



**Board of Trustees
Committee Meeting
Rudolph Jones Student Center
Room 242**

**Committee on Legal, Audit, Risk and Compliance
Wednesday, June 12, 2024
11:25 am**

AGENDA

Call to Order	Glenn Adams, Committee Chair
Welcome and Opening Remarks	Glenn Adams
Roll Call	Karen Bussey
Approval of Minutes:	March 27, 2024

Information Items:

A. Risk, Compliance and Equity	Elizabeth Hunt <i>Assistant Vice Chancellor for Risk and Compliance</i>
B. Police and Public Safety	Alpha Clowney <i>Deputy Police Chief</i>
C. Internal Audit Update	Jesse Chroman <i>Director of Internal Audit</i>

Action Items:

There are no action items to be presented at this committee meeting.

Committee Members: Glenn Adams, Warren McDonald, John McFadyen, Frederick Nelson, Jerry Gregory, Kimberly Jeffries Leonard

Staff Liaison: Wanda Jenkins
Board Professional: Tamara Davis

For further information, please contact:
Wanda Jenkins
General Counsel and Vice Chancellor for Legal, Audit, Risk and Compliance
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COMMITTEE ON LEGAL, AUDIT, RISK, AND COMPLIANCE

Wednesday, March 27, 2024

11:25 AM

The Legal, Audit, Risk, and Compliance (LARC) Committee of the Fayetteville State University Board of Trustees convened Wednesday, March 27, 2024, in the Rudolph Jones Student Center, Multi-Purpose Room 242, and via Microsoft Teams. The meeting was called to order at 11:34 a.m., by Vice Chair Warren McDonald.

ROLL CALL

The following Trustee members were in attendance: Dr. Warren McDonald, Mr. John McFadyen, Mr. Frederick Nelson, Mr. Jerry Gregory, and Dr. Kimberly Jeffries Leonard

APPROVAL OF MINUTES

It was moved by Trustee Warren McDonald that the December 13 minutes be approved, as distributed. The motion carried.

LARC UPDATE

The Committee on Legal, Audit, Risk, and Compliance had one action item and several information items discussed.

Vice Chancellor Jenkins introduced Assistant Vice Chancellor Elizabeth Hunt who provided a risk and compliance update on the 2024 Risk Register. Yearly, the UNC System requires campuses to collect, analyze, and present to the Chancellor and Board of Trustees for approval their top 5 campus risks. The risks identified for this year included: mental health, student retention, procurement compliance, cyber security, and the protection of minors on campus.

Trustee Kimberly Jeffries Leonard asked to clarify if the risks are in a rank order. AVC Hunt shared that they were not in a rank order.

The Risk Register needed approval by the Board before submission to the UNC System Office by June 7, 2024.

Action Item LARC-1 – Review and Approval of 5 Major Risks

It was moved by Trustee Frederick Nelson and Seconded by Trustee Joyce Adams that the top 5 risks, as presented, be approved. The motion carried.

Vice Chancellor Jenkins, next, reviewed a notice to the committee on the requirement of the University's Internal Audit Function to have a Peer Review prior to June 2024. Due to the previous vacancy within the Director of Internal Audit position, the completion date is being extended to gather and generate the necessary information to be submitted and reviewed by the qualified examiners. The University's Internal Audit Function will utilize the Council of Internal Auditing's Peer Review Program to ensure an examination is performed and a report is issued by December 2024. No action is required by the Board. Further communication will be forthcoming concerning the progress and nature of the Peer Review.

Chief of Police Roberto Bryan discussed the requested updated 2023 traffic enforcement statistics data. Out of the 1,544 traffic stops, 216 were performed on campus; Out of the 545 citations, 75 were performed on campus; Out of the 35 arrests, 6 were made on campus; Out of the 60 searches, 19 were made on campus. Chief Bryan separated the traffic stops into 2 different categories, one category pertaining only to campus stops and the other category pertaining to non-campus stops.

Lastly, Vice Chancellor Hector Molina presented updates from the Division of Information Technology Services. The division's vision is to establish IT as a trusted advisor and partner in providing world-class technology solutions across the University. Several notable projects are underway including:

- 1) An Immersive Learning Studio to provide students hands-on learning experiences that simulate real-life scenarios.
- 2) Improvements to the Network Infrastructure to enhance high-speed data transmission across campus, as well as reliability, security, and consistent performance.
- 3) A Classroom Modernization overhaul to update student and faculty's learning spaces with new technology and optimization.
- 4) Lastly, the development of a Security Operation Center that is student-managed as an opportunity for students to gain hands-on experience.

Trustee Joyce Adams commended the Division for their work and suggested researching the Lab for Analytic Sciences (LAS) program.

ADJOURNMENT

The LARC Committee adjourned at approximately 12:14 p.m.

Respectfully Submitted,

Glenn Adams, *Chair*

Tamara Davis, *Recorder*



FSU BOARD OF TRUSTEES

COMMITTEE ON LEGAL, AUDIT, RISK, AND COMPLIANCE

Wanda L. Jenkins

General Counsel and Vice Chancellor

June 12, 2024



OFFICE OF RISK AND COMPLIANCE

Elizabeth Hunt

Assistant Vice Chancellor for Risk and Compliance

June 12, 2024

ORC COMMITMENT

Fayetteville State University is strongly committed to creating a culture of ethical conduct, integrity, equity, and compliance. The Office of Risk and Compliance supports this commitment by providing resources, training, and oversight to ensure a safe, accessible, inclusive, and welcoming University community.

COMPLIANCE ALERTS

- The Division of Legal, Audit, Risk, and Compliance periodically issues **Compliance Alerts** to the campus community. These alerts provide information and guidance and ensure compliance with various policies, regulations, and laws.
- Compliance Alerts are regularly sent to employees via “all campus” mail and maintained on the Office of Risk and Compliance’s webpage.

RECENTLY ISSUED ALERTS

- **January 2024**
 - Disruptive Behavior Violates the Code
- **February 2024**
 - Student Accommodations & Pregnant Workers Fairness Act
- **March 2024**
 - Title IX
- **April 2024**
 - First Amendment and Free Speech Annual Notification
- **May 2024**
 - Protection of Minors on Campus

TITLE IX

Title IX is a federal civil rights law that prohibits discrimination based on sex in education programs or activities that receive federal financial assistance.

Fayetteville State University is committed to maintaining a campus environment free of sexual harassment, sexual misconduct, relationship misconduct, and retaliation.



2024 FINAL TITLE IX REGULATIONS

- On April 19, 2024, the U.S. Department of Education released its final rule revising previously issued Title IX regulations.
- Complaint with the new regulations is required beginning August 1, 2024.

2024 REGULATIONS - KEY POINTS

- **Definitions.** The regulations expand the definition of conduct that is considered sexual harassment. This includes sexual harassment based on sexual stereotypes and characteristics, sexual orientation, gender identity, and pregnancy and related conditions.
- **Hostile Environment Harassment.** The regulations lower the threshold for a finding of hostile environment harassment. The new regulations focus on “unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the recipient’s education program or activity.”
- **Grievance Procedures.** A written complaint is no longer required to begin the grievance procedures.

2024 REGULATIONS - KEY POINTS

- **Cross Examination.** Cross-examining witnesses and parties is no longer required in a formal hearing but remains permissible.
- **Live Hearings.** Live hearings are permitted but are no longer required.
- **Off-Campus Activity.** The new regulations require institutions to address Title IX-prohibited conduct occurring in any building owned or controlled by an officially recognized student organization and any conduct that is subject to the discipline of the institution. Also, the regulations require institutions to address sex-based hostile environments in any educational program or activity, even if some of the underlying conduct occurred outside of the academic program or activity or outside of the U.S.

TITLE IX COMPLIANCE

- LARC will work diligently this summer to update all FSU Title IX policies/procedures/materials prior to August 1, 2024. This will include the University's Prohibited Sexual Conduct Policy and Complaint Resolution Procedures.
- Students and employees will receive updated training on the new requirements during the Fall 2024 semester.
- Training will also be provided to the Board of Trustees.

QUESTIONS



DEPARTMENT OF POLICE AND PUBLIC SAFETY

Major Alpha Clowney
Deputy Chief of Police

June 12, 2024

POLICE & PUBLIC SAFETY MISSION



To protect and serve with respect, empathy, and fairness, fostering trust and cooperation between the university community and the law enforcement professionals dedicated to its safety. We aim to create a safe and secure living and working environment through proactive engagement.

OVERVIEW OF DUTIES

Oversees and directs the day-to-day operations of eight divisions:

Administrative/Records
Unit

Communications
Center

Patrol

Investigations

Property
Security

Traffic & Parking
Services

Clery
Compliance

Emergency
Management



Educates the university community about the mission and services of the police department to ensure effective and collaborative partnerships.



Identifies ways to respond to trending law enforcement concerns with 21st-century policing methods.



Proactively identifies strategies to close the gap between law enforcement and the student population.

PERSONNEL ALLOCATION

Position	Total Positions Authorized	Current Staffing	# of Vacancies
Traffic Enforcement	12	12	0
Property Security Officers	14	9	5
Telecommunicators	10	6	4
All Sworn Personnel	23	19	4
Administrative Support	1	1	0
Clery Officer	1	1	0
University Program Specialist	2	2	0

RECENTLY ADDED EQUIPMENT



LPR PARKING ENFORCEMENT



- License Plate Recognition will enable effective and efficient parking enforcement.
- Enhanced mobile features for students, staff, faculty, and visitors.

NEW PATROL SUBSTATION

- DPPS will occupy a unit in Bronco Mid-town that will house DPPS patrol officers. Fayetteville Police Department and Cumberland County Sheriff's Department officers will also use the space.
- The substation will increase safety and security in the area and result in enhanced Community relations with University members, business owners, and community residents.

QUESTIONS



OFFICE OF INTERNAL AUDIT

Jesse Chroman
Director of Internal Audit
June 12, 2024

NOTICE TO THE COMMITTEE

- **Situation:** Audit Reports (Investigative and Financial) were issued by the NC Office of the State Auditor (OSA) on May 28, 2024.
- **Background:** North Carolina General Statutes 116-30.1 necessitates that when a significant financial audit finding is identified, the institution makes satisfactory progress in resolving the finding within ninety days commencing with the date of the receipt of the published financial audit report.
- **Assessment:** The Director of Internal Audit, in conjunction with the University Management, has developed a comprehensive corrective action plan in response to the recommendations provided by the Office of the State Auditor. Until August 28, 2024, the Auditor will oversee identified contacts, verifying and documenting progress to provide a sufficient response to the North Carolina System Office and the Office of State Auditor.
- **Action:** The Board requires no action. Further communications regarding the progress of implemented corrective actions and the content of the University's response are forthcoming.

NOTICE TO THE COMMITTEE

- **Situation:** Audit Reports (Investigative and Financial) were issued by the NC Office of the State Auditor (OSA) on May 28, 2024.
- **Background:** North Carolina General Statutes nor the OSA require any specific communication regarding the progress of corrective actions related to investigative findings. However, it is the responsibility of the Director of Internal Audit to document the implementation of any actions related to the recommendations presented.
- **Assessment:** The Director of Internal Audit, in conjunction with the University Management, has developed a comprehensive corrective action plan in response to the recommendations provided by the Office of the State Auditor. Until all corrective actions are implemented, the Auditor will oversee all corrective actions and related documentation.
- **Action:** The Board requires no action. Please note that further communications regarding the progress of implemented corrective actions will be forthcoming.
- The Director of Internal Audit is currently performing a risk assessment in the development of the FY25 Audit Plan, completing the Self-Assessment Security Model, and completing an audit of I-9 Compliance as we approach year-end.

QUESTIONS