. Any changes made to previous Annual Security and Fire Safety Reports will be disclosed to the campus community.

Registrar's Office

- New statewide guaranteed credit transfer (SGCT) codes have been implemented as required by the Ohio Department of Higher Education. These new data elements have been incorporated into Higher Education Information System (HEI) reporting in compliance with ODHE regulations.
- All transcript order requests are now submitted online to eliminate cash handling or the potential unauthorized access to checking or credit card information. Orders are collected through the National Student Clearinghouse which is compliant with PCI-DSS standards.
- Full social security numbers have been removed from the transcripts generated by our student information system to support identify theft prevention

Human Resources

- Conducted an invitation to negotiate (ITN) for medical carrier to include evaluation of stop loss levels.
- Conducted Fraternal Order of Police (FOP) negotiations and successfully finalized a new three-year contract.
- Moved COBRA insurance processing to Chard Snyder to ensure compliance with all COBRA regulations and offer enhanced confidence that COBRA offerings and payments are processed timely. Formalized COBRA availability for Healthcare Flexible Spending Accounts. Chard Snyder is now handling mailing of the new hire notices.
- Added Summary of Benefits and Coverage (SBCs) for our medical plans to the new hire packages.
- Provided the Affordable Care Act (ACA) 60-day Material Modification to AAUP-WSU employees and COBRA participants notifying the intent to eliminate the AAUP medical plans and move them to the Staff and Non-Bargaining Faculty plans effective April 1.

Risk Management

- Updated the Summary of Rights under the Fair Credit Reporting Act

Environmental Health and Safety
- Submitted the following reports:
    - Ohio Environmental Protection Agency (EPA) Stormwater Report
    - Ohio EPA Drinking Water Monthly Operating Reports
    - Ohio Department of Health (ODH) Low Level Radioactive Waste Report
    - Annual Injury and Illness Report
- Offers a variety of services for the campus community, including:
    - Waste materials handling, including hazardous materials, infectious wastes, and universal wastes
    - Recycling materials
    - Repurposing orphan chemicals
    - Training providers for a wide variety of safety and environmental topics
    - Respirator Fit Testing
    - Accident and injury investigations and corrective actions
    - Indoor air quality
    - Ergonomic assessments
- Maintains the following licenses and registrations:
    - Radioactive Material
    - Radiation Generating Equipment
    - Infectious Waste
    - Underground Storage Tank
    - Asbestos Specialist Certifications
    - License to Operate (Drinking Water Plant)
    - Ohio EPA Class I, II Drinking Water and Distribution System Operators
    - Hazardous Waste
    - Ohio EPA Certified Drinking Water Analysis Laboratory