

# **BOARD of REGENTS**



## **AUDIT AND COMPLIANCE COMMITTEE MEETING**

*Wednesday, October 18, 2017 11:00 am  
Scholes Hall, Roberts Room*

The University of New Mexico  
Board of Regents' Audit and Compliance Committee  
October 18, 2017 – 11:00 AM  
Roberts Room  
**Agenda**

**ACTION ITEMS**

1. Confirmation of a Quorum and Adoption of Agenda
2. Approval of Meeting Minutes from August 25, 2017
3. Audit and Compliance Committee Meeting dates for Fiscal Year 2018. The following proposed meeting dates are being presented for Committee approval. The Committee meets in the Roberts Room. This schedule accommodates the entrance conference for the FY18 External Financial Statements Audit.

February 15, 2018 - Start at 9:00 AM

May 17, 2018 - Start at 9:00 AM (Entrance Conference for FY18 External Audit)

**EXECUTIVE SESSION**

4. Vote to close the meeting and to proceed in Executive Session as follows:
  - a. Presentation of FY17 External Financial Audit pursuant to exceptions at Section 10-15-1H NMSA (1978) and Section 12-6-5 NMSA (1978) (*Moss Adams, KPMG and Liz Metzger, University Controller*)
  - b. Discussion of draft Internal Audit Reports, and discussions of information subject to attorney-client privilege pursuant RPM 1.2
  - c. Discussion of limited personnel matters pursuant to exception at Section 10-15-1.H(2) NMSA (1978);
  - d. Schedule of Audits in Process and Proposed FY18 Audit Work plan, pursuant to RPM 1.2
  - e. Vote to re-open the meeting.
5. Certification that only those matters described in Agenda item # 4 were discussed in Executive Session and if necessary ratification of action, if any, taken in Executive Session.

**INFORMATION ITEMS**

6. Advisors' Comments
7. Main Campus Chief Compliance Officer Status Report (*Francie Cordova, Director Office of Equal Opportunity; and Libby Washburn, UNM Main Campus Chief Compliance Officer*)
8. Status of Audit Recommendations (*Chien-chih Yeh, Internal Audit Manager*)
9. Director of Internal Audit Status Report (*Manu Patel, Internal Audit Director*)
10. Adjournment

THE UNIVERSITY OF NEW MEXICO  
Board of Regents' Audit and Compliance Committee Meeting  
August 25, 2017 – Draft Meeting Minutes

- Members Present: Thomas Clifford, Chair, Alex O. Romero, Vice Chair, Lt. Gen. Bradley Hosmer (quorum).
- Other Attendees: Chaouki Abdallah, Craig White, Liz Metzger, Chris Vallejos, Dorothy Anderson, Janice Ruggiero, Libby Washburn, Francie Cordova, Elsa Cole, Peggy Davis, Nicole Dopson, Carla Domenici, Che Shu-Nyamboli, Dianne Anderson, Cinnamon Blair, Pamina Deutsch, Ella Watt, Purvi Mody, Jeff Gassaway, Mallory Reviere, Tim Keller (State Auditor's Office), Sanjay Bhakta (State Auditor's Office), Lynette Kennard (State Auditor's Office), Shannon Sanders (State Auditor's Office), Steve Keene (Moss Adams), Lisa Todd (Moss Adams), John Kennedy (KPMG), Manu Patel, Chien-chih Yeh, Victor Griego, Lisa Wauneka, Amy O'Donnell.

Chairman Clifford called the meeting to order at 1:00 PM in ROBERTS ROOM, Scholes Hall, UNM. The Chairman stated the order of items heard during Executive Session will be modified to accommodate visitors first.

#### ACTION ITEMS:

- The Committee unanimously approved the current meeting agenda and the minutes from April 28, 2017. Regent Hosmer asked about information in the previous minutes about State Auditor Tim Keller asking if the Regents received a letter that went to the President. Chairman Clifford replied it is regarding the Permanent Fund issue and that it did go to him, but he would like it to be provided to the two new members along with any follow up. Regent Romero asked about Department of Justice information. Chairman Clifford stated that it will be provided in the Chief Compliance Officer's status report in this meeting.
- The next meeting date of October 20, 2017 at 9:00 AM was approved. The previous due date in prior years for the external audit to be submitted to the State Auditor's Office was November 15<sup>th</sup> and now it is moved to November 1<sup>st</sup> of each year, so this schedule is tight. There were no changes to the proposed meeting dates of February 15, 2018 and May 17, 2018.

#### INFORMATION ITEMS:

- Chairman Clifford asked for Advisor Comments. There were none.
- Libby Washburn, Chief Compliance Officer, provided her departmental report and updated the Committee regarding the status of the Department of Justice (DOJ) recommendations. Her office has updated the implementation plan. They submitted four status reports in the ten months that UNM has been under the DOJ agreement, with the fourth status report filed on June 30<sup>th</sup>. The fifth status report is due September 30<sup>th</sup>. It is fairly substantial and there are about nine different items they will be reporting on. They have also produced a six month progress report. They will be doing a one year progress report when it hits that anniversary date. They have made all of the deadlines, and continue to be in good shape for those that are upcoming.

Big things to highlight include the Herculean effort to train every student in person. They have created a training called "Grey Area Training." A majority of UNM's 27,000 students are

required to take it (unless they are part-time or do not have presence on the campus). That leaves approximately 23,000 who need to take the training. So far, approximately 15,000 have taken the training in more than 90 sessions. There are 88 sessions scheduled this fall. The training deadline is December 31, 2017. The DOJ is amazed at what they have done so far.

Regent Romero asked, since he is new, what prompted the DOJ review. Ms. Washburn replied it was several years in the making. Several complaints had been made to the Department of Education (DOE) and DOJ about things that were happening on campus. They came out and investigated about two years ago. Ten months ago, the DOJ said we have to enter into an agreement to make some changes. Instead of litigating with them, UNM voluntarily entered into the agreement. Chairman Clifford asked Ms. Washburn to provide previous background information from prior meetings to the new members.

Regent Hosmer stated UNM should be cautious about what is included in campus surveys. There is a lot of sample bias. Predicting whole body results from a thin sample is tricky. And, since it is DOJ prescribed, the questions being asked may not be all the questions we would like to ask. We should feel free to supplement since the vehicle is going out anyway. UNM should also keep alive the possibility of finding ways of increasing the balance and size of the samples. Surveys are really one of the best ways to get the results. Most of what we are reporting on are the efforts. What really matters are the consequences. We are hard put to point at specifics there until we have data in which we have sufficient confidence.

Ms. Washburn noted that they conducted climate surveys. At the last progress report, they did not have results. Results have now come in but her office has not had a chance to thoroughly review them yet. She will provide an update at the next meeting of this Committee. There is a brief summary of highlights available now and Ms. Washburn provided handouts to the Committee. This is the second year in a row for the surveys, so this year's total number of responses were not as good as last year. The response rate is at 10 percent this year. Branch campuses, however, are at 17 percent, which is high for branch campuses.

Ms. Washburn informed the committee that they have really ramped up effort in the area of minors on campus. They convened a task force and that task force has begun meeting. The Regents recently adopted a new policy on minors on campus and now the task force is moving in to the next phase. This summer, they created a new training with the Office of Equal Opportunity (OEO) to provide to camp counselors. The training focuses on boundaries, professionalism, touching, bathroom conduct, etc. In some instances the training will be required, and OEO will be able to provide it across campus.

President Abdallah asked 22 departments and units to certify they were in compliance with the policy. That had never been done previously. Because there is not a full, comprehensive listing of all camps and counselors on campus, they started a survey. One time camps may also pop up through grants, etc. that are not done every year. If they can get contact information, they can reach out and correspond with the different camps. This year they will also start working on creating a database, more formalized background check reviews, share information with Internal Audit, see if the policy needs any revisions, and implement new programs such as possible color-coding of shirts for different camps.

Chairman Clifford asked where UNM stands with its liability insurers. Are they concerned about this, and does the policy address this issue with regards to campus liability insurance and personal injury, etc.? How is UNM covered for kids coming to camps? Pamina Deutsch, UNM Policy and Administrative Planning Director stated that she believes that non-UNM sponsored camps are required to carry their own policies with one million dollars in federal liability insurance and UNM as an additional insured. Internal Audit Director Patel stated UNM-sponsored camps would be covered by the policies under UNM's risk management. Chairman Clifford asked if the Compliance Office has received any Hotline complaints pertaining to camps. Ms. Washburn replied they have not.

As far as the Compliance Hotline is concerned, Ms. Washburn stated they are working on increased awareness. They had new marketing materials made and are putting out a newsletter. They have also added a "short form" to the hotline system. There were some complaints that the regular form took too long to fill out, so they are testing this option. The Compliance Office has also started managing the peer hearing process as a neutral body.

Chairman Clifford asked how many staff members are in the "Compliance Office." Ms. Washburn responded one and a half. Chairman Clifford noted that Ms. Washburn is also assisting the President. He is concerned that it is stretched too thin. Are there unfilled positions? Ms. Washburn stated there are not; the office was always two people, and Eileen Sanchez recently retired. Peggy Davis, Administrative Officer, is filling in. She thinks they are doing fine currently. It is something that they do want to monitor.

Ms. Davis addressed the Committee regarding the latest incident report/benchmarking data. This report focused on the time period of January 1 through June 30 of this year. There is one exception that she will cover at the end. During that time, they received 110 hotline cases. These do not include OEO-related cases. The data includes Main Campus, the Health Sciences Center, the Hospital, UNM Medical Group, Sandoval Regional Medical Center (SRMC), and all branch campuses. Regent Hosmer asked if she included comparable periods for 2015 and 2016. Ms. Davis said she did not but could get that information. President Abdallah did state that it is a nine percent increase from last year.

A majority of the cases, 61 of the 110 – or 55 percent – are from UNM Main Campus. The Health Sciences Center portion makes up 19 cases, or 18 percent. SRMC has the lowest reporting percentage for this time period.

When cases come in, they are assigned an issue (category). For this time period, Human Resources was the leading category with 69 of the cases, or 36%. Academic Affairs was next with 10, and Accounting and Financial had nine (9). The rest were small numbers.

Hotline intake method data shows the web tool is the preferred method, followed by calling the hotline. There are still a few who use email; from there, a case is created. Few will call directly (not the hotline) or walk in, and those who assist these persons will create the case from there. The majority of cases continue to be anonymous, at 65 percent. Of those who self-identified, nearly 26 percent were UNM employees. Ms. Davis stated she does not currently have a breakdown of staff versus faculty numbers, but she will see if she can get that information. Regent Hosmer commented on anonymous reporting and the issues with getting follow up when it is anonymous. It is a handicap. Ms. Davis agreed that it can cause issues.

Investigators can go back in to a case and ask a question of the reporter, but often they do not respond. That can make it difficult to investigate the case. Hopefully, as her office gets more information out about the hotline, people will feel more comfortable and it will begin to change. Regent Hosmer stated it does not reflect confidence in the system. He asked if we know what the typical anonymous rate is in this reporting system, i.e. what an expectation might be. Ms. Davis replied she can contact the vendor to see if we can get that information.

Substantiation data is also included in the materials. Ms. Davis reviewed the information with the Committee. Currently, the rate of unsubstantiated cases is 52 percent. Some are partially substantiated, and the rate of substantiated cases seems to be holding at 21 percent. This is the same rate as was reported to the Committee last November. In March of this year, it was at 20 percent, so it's a pretty steady rate. However, it is interesting to note that Ethics Point data shows a system-wide average of 41 percent unsubstantiated, so we are running high. Regent Hosmer asked Ms. Davis to try to find out what portion of the unsubstantiated cases may be due to follow up difficulties from anonymous reports.

Actions taken on substantiated cases include 10 cases where there was discipline delivered, but the system does not outline what the discipline is. Investigators do not tend to share what the discipline details.

A major focus of this report, at the prior request of this Committee, is retaliation. Ms. Davis employed a two-pronged approach in this review. First, she pulled all cases with a primary or secondary concern of retaliation. She did a second pull of all cases that listed the word retaliation in any of the details. Then she backed out the first set so there was no double reporting. She went back to the beginning of the current hotline system. Of all 439 cases to date, there were 47 cases, or just over ten percent, that state retaliation. Twelve of those listed retaliation as a primary concern. Seven of the cases stated they had a secondary concern involving retaliation. The remaining 28 cases did not report that there was a retaliation concern happening, but were concerned they may be retaliated against for filing a report. The first half of 2017 appears to be running in line with 2016. Of the twelve cases where it was a primary concern, only one was found to be substantiated. Two were partially substantiated, six were unsubstantiated, and one resolved without a finding. Two are still in process. All seven of the secondary concerns were found to be unsubstantiated. Of the 28 fear and concern cases, 23 were found to be unsubstantiated. However, this statistic is concerning because it was not the primary issue, and the ones found to be unsubstantiated for the primary concern would also be unsubstantiated for this area. Since this report was pulled, there were more retaliation cases entered into this system that did not get captured because they came in after the report.

Regent Romero asked how long it actually takes to close a case. Ms. Davis replied she did a case comparison between this report, all of 2016, and the Ethics Point benchmarking data. Ethics Point reported that their system-wide average is 46 days. In 2016, our average time was 82 days. Right now, it is 96 days. There are some mitigating factors. Some cases are extremely complex. One complaint might include several areas, each of which has to do its own investigation. Chairman Clifford stated the median might be a better indicator to look at than the mean when there are outliers. President Abdallah asked if the Ethics Point average is for higher education or all industries. Ms. Washburn replied they do have higher education clients but the majority are corporate. The data reflects all industries because there is a hefty fee for

them to separate out and provide data just on this industry. Chairman Clifford noted he does not think it is apples to apples because corporations are different. Ms. Washburn stated her office could find out the costs of extracting higher education data, and the Regents could determine if it is worth the expense.

New data pulled from UNM's Ethics Point home page shows that UNM is making a real concerted effort and investigators are doing a marvelous job. In April, May and June of this year, there were far more cases closed than new cases opened. Ms. Davis reported this is information that pops up every day and she gets very excited every time the results for that goal go up. Chairman Clifford asked who is doing all this work – is it just the two Compliance Office staff? Ms. Davis replied no; there are investigators all across the University in different units and departments such as Human Resources, Provost's Office, Internal Audit, Health Sciences Center, etc. Ms. Washburn added that the Compliance Office administers the hotline, but there are around 50 people working cases.

Regent Romero asked what UNM is learning in terms of the complaints that come in and how UNM yields best practices. Ms. Washburn replied that they do see trends. If she sees an uptick in complaints for a certain area, she might, for instance, reach out to Internal Audit or HR and ask if they have seen there is an increase in that area. Regent Romero stated feedback to those departments is critical. The goal is to fix things. Regent Hosmer endorsed Regent Romero's comment; he wants to encourage the feedback. It would be a welcome confirmation of the value of the system. Chairman Clifford added it seems to him it should be a performance metric for managers. Dorothy Anderson, Vice President for Human Resources provided an example. They noticed an influx of issues in an area, so they took a team of employees from Human Resources and met with individuals, eliminating the supervisors. They provided the employees with an opportunity to air their concerns. They developed a plan with the department that centered on training, opportunities and communication. They plan to reach back out to the employees and survey them to evaluate results.

Returning to the Compliance Office status report, Ms. Washburn informed the Committee that her office is starting to work with Francie Cordova, Director of OEO to focus more on ADA issues. They have reinstated a prior task force.

The Policy Office finalized the new Whistleblower policy. That took about a year of work. Chairman Clifford asked if UNM is governed by the State's Whistleblower Protection Act. Ms. Washburn affirmed. Chairman Clifford stated that whatever policy we come up with has to comply with that as well.

Ms. Washburn informed the Committee that the President convened a task force to focus on responsible employees and who will report if somebody comes to them to raise a concern about sexual assault. Currently, all employees are considered responsible employees. Some faculty members and others around campus are asking how UNM can provide more support and not require such a harsh line for reporting requirements. There is a group of about 80 individuals called Faculty Safe who have expressed concern with the current system. The task force is meeting weekly and are discussing how there could be a compromise. President Abdallah added that UNM is under the DOJ agreement right now where everyone is a responsible employee. That said, research has been done at the University of Oregon - that Faculty Safe is citing - that says it might encourage more people to come forward if there is a

place in between on this issue. Regent Hosmer stated that gets to the concern exactly. There is some evidence that the current regime has actually suppressed reports. Ms. Washburn replied that they are debating that weekly. Everyone needs to be at a comfort level because we don't want it to go completely the other way. Regent Hosmer suggested monitoring of the confidentiality issue to see if there is basis to push back against the current regulations. He added that of course this is not just a UNM issue, but a nationwide university issue. Ms. Washburn stated that the University of Oregon is trying to modify policy and training to reflect the new research but have not implemented anything yet. The UNM Compliance Office will monitor any results they can gather from that university. Regent Hosmer added they should perhaps include other sources as well.

Ms. Washburn confirmed she will provide the Committee with campus climate survey results at the next meeting.

- Director Patel provided his Internal Audit Director's Report. The Committee reviewed upcoming dates and there were no changes to the proposed meeting dates of February 15, 2018 and May 17, 2018. Director Patel reviewed the stages of the department's projects. Internal audit closed fiscal year 2017 with \$85,000 in reserves. Of that \$85,000, the department is using \$34,000 in this current year's budget.

Director Patel reviewed the status of third party audits. These are basically external audits of grants and contracts such as the National Science Foundation, Dallas County Hospital and the Children, Youth and Family Department. There is also the RAC (Recovery Audit Contactor) audit for CMS (Center for Medicare and Medicaid Services). From January – June 2017, they requested about seven (7) records for approximately \$260,000. There is no information back from them yet, but this is just the beginning of the RAC audit. Purvi Mody, UNMH Audit Director added that the seven records are a sample and they are really looking at coding. The contract started in January, and so far they have received the seven requests. In the past, over a three-year period they received about 2,500. The probability of recoupment by Medicare auditors is very small, and that has been the historical trend.

Regent Romero stated he was reviewing the upcoming meeting dates. There is so much material. Should there be such a long time between meetings? Director Patel replied that based on the Regents' policy, this committee meets once per quarter. That does not prevent the Committee from calling for a special meeting. If there is a need for a special meeting to catch up, it can be done. Chairman Clifford agreed that the material is a large amount to digest at once. If you put things off, if there are any actions, it starts to get stale. He is open to special meetings.

Chairman Clifford inquired if this amount of external audit activity is typical, particularly for the RAC. Director Patel replied that for a period of time the government was in the process of contracting with somebody so there was no activity. Now it is going to ramp up. Chairman Clifford asked about the Human Resources and Services Administration and if that is a subset of Health and Human Services (HHS). Director Patel replied that is it. If they give a grant they will come review to see if UNM spent the money within the terms of that grant. Also, based on the Single Audit Act, grantors are supposed to be monitoring sub-recipients.



- Chien-chih Yeh, Internal Audit Manager provided a status update on prior audit recommendations. The first group is the implemented recommendations that have been verified as complete by Internal Audit. The second group are pending recommendations that auditees are still working on, or are partially complete.

The pending recommendations are sorted in two ways: first by project, and also at the request of this Committee, by implementation date. This reporting cycle, there are a total of 42 recommendations and exactly half have been implemented.

Chairman Clifford asked for recommendations to be numbered so it is easier to refer to them. The Chairman also inquired if it would be possible to assign some kind of risk – to do a risk assessment on them. Mr. Yeh noted that most of the recommendations on this report are inherently of a fairly high risk or they would likely be addressed by management during the audit process instead of resulting in findings that go on to this report.

Regent Hosmer asked Mr. Yeh for additional information on any of the pending recommendations that are high risk. Mr. Yeh informed the Committee that Internal Audit is working with management on these recommendations. Most of them have upcoming implementation dates and should be resolved soon. Internal Audit has received information on two or three more recommendations that the department is in the process of reviewing to see if they can be closed and moved to the implemented report. For instance, there is a Safety and Risk finding where management has noted that the chemical is no longer in existence in the lab. Internal Audit needs to schedule personnel to go and verify that is the case. There is a need for more time to develop a centralized chemical receiving area noted in another recommendation. Chairman Clifford stated if Internal Audit feels that there are issues working with management, even that they do not have the resources to timely implement recommendations, it should be flagged. Let the Committee know if dates are really slipping.

Mr. Yeh noted there was an older recommendation from the Brain Safe audit that was able to be closed in this reporting cycle. There is still an open IT-related finding that was assigned to an associate provost who is no longer with the University, so this recommendation is an issue that is difficult to resolve.

Regent Romero asked who determines what ends up on this report. Mr. Yeh responded that these are recommendations pulled directly from findings in the Internal Audit reports presented to this Committee. The audit does not stop until the recommendations in the audit are completed and verified. Regent Romero asked how many findings are in a typical audit. Mr. Yeh replied there is no standard number, it varies in each audit. Regent Romero stated that what is of interest is how quickly they get resolved; for instance, there is one from 2013. Chairman Clifford replied he thinks that is a valid question. Is the compliance consistent with the timeline that was originally established, or were there substantial delays? The Chairman asked if the report could show the original due date as well as the current due date. Mr. Yeh replied that Internal Audit does have that information, so it could be provided to the Committee.

Chairman Clifford inquired about items still in process regarding the PPD Remodel project and Two Bears Construction. Victor Griego, Internal Auditor 3, and Chris Vallejos, Vice President for Institutional Support Services (ISS) addressed the Committee regarding these recommendations. One finding is regarding an additional \$42,000 in costs UNM incurred to

pay a contractor to complete a stairwell project that was not completed within the original contractor's scope of work. UNM is working with the University Counsel to try to recover these costs. Mr. Vallejos stated that ISS is currently awaiting the legal advice on breach of contract and how to pursue recovery. Regent Romero asked if in some cases we write things off. President Abdallah replied that is true in some cases. Chairman Clifford asked about training. Mr. Griego replied that there is also a recommendation in progress regarding refresher training for project managers. Approximately a third of the employees who need to take the training have completed it. The target completion date for training is November 30<sup>th</sup>. Chairman Clifford wants a separate follow up report just on this audit at the next meeting.

By unanimous consent, the meeting went into Executive Session at 2:12 PM for the reasons stated in the agenda.

- a. FY17 External Audit Status Report pursuant to exceptions at Section 10-15-1H NMSA (1978) and Section 12-6-5 NMSA (1978) (*State Auditor's Office, Moss Adams, and KPMG*);
- b. Discussion of draft Internal Audit Reports, and discussions of information subject to attorney-client privilege pursuant RPM 1.2;
- c. Discussion of limited personnel matters pursuant to exception at Section 10-15-1.H(2) NMSA (1978);
- d. Schedule of Audits in Process and FY18 Audit Work plan, pursuant to RPM 1.2;
- e. Vote to re-open the meeting.

The meeting returned to open session at 4:34 PM, with certification that only those matters described above were discussed in Executive Session.

The Committee unanimously approved the following UNM Hospital audits:

- UNMH Patient Accounts Receivables, Report 2017-01
- SRMC Patient Accounts Receivables 2017-01
- UNM Medical Group Scorecard Audit, Report 2017-01
- UNMH Patient Financial Services, Report 2017-02
- SRMC Patient Financial Services, Report 2017-02
- UNM Cancer Center, Report 2017-03
- UNM Behavioral Health Operations, Report 2017-04

The meeting adjourned at 4:35 PM.

Approved:

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Audit and Compliance Committee Chairman

There is no  
handout  
required for  
this item

# EXECUTIVE SESSION

There is no  
handout  
required for  
this item

There is no  
handout  
required for  
this item

# The University of New Mexico – DOJ Agreement One-Year Progress Report

October 17, 2016 – October 16, 2017

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## Annual Progress Report on UNM's Actions to Advance Anti-Harassment and Sexual Misconduct Efforts



The U.S. Department of Justice, the United States Attorney's Office for the District of New Mexico, and The University of New Mexico (UNM), entered into a three-year agreement on October 17, 2016, involving UNM's obligations under federal civil rights laws to prevent and address sexual misconduct, and to provide clear and consistent policies and procedures for reporting, investigating, and responding to such conduct. As part of the effort to ensure a safe campus, UNM is committed to preventing sexual misconduct and gender discrimination, conducting fair processes for all, and providing a secure and caring environment for the entire community. Regardless of changes made to Title IX compliance nationally, UNM is continuing to provide the training and resources needed to combat these serious issues. The university has taken significant steps to address a number of concerns but has more work to do in attempting to change attitudes and behaviors.

In the past year, UNM has made significant progress in complying with the delineated tasks and implementing improvements. This Progress Report details the tasks UNM has completed during the first year of the three-year agreement.

### UNM Training:

- UNM has trained thousands of employees about workplace harassment, including sexual harassment, various types of discrimination, Title IX, and the Campus SaVE Act. UNM currently requires *all* faculty, staff, and student employees to take an online training course, “*Intersections: Preventing Discrimination and Harassment*,” on an annual basis. This across-the-board training makes the campus safer for everyone.
- For the 2016 calendar year, UNM’s employee training had broad participation by our faculty, staff, and student employees. **Of the 13,649 UNM faculty, staff, and student employees, 12,321 individuals (90.3%) completed the required “Intersections: Preventing Discrimination and Harassment” training in 2016.**
- Our regular staff and faculty had impressive completion rates.

<u>Regular Staff</u>	<u>% Complete</u>
Contract Staff	99.4%
CWA Bargaining Unit	97.7%
Exempt Staff	99.6%
Non-Exempt Staff	99.1%
Police Bargaining Unit	97.6%
USUNM Bargaining Unit	98.7%
<b>Total Regular Staff</b>	<b>99.1%</b>

<u>Regular Faculty</u>	<u>% Complete</u>
12 Month Faculty	97.9%
9 Month Faculty	95.4%
Executive Faculty	100.0%
Post Doctoral and Fellows	97.3%
<b>Total Regular Faculty</b>	<b>96.9%</b>

- This all-employee training effort has continued into 2017. The due date for completion of the 2017 employee training is December 1.
- Pursuant to the agreement, UNM is providing interactive and intensive *in-person* training on the prevention of sexual harassment and misconduct, and our policies and procedures regarding Title IX complaints, to thousands of students on the campus. In March 2017, all UNM students were notified by email about the mandatory training requirement. The



notice was also disseminated through UNM's website and social media outlets.

- The in-person training program, entitled "*The Grey Area*," is approximately 1.5 - 2 hours in length and is comprised of two sessions – a large group session and a smaller, interactive session. In the sessions, students examine the interconnected issues of dating and domestic violence, sexual violence, bystander intervention, and consent, through a variety of discussions and supportive materials.

In the spring of 2017, UNM began providing the mandatory, in-person, interactive training to all students at UNM. This includes freshmen, new graduate students, and incoming transfer students. UNM also started providing training to existing students. These trainings are being offered across campus at varying times and locations.

A summary of our student training efforts to date:

- **Since March 24, 2017, 76 undergraduate training sessions have been completed and 13,982 undergraduates have been trained (including New Student Orientation for 2015, 2016, 2017, spring and summer 2017).**
- **Sessions for "*The Grey Area for Graduate and Professional Students*" training programs began in June 2017. Since then, 50 graduate and professional training sessions have been completed and 1,954 graduate and professional students trained.**
- Sixty (60) sessions are scheduled for fall 2017 through mid-November. More sessions are currently being scheduled.
- Attendance tracking is currently being completed via an automated LoboCard system for students who have a LoboCard ID. All others use a sign-in process to check in. For example, HSC does not use the LoboCard system for their IDs.
- **To date, 1,527 students have received the "*The Grey Area*" training at Gallup, Los Alamos, Taos and Valencia.**
- All students who received "*The Grey Area*" in-person training in the summers 2015 and 2016, and are still enrolled at the university, will take "*Campus Clarity: Think About It*" online training modules during the 2017-2018 academic year.
- The agreement requires that UNM personnel involved in processing, investigating, or resolving complaints of sexual misconduct receive additional training. This includes intensive and specialized training for Office of Equal Opportunity staff members, UNM Police Officers, and Dean of Students Office personnel who are likely to receive reports,

investigate, and handle discipline involving sexual harassment and misconduct.

- **Staff members at the UNM Police Department, Office of Equal Opportunity, and Dean of Students Office, have collectively participated in more than 1,500 hours of training focused on Title IX, Trauma Informed Investigation, Inherent Bias, and Rape Crisis.**
- In January 2017, UNM engaged Dr. Chris Wilson, a nationally known professional trainer, to conduct an intensive, multi-day training session relating to *Forensic Experiential Trauma Interview (FETI) within the Sexual Assault Investigation Response*, for numerous university employees. This training enables response staff to gather evidence more effectively and better understand the traumatized person’s experience.
- In October 2017, UNM provided a “Neurobiology of Trauma” training by Dr. David Lisak. For the past 30 years, Dr. Lisak has been the premier researcher in the area of sexual and gender-based violence on college campuses, having conducted his research out of the Psychology Department at University of Massachusetts. Dr. Lisak also offered a condensed version of the “Neurobiology of Trauma” training for Interim President Chaouki Abdallah, Vice Provost Rich Wood, a member of the board of regents, and several staff members from the Office of the Provost.
- On November 1, 2016, the UNM Police Department adopted a written protocol, for all police officers who respond to or investigate allegations of sexual assault, requiring training at least annually.
- UNM’s Ombuds Services for Staff, which is a university office dedicated to supporting efforts of UNM employees to improve communication and collaboration in the workplace, has developed a workshop for responsible employees on listening and responding constructively when approached with a report of sexual misconduct. The workshop entitled “Responsible Listening” is approximately three (3) hours in length and is provided in-person.

### **Policies, Procedures & Practices:**

- The agreement requires changes to several of UNM’s policies, procedures, and practices relating to sexual harassment and misconduct. Prior to the start of the Department of Justice investigation, UNM drafted a new comprehensive policy on sexual violence, which was issued as University Administrative Policy (UAP) 2740: Sexual Violence and Sexual Misconduct, on May 15, 2015. UNM has been working on revisions to UAP 2740. The Office of Equal Opportunity also made significant edits to UAP 2720: Equal Opportunity, Non-Discrimination, and Affirmative Action, to address the Department of Justice and other concerns. These policies (UAP 2720 and UAP 2740) will go out for comment in late fall or early spring and at that time, UAP 2730: Sexual Harassment will be rescinded.

- UNM’s interim president has convened a Presidential Task Force related specifically to identifying responsible employees at UNM and the requirements, under policy, of those employees who end up not being identified as responsible employees. This task force may suggest changes to UAP 2740.
- **As part of the agreement, UNM has improved its procedures to provide reliable, prompt, and impartial investigation, adjudication, and appeal of all complaints of sexual harassment and misconduct.**
- The Office of Equal Opportunity’s revised procedures and guidance documents are clear and effective, and intended to streamline the manner in which the office investigates claims that are raised. This better aligns the university’s procedures with the recommendations from the Department of Justice. Newly adopted (in June 2016) Office of Equal Opportunity procedures include:
  - Discrimination Claims Procedure;
  - Checklist for Formal Investigation Process – Individual; and,
  - Checklist for Formal Investigation Process – Departmental.
- Dean of Students Office procedures adopted in 2017 include:
  - Supportive measures, such as academic and administrative measures; and,
  - Safety measures, such as interim bans and no contact directives.
- New guidance documents improve regular communication between UNM Units.
  - The UNM Police Department and the Office of Equal Opportunity finalized a Memorandum of Understanding detailing how they will work together on sexual harassment and misconduct cases;
  - The Dean of Students Office and the Office of Equal Opportunity finalized a Memorandum of Understanding describing how they will work together on sexual harassment and misconduct cases; and,
  - The UNM Police Department has developed a system for consistent referrals of sexual harassment and misconduct cases to UNM’s Title IX Coordinator.
- UNM has started to implement new internal reporting systems to record crucial information involving the investigation of sexual harassment and misconduct matters.

### **Staffing:**

- UNM has a Title IX Coordinator and five (5) Civil Rights Investigators who work in the Office of Equal Opportunity on sexual harassment and misconduct matters. Although two of the investigator positions were temporary, UNM established permanent funding in next year’s budget for these positions. In addition, a new Administrative Assistant was hired in the

Office of Equal Opportunity to assist with data collection and input, quality assurance of data, and administrative tasks to support investigators.

- In 2017, UNM’s Dean of Students Office hired two (2) Trainers/Advocates to assist with “*The Grey Area*” in-person student training effort and to provide support and advocacy through the LoboRESPECT office. With this addition, the Dean of Students Office now utilizes seven (7) Advocates – five (5) in LoboRESPECT and two (2) in the Women’s Resource Center.
- In 2017, UNM’s Women’s Resource Center hired a new director. The center is a place of advocacy, support, and safety for all members of UNM and the greater community. The Women’s Resource Center also hired a gendered violence program coordinator who, in collaboration with the Education Coordinator at LoboRESPECT, designed a program to provide peer educators with tools, knowledge, and skills-based workshops on the following topics: sexual violence prevention, hate, bias and discrimination prevention, alcohol and substance abuse, suicide prevention, and bystander intervention. In addition, the center added an academic advisor one (1) day a week so students can receive academic support in the same safe space they are receiving other support services.
- **Respondent Support Services (RSP) - The University of New Mexico aims to create a safe learning environment for all students. Should the Office of Equal Opportunity identify a student as a respondent during an investigation, respondents are encouraged to contact the Dean of Students Office to inquire about Respondent Support Services. The RSP’s are a trained resource person at the University of New Mexico. These individuals undergo extensive training to be able to assist respondents with navigating the investigation process. These individuals are able to offer near equivalent services to respondents in order to alleviate the impact of an investigation on their educational experience at UNM. These individuals undergo FETI training, as well as Title IX procedure, DOS conduct procedure, and student rights training.**

Services an RSP might offer include:

- Attend meetings (investigative conversations, housing removal/relocation discussions, resolution agreement discussions, e.g.) as a support person;
- Review documents and materials from investigation, final report, and sanctioning decisions as requested;
- Manage academic, housing, access to dining facilities and interim safety measures as requested by respondent;
- Provide information and referral to university and community based resources for additional support needs;
- Supporting and connecting respondents with on-campus and off-campus resources;

- Assist with Academic Supportive Measures;
  - Provide general support and a safe listening space.
- 
- Campus-wide deputy Title IX coordinators were established in 2017, in order to formalize the work being done in Title IX Compliance and ensure that each area on campus is being served fully. The new deputy Title IX coordinators are found in Human Resources, the Office of the Provost, Athletics, and Residence Life and Student Housing. UNM's interim president provided the catalyst and support for these leaders to be recognized formally across campus.

### **Campus-wide Efforts:**

- UNM receives suggestions on improving the campus climate through climate surveys:
  - During Spring Semester 2016, UNM conducted a Main Campus campus-wide climate survey to make sure that UNM is serving the student population regarding campus climate. The results are located at <http://oeo.unm.edu/title-ix/campus-climate-survey.html>. In particular, the results of this climate survey concluded that a majority of students generally knew that UNM had a policy prohibiting sexual misconduct and recognized where to get help on campus.
  - During Spring Semester 2017, UNM conducted two campus climate surveys.
    - At UNM's branch campuses, the National Campus Climate Survey (NCCS) was utilized, through a vendor, SoundRocket. The survey ran for approximately four (4) weeks, with five (5) email reminders and assistance from each branch campus to promote the survey and provide incentives for participation. The response rate total for all campuses was 17%, which is slightly above the national average (15%) for commuter campuses.
    - Also during Spring Semester 2017, for UNM's main campus, OEO, in collaboration with a UNM faculty principal investigator and the University of Kentucky, used the Multi College Bystander Efficacy Evaluation (McBee). The survey ran for approximately four (4) weeks with one (1) email reminder and multiple incentives for participation provided by the University of Kentucky. The response rate total for this survey was 10%, which is less than ideal for a survey of this kind. Given the low response rate and narrow parameters of the study itself (Main Campus students, aged 18-24, only taking on-campus classes), it is important to review the results of this survey through that lens.

- On February 1, 2017, UNM implemented a Monitoring Program to assess the effectiveness of its efforts to prevent and address sexual harassment and retaliation and to promote a non-discriminatory school climate. These efforts include continued campus climate surveys on sexual misconduct, evaluations of student and staff/faculty trainings, and focus groups with students to qualitatively assess how UNM can improve reporting and responding to incidents of sexual misconduct and retaliation.
- In August 2017, UNM updated the LoboRESPECT website. This website includes comprehensive information on UNM's prevention education efforts and programs, services and support for victims of sexual misconduct, and policies.
- **Starting in the summer of 2017, all LoboCard IDs now display the contact information for the UNM Police Escort Service and the LoboRESPECT Advocacy Center on the back of each card.**
- In September 2017, during Campus Safety Week, UNM's interim president issued a campus-wide message focused on preventing sexual misconduct on the campus. In addition, the interim president participated in the Annual Campus Safety Walk.
- In September 2017, UNM hosted national speaker, Kate Harding, for a campus-wide talk. Harding addressed the myths of rape culture in her lecture, "Taking Down Rape Culture." Her lecture came during UNM's Campus Safety Week and National Campus Safety Awareness Month.

### Faculty Efforts:

- **UNM faculty has been very engaged in improving the campus environment. In the fall of 2016, UNM faculty members created Faculty for a Sexual Assault Free Environment at UNM to focus on the execution of the DOJ agreement and/or prevention of sexual harassment and misconduct at UNM. Faculty SAFE UNM has a core group of approximately 20 faculty members and more than 60 others, who monitor the work of the group.**
- In February 2017, Faculty SAFE UNM, in cooperation with the Feminist Research Institute, the Health Sciences Center Faculty Council, and OEO, hosted Dr. Jennifer Freyd from the University of Oregon for a keynote lecture. Dr. Freyd met with faculty, administrators, staff, and police engaged with Title IX compliance, as part of Faculty SAFE UNM's efforts to strengthen research-based responses to sexual harassment and violence at UNM.
- Faculty offer a variety of courses that directly address topics of relationship violence and/or sexual misconduct, including undergraduate and graduate level courses, across the UNM campus, including the Health Sciences Center and the School of Law.

- Representatives of Faculty SAFE serve on both Policy Office and Title IX committees, where they play an active and collaborative role in the development of UNM policies on sexual harassment and misconduct.
- Faculty have spearheaded efforts to increase research on sexual violence and gender inequality at UNM, by bringing the CDC-funded University of Kentucky Multi-College Bystander Efficacy Evaluation study to UNM from 2017 to 2019.
- In October 2017, UNM Professor Elizabeth Hutchison presented a talk at Columbia University as part of a forum titled “Beyond Prevalence: The Next Generation of Research on Campus Sexual Assault” as part of the “Reframing Gendered Violence” series hosted by CU’s Center for the Study of Social Difference. The Center is grounded in the idea that a consensus has emerged that campus sexual assault is a serious public health problem, and that innovative and effective prevention requires research that both includes and extends beyond simply measuring the scope of the problem.
- In November 2016, the Faculty Senate passed a Resolution Regarding Faculty Reporting Obligations at The University of New Mexico, found at <https://facgov.unm.edu/ResolutionsList.html>. This resolution affirmed the faculty’s role in fostering awareness of sexual violence and supporting students and other members of the campus community impacted by sexual violence, recommending that most faculty and staff be exempted from the obligation to report.

## Web Resources:

- LoboRESPECT is the name of UNM’s comprehensive approach to preventing and responding to sexual violence in the campus community. The LoboRESPECT website includes information on UNM’s prevention education efforts and programs, services, and support for victims of sexual violence, our policies and sanctions, and much more. The website can be found at: <http://loborespect.unm.edu/about.html>
- Information about “*The Grey Area*” in-person student training program for the prevention of sexual harassment and misconduct and policies and procedures regarding Title IX complaints is located at: <http://thegreyarea.unm.edu>. Additional dates and times will be listed, as they become available. Many departments and colleges across campus will be hosting additional training sessions.
- Newly adopted Office of Equal Opportunity procedures can be found at: <https://oeo.unm.edu/index.html>
- Notices and information about UNM’s Title IX Coordinator have been widely disseminated

to the university community. Additional information regarding the Title IX Coordinator is located at: <https://oeo.unm.edu/title-ix/index.html>

- Additional information about Faculty SAFE UNM can be found at: <https://facultysafeunm.wordpress.com/about/>

## Conclusion:

At UNM, “each of us defines all of us.” That means each of us must support, respect and acknowledge one another in our differences and in our challenges. The culture of contrasts that we embrace gives us the tools we need to make changes that make a difference. Together, we will protect the pack.

-Chaouki Abdallah, Interim President

For additional information, please contact:

### UNM Office of Equal Opportunity

Francie Cordova, JD, Director, Email: [oeounm@unm.edu](mailto:oeounm@unm.edu)

Heather Cowan, UNM Title IX Coordinator, Email: [hbcowan@unm.edu](mailto:hbcowan@unm.edu)

MSC05 3150 1 University of New Mexico Albuquerque, NM 87131

Phone: (505) 277-5251 Fax: (505) 277-1356

### UNM Police Department

Kevin McCabe, Chief of Police

MSC02 1540 2500 Campus Blvd. NE Albuquerque, NM 87131

For Emergencies: 911

For all other calls: UNM PD dispatch (505) 277-2241

Safety Escorts: (505) 277-2241

### UNM Dean of Students Office

Nasha Torrez, Dean of Students

Lisa Lindquist, Director of the LoboRESPECT Advocacy Center

Jessica Hidalgo Holland, Director of the Women’s Resource Center

MSC 06 3600 1 University of New Mexico Albuquerque, NM 87131

Phone: (505) 277-3361 Fax: (505) 277-0370

Email: [doso@unm.edu](mailto:doso@unm.edu)



UNM Policy Office

Pamina Deutsch, Director, Email: [pdeutsch@unm.edu](mailto:pdeutsch@unm.edu)

MSC05 3357 1 University of New Mexico Albuquerque, NM 87131

Phone: (505) 277-2069

Faculty SAFE UNM

Elizabeth Hutchison

MSC06 3760, 1 University of New Mexico, Albuquerque, NM 87131

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Email: [ehutch@unm.edu](mailto:ehutch@unm.edu)

Main Campus Compliance Office

Libby Washburn, Chief Compliance Officer, Email: [ewashburn@unm.edu](mailto:ewashburn@unm.edu)

MSC05-3150 1 University of New Mexico Albuquerque, NM 87131

Phone: (505) 277-3979



**MINORS ON CAMPUS PROGRESS & ACTION PLAN**  
**UNM Compliance Office – Main Campus**

In April, July, and September of 2017, we convened the Minors on Campus Taskforce to discuss Phase Two of implementation of the Minors on Campus Policy. On July 26, 2017, we distributed the UNM Minors on Campus Survey to more than 250 Department heads, Unit directors, and supervisors on the UNM campus to help us ascertain how many programs, camps, and activities are currently operating on the UNM Campus.

Since the last Audit & Compliance Committee meeting, we have finalized the following:

- Summary of the responses to the Minors on Campus Survey
- Mandatory Camp Checklist
- Minors on Campus Certification Form
- Plan for coordination between HR and Compliance regarding background checks
- UNM Camp Counselor Training by OEO
- Minors on Campus Training Certification Form

We are working on the following:

- Meeting of UNM senior leadership to present the new processes, procedures and policies (Scheduled in late October 2017)
- Revising UNM policy - UAP 2205: Minors on Campus (In Progress)
- Online registration system for all Minors on Campus programs (In Progress)
- T-shirts for Summer Camp Counselors (In Progress)
- Spot-checking programs for compliance with the Minors on Campus Policy (In Progress)
- Starting in early 2018, President Abdallah will require all UNM entities operating camps, programs and activities involving minors to provide formal certification that they are prepared for the annual camps, programs and activities and that they are complying with the policy and protocols. (Certification Form Finalized)
- March 2018 – The President’s Weekly Perspective (PWP) will include a reminder about the Minors on Campus Policy

## UNM MINORS ON CAMPUS SURVEY RESPONSE

### Survey Response Rate

Initially Invited Non-Respondents 219

Initially Invited Respondents 37

Overall Responses 63

### RESPONSES

<b>Camp/Program/Department</b>	<b>Approximate # of Minors on UNM Campus in a Calendar Year</b>
Art Museum/LOBO Arts Access/College of Fine Arts	40
Building Outstanding STEM-H Students (BOSS)/HSC	200
Camp Rising Sun/ HSC	140
Center for High Tech Materials-Research/Outreach Projects /School of Engineering	10
Center for Teaching & Learning/Math Connection	50
Central NM Science & Engineering Research Challenge/HSC	500
CEOP - College Enrichment & Outreach Programs	1000
CEOP Upward Bound-Main Campus	136
Children's Campus	300
Children's Campus Summer Camps	178
Continuing Education	1500
Cybersecurity/Anderson School of Management	45
Discover Your Science/School of Engineering	40
Early Childhood Multicultural Education/Taos	65
Education & Career Center/Taos	60
Energy Day/School of Engineering	110
Energy Summer Academy/School of Engineering	20
Friday Early College /Taos	200
First Tee of NM/UNM Golf Course	227
Health NM/School of Medicine	250
Intro to Engineering Camp/School of Engineering	10
Jr. Lobo Swim Academy/Recreation Services	1000
Learners Chess/Law School	300
Lab School/College of Fine Arts	160
Lobo Vocal Academy/Music & Continuing Education	12
Los Alamos Youth Programs	65
Math & Stats/UNM/PNM Math Contest	1200
Math Moves You/School of Engineering	150
Maxwell Museum	32
Mission to Mars/School of Engineering	40
Music Prep/College of Fine Arts	350
Native American Charter Academy/Law School	120

Open House/School of Engineering	150
RAD/Recreation Services	133
Science Olympiad/HSC	400
Speech & Hearing Sciences/Arts & Sciences	30
STEAM-H Extravaganza/HSC	800
STEM-H Center/HSC	50
STI/School of Engineering	16
SW Region Junior Science & Humanities Symposium/HSC	35
SWE Science Night/School of Engineering	50
SYSLLA/HESS/College of Education	400
Theatre Classes for Young People/College of Fine Arts	155
Unite/School of Engineering	15
UNM Children's Chorus/College of Fine Arts	100
UNM AIMS Charter School	372
Upward Bound/Taos	95
VEX Robotics Competition/School of Engineering	120

**Subtotal: 11,431**

**Athletics Department - Sports Camps and Lessons**

Baseball Camp	200
Men's Basketball Camp	900
Women's Basketball Camp	400
Football Camp	700
Lobo Junior Golf Camp (Men)	50
Soccer Academy (Men)	1000
NM Soccer camps (Women)	200
Men's (Ben Dunbar) Tennis Camp	120
Volleyball Camps	500

**Subtotal: 4,070**

**TOTAL: 15,501**

## MANDATORY CAMP CHECKLIST

- **Forms.** In accordance with UNM Policy UAP 2205 (“Minors on Campus”), each UNM camp program must obtain from each minor’s parent or guardian a signed copy of the Minor Participant Waiver and Notice of Risk Form (Exhibit A to the policy), and the Minor Participant Emergency Contact and Medical Release Form (Exhibit B to the policy). Alternatively, program leaders may obtain from each minor’s parent or guardian a signed copy of other similar forms that have been reviewed by the Office of University Counsel.
- **Staffing Ratio.** UNM camp programs must follow UAP 2205 involving the ratio between staff and campers. This ratio must be adhered to for activities, not just overall numbers.
- **Background Checks.** UNM camp programs must follow UAP 2205 involving background checks. Authorized adults who will have one-on-one contact with minors or participate in overnight activities with minors, must clear criminal background checks prior to participation in these University programs. Program leaders may require other authorized adults to clear background checks prior to participation in University programs. Additional information on background checks can be found in UAP 3280 (“Background Checks”).
- **Training.** UNM camp programs must follow UAP 2205 regarding training. UNM Program leaders should identify the authorized adults who must complete appropriate training. Training is offered to employees through Learning Central. The same training can be offered to other authorized adults who are not employees through links on the Main Campus Compliance Office’s website.
- **Special Training.** UNM camp programs conducting activities where there will be physical interactions between counselors and campers must schedule a mandatory training from UNM’s Office of Equal Opportunity (OEO) for its counselors. OEO can be reached at (505) 277-5251 to schedule a training session.
- **Water Activities.** UNM camp programs that involve swimming and water play must create a policy regarding water activities. This includes who supervises the campers during water activities and comprehensive training on appropriate interactions between counselors and campers in the water.
- **Tracking Campers.** Every UNM camp program must have a system in place for keeping track of campers. Each camp program must have a plan in place for drop off and pick up that involving signing the campers in and out every day. Each camp program must conduct head counts periodically during the day. The camp environment must be secure to prevent campers from leaving with strangers.

- **Bathroom Access.** UNM camp programs must have a plan in place regarding bathroom access. If possible, male and female facilities should be separate for school-age campers. An authorized adult must accompany children under the age of 13 on bathroom breaks. The authorized adult should take multiple children at the same time if possible.
- **Transportation.** If transportation is involved, each UNM camp program must have a plan for what vehicles are used and how often are they inspected, who drives the vehicles and what training the drivers have. All drivers must possess a valid New Mexico driver's license and, if driving a University vehicle, complete the National Safety Council Defensive Driving Course. See UAP 7780 ("University Vehicles") for more information.
- **Field Trips.** If a UNM camp program offers field trips, the camp must have a comprehensive plan for supervising the campers on such trips.
- **Accommodations.** Each UNM camp program must have a plan in place for how to accommodate campers who have special medical needs, such as asthma, diabetes, and allergies.
- **Injuries.** Each UNM camp program must have a plan for handling minor injuries, such as bruises, scrapes, and cuts. It must delineate when to notify parents.
- **Emergencies.** UNM camp programs must have a plan in place for handling emergencies. This includes a contingency plan for what happens if there is an emergency and parents cannot be reached.

**MINORS ON CAMPUS  
PROGRAM COMPLIANCE CERTIFICATION**

The University of New Mexico is committed to the safety of all members of its community. UNM has particular concern for potentially vulnerable populations, including minors, who may require special consideration and attention. In the Spring of 2016, UNM enacted University Administrative Policy (UAP) 2205: Minors on Campus, establishing general standards for minors participating in University programs and visiting University workplaces and classrooms.

In order to ensure that all UNM departments and units are aware of and following policy, we ask that you sign below certifying that you are in compliance with UAP 2205.

Compliance with UAP 2205 for UNM Programs includes:

- Receipt of necessary signed waivers and releases;
- Proper ratios of staff to minor program participants;
- Completion of appropriate training for authorized adults; and
- Criminal background checks for authorized adults who will have one-on-one contact with minors or participate in overnight activities with minors.

There are also requirements under UAP 2205 regarding External Organizations. UNM Departments and Units working with External Organization should inform these external entities that they must:

- Establish a contractual relationship with the University for the use of facilities or resources;
- Identify a contact person or agent who will coordinate with the University;
- Ensure that their staff has undergone background checks that, at a minimum, comply with Section 4.2; and
- Provide evidence of insurance coverage that lists “the University of New Mexico” as an additional insured party.

If upon review of this form, you are unaware if your department or unit is in compliance, or if you are aware of non-compliance issues, please contact the UNM Chief Compliance Officer, Libby Washburn at 505-277-3979.

Department/Unit:

Program/s:

Program leader or contact:

I hereby certify that our Minors on Campus program(s) is/are in compliance with University Administrative Policy (UAP) 2205.

\_\_\_\_\_  
Department or Unit Leader/Responsible Party

\_\_\_\_\_  
Date

**MINORS ON CAMPUS  
BACKGROUND CHECK COMPLIANCE**

Information regarding background checks conducted on individuals working with minors on the UNM campus will be sent by Human Resources to the UNM Main Campus Compliance Office on:

2018:

- March 1 (for period between January 1 and February 15)
- June 1 (for period between February 16 and May 15)
- September 1 (for period between May 16 and August 15)
- December 1 (for period between August 16 and November 15)

2019:

- March 1 (for period between November 16 and February 15)

Information to be provided:

- Date of background check;
- UNM Department/Unit; and/or
- Athletics Department/Entities;
- Name of person who is the subject of the background check.

\*Human Resources will not convey the actual background checks to the Compliance Office.



## **UNM CAMP COUNSELOR TRAINING by UNM Office of Equal Opportunity**

### **YOU ARE A UNIVERSITY OF NEW MEXICO EMPLOYEE**

- The Office of Equal Opportunity is the University Civil Rights Office.
- OEO provides training and guidance on civil rights policy and investigates allegations of civil rights violations.
- All University Civil Rights Policies apply to you.

### **POLICIES**

- 2720 – Prohibits discrimination based on age, ancestry, color, ethnicity, gender/sex, gender identity, genetic information, serious medical condition, national origin, disability, pregnancy, race, religion, sexual orientation, spousal affiliation, veteran status.
- 2740 – Sexual Misconduct
- 2295 - Service Animals
- 3110 - Reasonable Accommodation
- 2205 – Required training for UNM employees via Learning Central or other training.

### **WHAT DO I HAVE TO DO?**

- Report any activity to OEO that appears to be sexual in nature, bullying, hate or bias related, discriminatory, or unequal based on protected class or status.
- Faculty, staff, students, visitors including kids attending camp, parents, strangers on campus and other camp counselors cannot discriminate or engage in discriminatory or hate-bias related conduct or speech against each other or camp attendees.
- Be vigilant. If you hear or observe any behavior, document them pursuant to your camp policy and immediately notify your supervisor. If you are the supervisor, immediately notify OEO.
- All campers with medical needs must be accommodated. Talk to your supervisor if you are notified of such need.

### **YOU ARE IN A POWER POSITION**

- The kids in the camp look up to you. Recognize the power you have and use it wisely and equitably.
- You are a role model.
- Be friendly but not familiar.
- Kids may see you as a parent or even have a crush on you, your role is a camp counselor and you must maintain that role at all times.
- Maintain professional boundaries.

## **PROFESSIONAL BOUNDARIES**

- Do not accept or request that your camp attendees as friends on Facebook, Instagram or other social media.
- Do not call or text camp attendees on their phones. Always communicate through the professional camp approved channels, typically via a parent or guardian.
- Do not ask students personal questions or answer personal questions about yourself.
- Do not give or accept gifts from camp attendees. Even small gifts should not be given (candy, small toys).
- Do not comment on a camp attendees appearance or dress.

## **NO TOUCHING!**

- Do not touch, hug or let camp attendees sit in your lap.
- Do not participate in touching games or sports (i.e. tag, water games). Be the observer as much as possible. Follow your policy regarding water activities if touching is required (swim lessons).
- Make sure that kids touch each other appropriately when engaging in such games (on the shoulders or arms).
- Follow your camp program plan regarding bathroom access.

## **BUT THEY HUG ME!**

- Strategies for dealing with affectionate camp attendees.
- Strategies for dealing with kids that are upset.
- Strategies for how to be friendly and personable with your camp attendees without touching.

## **DOCUMENT AND REPORT**

- Always document and report problematic behavior by camp attendees or other counselors via your camp approved documentation (daily logs and reports).
- Involve your supervisors.
- Do not disregard behavior as “no big deal”.
- Trust your instinct if something does not seem right and report it.
- Follow disciplinary guidelines for your camp for camp attendees (warnings, notifying parents, reporting to supervisors)

## **SCENARIO**

Every day you have lunch with your camp attendees on the grassy area near Zimmerman library. Most days, another group of kids that look like college students sit nearby and discuss their personal life including details about their sex life.

What should you do?

**SCENARIO**

You notice a camp counselor in another camp hugging camp attendees every morning when camp starts.

What should you do?

**SCENARIO**

One of your 8 year old camp attendees keeps using racial slurs towards other camp attendees. You do not think the 8 year old knows what he is saying.

Should you ignore it?

**SCENARIO**

You escort a group of camp attendees to the restroom in one of the UNM buildings and notice another adult is in the restroom using the sink to wash clothing.

What do you do?

**IF YOU HAVE QUESTIONS OR NEED ADDITIONAL TRAINING, CALL OEO!**

Francie Cordova – Director/ADA Coordinator 277-6474 or [fcordova3@unm.edu](mailto:fcordova3@unm.edu)

Heather Cowan – Title IX Coordinator 277-3562 or [hbcowan@unm.edu](mailto:hbcowan@unm.edu)

Rob Burford - Clery Coordinator/Safety – 277-1521 or [rburford@unm.edu](mailto:rburford@unm.edu)

# Minors on Campus Training Certification

Your Name \*

First Name

Last Name

Email Address \*

Confirm Email Address\*

Phone Number \*

UNM Camp/Program/Activity \*

Submit Form

# DRAFT OF 10-3-2017

## Administrative Policies and Procedures Manual - Policy 2205: Minors on Campus

Date Originally Issued: 03-08-2016

Authorized by [RPM 2.5 \("Sexual Harassment"\)](#)

Process Owner: Chief Compliance Officer

### 1. General

Although the University of New Mexico is committed to the safety of all members of its community, the University has particular concern for potentially vulnerable populations, such as minors, who may require special attention and protection. This policy establishes general standards for minors participating in University programs and for minors visiting University workplaces and classrooms. Individual units of the University may develop more stringent standards to address their particular needs, including ethical standards and codes of conduct. [In order to ensure that all UNM units involved with programs for minors are aware of and comply with this policy, the Office of the University President asks units, as applicable, to complete a yearly compliance certification.](#)

### 2. Definitions

For the purposes of this policy, the following terms are defined as specified:

- "Abuse or neglect of minors" means infliction of physical or mental injury, sexual abuse, or exploitation, or negligent treatment or maltreatment of a person under age 18.
- "Authorized adults" means individuals [who are responsible for the care and custody of, or who might have unsupervised access to,](#) minors in University programs.
- "Campus" means all buildings, facilities, and properties that are owned, operated, managed, rented, or controlled by the University for University programs.
- "External organization" means a third-party vendor or other non-University organization or individual that uses University facilities to conduct a program or activity with minors pursuant to an approved contract with the University.
- "Minor" refers to a person who is under the age of 18, but does not include students enrolled at UNM, [attendees at new student orientation sessions,](#) or student employees at UNM.

Pamina Deutsch 10/3/2017 1:19 PM

**Deleted:** including program leaders, whether paid or unpaid, who interact with, supervise, chaperone, mentor, or otherwise oversee

- “Program leader” means the person primarily responsible for the management, oversight, and implementation of a University program for minors.
- “University program” means an activity for minors (1) operated or sponsored by a University department, college, or school, (2) during which the University assumes responsibility for the care, custody, or control of the minors.
- “University program” does not mean:
  - Activities in which minors are supervised by parents, guardians, chaperones, or third parties
  - Kindergarten through 12th grade groups visiting campus as members of campus tours
  - Patrons of educational or entertainment events or activities, such as at Popejoy or the Duck Pond
  - [Human subjects research involving minors conducted under the oversight of an institutional review board](#)
  - [Recruitment activities in large group settings](#)

### 3. Code of Conduct

Members of the campus community, particularly those working with minors, are expected to perform their duties with the highest degree of integrity, honesty, and good judgment consistent with Regents’ Policy 2.18 (“Guiding Principles”). To ensure the safety and wellbeing of minors, those who interact with minors on campus are encouraged to meet in groups or public areas, and to be aware of the impact of their words and actions.

As discussed in Section 6, under state law, all members of the University community must report immediately if they have reasonable cause to suspect abuse or neglect of minors.

### 4. University Program Requirements

Program leaders must obtain from each minor’s parent or guardian a signed copy of the Minor Participant Waiver and Notice of Risk Form ([Exhibit A](#)), and the Minor Participant Emergency Contact and Medical Release Form ([Exhibit B](#)). Or, alternatively, program leaders may obtain from each minor’s parent or guardian a signed copy of other similar forms that have been reviewed by the [Office of University Counsel](#).

Program leaders should provide that the ratio of adults to minor program participants follow the [American Camp Association ratios](#):

- 5 years and younger: 1 staff for each 5 overnight campers and 1 staff for each 6 day campers
- 6–8 years: 1:6 for overnight, and 1:8 for day
- 9–14 years: 1:8 for overnight and 1:10 for day
- 15–18 years: 1:10 for overnight and 1:12 for day

Licensed Child Care Centers affiliated with the University are subject to the childcare center requirements specified in New Mexico law.

## 4.1. Training for Those Participating in University Programs

Program leaders should identify the authorized adults who must complete appropriate training. Training is offered to employees through [Learning Central](#). The same training can be offered to other authorized adults who are not employees through links on the Main Campus Compliance Office's [website](#). The training includes:

- Basic warning signs of abuse or neglect of minors.
- Guidelines for protecting minors from emotional and physical abuse and neglect.
- [Requirements and procedures for reporting incidents of suspected abuse or neglect or improper conduct.](#)
- [A code of conduct for interacting with minors.](#)

Units may offer additional training to authorized adults to meet the specific needs of individual University programs.

## 4.2. Criminal Background Checks

[All authorized adults in University programs](#) must clear criminal background checks prior to participation in these University programs. Program leaders may require others [to clear background checks prior to participation in University programs.](#)

## 4.3. Mandatory Camp Checklist

[Program leaders must ensure compliance with the requirements in the Mandatory Camp Checklist. See Exhibit D.](#)

## 5. External Organizations

External organizations must:

- Establish a contractual relationship with the University for the use of facilities or resources;
- Identify a contact person or agent who will coordinate with the University;
- Ensure that their staff has undergone background checks that, at a minimum, comply with Section 4.2; and
- Provide evidence of [one-million dollars \(\\$1,000,000\) of general liability insurance coverage](#) that lists "the University of New Mexico" as an additional insured party. [This insurance may be purchased through the State](#)

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**Deleted:** who will have one-on-one contact with minors or participate in overnight activities with minors,

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**Deleted:** Additional information on background checks can be found in [UAP 3280](#) ("Background Checks").

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Risk Management Department's Tenant Users' Liability Insurance Program. For more information, visit the Safety and Risk Service's Liability Insurance webpage and click on the Tenant Users' Liability tab.

## 6. Reporting

### 6.1. Emergencies

In case of an emergency, one should immediately call [UNM Police](#) at (505) 277-2241 or 911.

### 6.2. Known or Suspected Abuse or Neglect of Minors

Every member of the University community has an obligation under New Mexico law to report any instances or suspected instances of the abuse or neglect of a minor. Anyone who knows, suspects, or receives information indicating that a minor has been abused or neglected, or who has other concerns about the safety of minors, should contact [UNM Police](#) or the [State of New Mexico Children, Youth, and Families Department](#) at 1-855-333-SAFE (7233).

Program leaders must take immediate steps to prevent further harm to the alleged victim or other minors, including, where appropriate, removing the alleged abuser from the program or activity or limiting his or her contact with minors pending resolution of the matter.

### 6.3. Misconduct

Anyone can report suspected misconduct to the UNM Compliance Hotline through the toll-free number, [1.888.899.6092](tel:18888996092), or online at [unm.ethicspoint.com](http://unm.ethicspoint.com). [UAP 2200](#) ("Reporting Suspected Misconduct and Whistleblower Protection from Retaliation") protects individuals from retaliation when they make good faith reports of suspected misconduct that may be taking place at the University.

## 8. Minors in the Workplace or Classroom

As discussed in this section, in certain circumstances, it may be appropriate for faculty, staff, and students to bring their minor children to the workplace or classroom. In such situations, the goal should be to foster respect for the needs of all parties impacted by the presence of the minor children. Faculty, staff, and students:

- May occasionally bring minors to the workplace for brief visits, specific campus events, situational convenience, or family emergencies. These should be occasional and not in the place of regular childcare.
- Must obtain prior approval from their workplace supervisor or classroom instructor before bringing a minor to the workplace or classroom.
- Accept full responsibility for the minor's safety and supervision, and for any damage to property or injury to persons that is caused by the minor's presence.

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- Accept responsibility for monitoring the minor's behavior to prevent interruptions to University business or instruction.

If a minor is too ill to be sent to the regular childcare location or school, he or she generally should not be brought to the workplace or classroom. Exceptions may be made if prior approval is obtained from the supervisor or instructor.

Minors are not allowed in high-risk or hazardous areas as defined by the supervisor or instructor. These areas may include mechanical rooms, food preparation areas, areas with heavy equipment, University vehicles, or laboratories or other specialized hazardous areas.

## 9. References

- [Exhibit A: Minor Participant Waiver and Notice of Risk Form](#)
- [Exhibit B: Minor Participant Emergency Contact and Medical Release Form](#)
- [Exhibit C: Photography Release](#)
- [Exhibit D: Mandatory Camp Checklist](#)

# UNM Minors on Campus Database – Development Draft

## Purpose:

To accurately track data on youth program activity sponsored by UNM, serving as a tool to collect family contact info, required family forms, program info, and instructor training and background checks. Data would be input by family members of students, program staff, and campus administration. Data would be pulled out by program staff, campus administration and instructors.

## Users of Database:

- Parent/Guardians (on behalf of minor students)
- Program Staff coordinating programs
- Instructors/Vendors instructing programs
- Campus Administration (Office of the President, Campus Safety, Financial Services, etc)

## Program Staff Data Entry Flow:

*[could this data be uploaded into the system from excel?]:*

Step 1: Create instructor profile (indicate if background checked, and if trained with dates)

Step 2: Create location and room options

Step 3: Create each Program/Activity including:

Program Title(s)

Program Date(s)

Program Description(s)

Program instructor

Program location

## Suggested categories/fields for Program Staff data entry:

Program/Activity Name

Program/Activity Dates

Program/Activity Description

Program/Activity Instructor

Program/Activity Location & Room

Program/Activity Notes to Families (what to bring, etc)

Program Staff Name

Program Staff MSC

Program Staff Phone (office and cell)

Program Staff Email

Program(s) assigned to this Staff

Instructor Name

Instructor Phone (preferably cell)

Instructor Email

Program Affiliation(s)

Instructor Background Checked? YES/NO & Date

Instructor Completed Required Training? YES/NO & Date

Location Name

Location Address

# UNM Minors on Campus Database – Development Draft

Location Room Options  
Contact Person for Location

## Family Registration Flow:

Section 1: Create student profile

Section 2: Upload Emergency Contact and Medical Release Form OR complete fields and electronically sign form

Section 3: Choose program(s)

Section 4: Upload Minor Participant Waiver and Notice of Risk, OR complete fields and electronically sign form

Section 5: Link to Payment or Enter Confirmation code for payment

## Suggested fields for Family Registration:

### Section 1: Student Profile

*[set up to allow for multiple students per family]*

Login Name

Login Password

Student(s) Name

Date of Birth

Gender

Parent/Guardian 1 Name

Parent/Guardian 1 Phone

Parent/Guardian 1 Email

Parent/Guardian 2 Name

Parent/Guardian 2 Phone

Parent/Guardian 2 Email

Student Primary Address

Demographic Information

*[Optional, Text fields, Each program can choose 5 fields]*

*Example from UNM Cont. Ed:*

- *What school does the student attend / or are they homeschooled?*
- *What grade is the student in?*
- *What is the student's favorite subject in school?*
- *How would you describe the student's racial/ethnic background?*

### Section 2: Emergency Contact and Medical Release (fields OR upload signed document)

*[set up to allow for multiple students' data per family]*

Emergency Contacts

3 rows:

Name	Phone	Relationship to student
------	-------	-------------------------

Authorized Pick-Up List

3 rows:

Name	Phone	Relationship to student
------	-------	-------------------------

Medical Conditions:

3 rows:

## UNM Minors on Campus Database – Development Draft

Medical Condition	Medication/Dosage	Medication with Child? Y/N
-------------------	-------------------	----------------------------

Allergies:

3 rows:

Allergies	Describe reaction	Severity High/Med/Low
-----------	-------------------	-----------------------

Primary Care Physician (PCP) Name

PCP Phone

Health Insurance Company Name

Policy Number

Medical Release statement

*\*Electronic Signature\* if fields are used*

### **Section 3: Program(s) Selection**

*[set up to allow for multiple programs to be chosen per student]*

Program/Activity Name (dropdown of registered camps in the system)

Program/Activity Dates (calendar selection, or pre-populated list of dates based on Program/Activity dropdown)

Program/Activity Location (pre-populated based on Program/Activity dropdown)

Camp/Activity Description (pre-populated once the Camp/Activity Name is selected)

Camp/Activity Tuition/Fees (pre-populated based on Program/Activity Name)

*[Tuition paid or verified in Section 5]*

### **Section 4: Minor Participant Waiver and Notice of Risk (fields OR upload signed document)**

*[set up to allow for multiple students' data per family]*

Activity Title

Activity Description

Start & End Dates

Participant's Name

Parent or Legal Guardian Name

Waiver of Risk Statement

*\*Electronic Signature & Date\* if fields are used*

### **Section 5: Payment Confirmation**

*[ideally summarizing payment info for all students and all programs selected]*

Based on Program/Activity selection(s), choice of:

- a. Entering a confirmation code provided by programs at the time of payment
- b. a link at the end of the form to take them to the appropriate payment page(s)

## OFFICE of EQUAL OPPORTUNITY

**10/09/2017**

The Office of Equal Opportunity is the independent and neutral campus entity designated to ensure compliance with all University policies that apply to civil rights including investigations of any allegations of civil rights violations.

**OEO STAFF**

- Francie Cordova, ESQ. (Director)
- Rob Burford, MA (Clery Act Compliance Officer)
- Heather Cowan, MA (Title IX Coordinator)
- Laura Vele Buchs, MA, JD. (Compliance Manager)

**Civil Rights Investigators/Compliance Specialists**

- Aaron Jim, JD
- Matt Suazo, BS and Retired APD Commander
- Susan Finke, BS and Former HR Professional
- Melissa Valdez-Lopez, BA and Former Probation Officer

**Administrative Staff**

- Compliance Assistant/Data – Robert Tafoya, BS
- Administrative Assistant III – Melissa Martinez, BA

**WHAT OEO DOES****INVESTIGATES CLAIMS OF DISCRIMINATION BASED ON**

- |                          |  |                              |
|--------------------------|--|------------------------------|
| • <b>Age</b>             | • <b>Genetic information</b>           | • <b>Race</b>                |
| • <b>Ancestry</b>        | • <b>Medical condition</b>             | • <b>Religion</b>            |
| • <b>Color</b>           | • <b>National origin</b>               | • <b>Retaliation</b>         |
| • <b>Ethnicity</b>       | • <b>Physical or mental disability</b> | • <b>Sexual orientation</b>  |
| • <b>Gender identity</b> | • <b>Pregnancy</b>                     | • <b>Spousal affiliation</b> |
| • <b>Gender/sex</b>      |  | • <b>Veteran status</b>      |

## **WHAT OEO DOES**

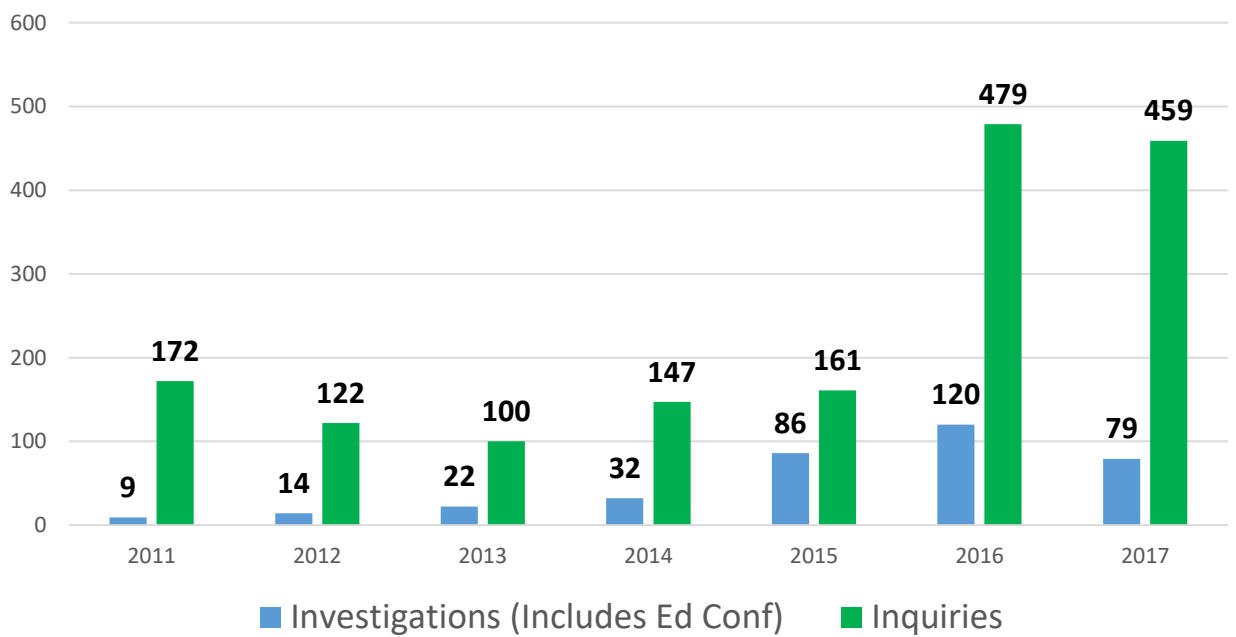
- Guidance, training and oversight to campus partners on civil rights, Clery, Title IX, Americans with Disabilities Act (ADA), affirmative action.
- Intake, evaluation and resolution on all civil rights issues at Main, HSC and branch campuses for faculty, staff and students.
- Fair and impartial investigations resulting in formal findings and reports.
- Title IX oversight and assessment.
- Compiles the annual Clery report and conducts safety initiatives.
- ADA Coordinator for UNM – Disability accommodation and accessibility.
- Compiles the annual affirmative action plan (AAP).
- Audits employment hiring practices to ensure compliance with EEO and AAP.
- Advises campus leadership on best practices related to civil rights compliance.
- Maintains neutrality in all informal and formal processes.
- DOJ compliance.
- Committee work – Title IX, SMART, Diversity Council, Facilities Access, Safety, Minors on Campus, LoboRespect, Universal Restrooms.
- Policy review and update for civil rights.
- Outreach to campus and community.
- Receives training on civil rights laws and best practices.
- Intake and monitoring for hate-bias reports.
- Collaboration with campus partners on campus climate issues.
- Maintain OEO, EthicsPoint, Advocate databases to track claims and trend data.

## **WHAT OEO DOES NOT DO**

OEO does not sanction or discipline.

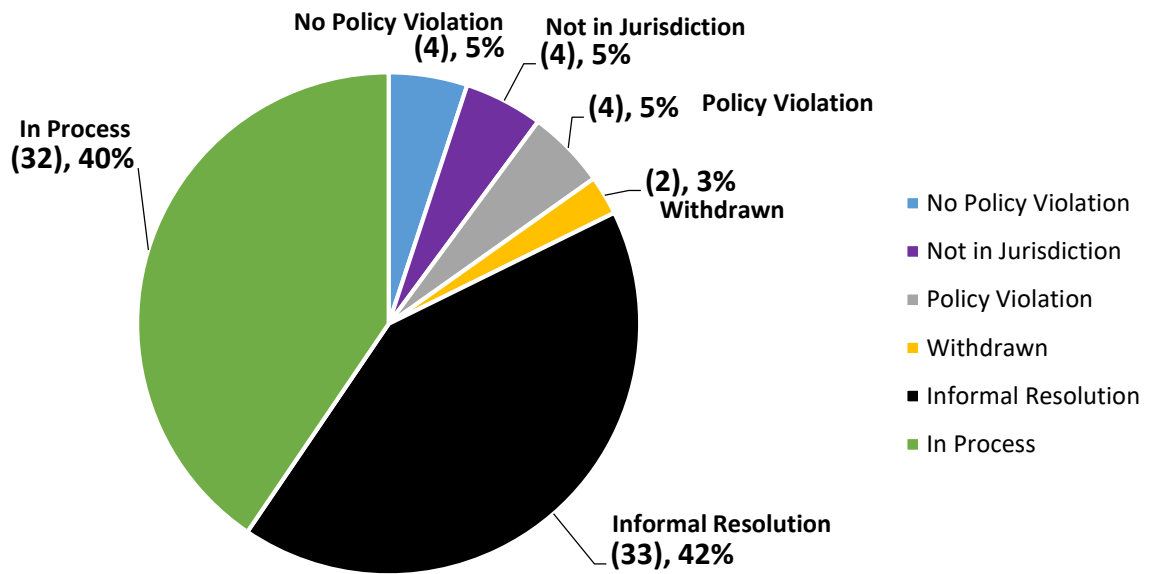
- Sanctions given by those who have authority
- Student = Dean of Students
- Faculty = Provost or Dean
- Staff = Supervisor

## Office of Equal Opportunity



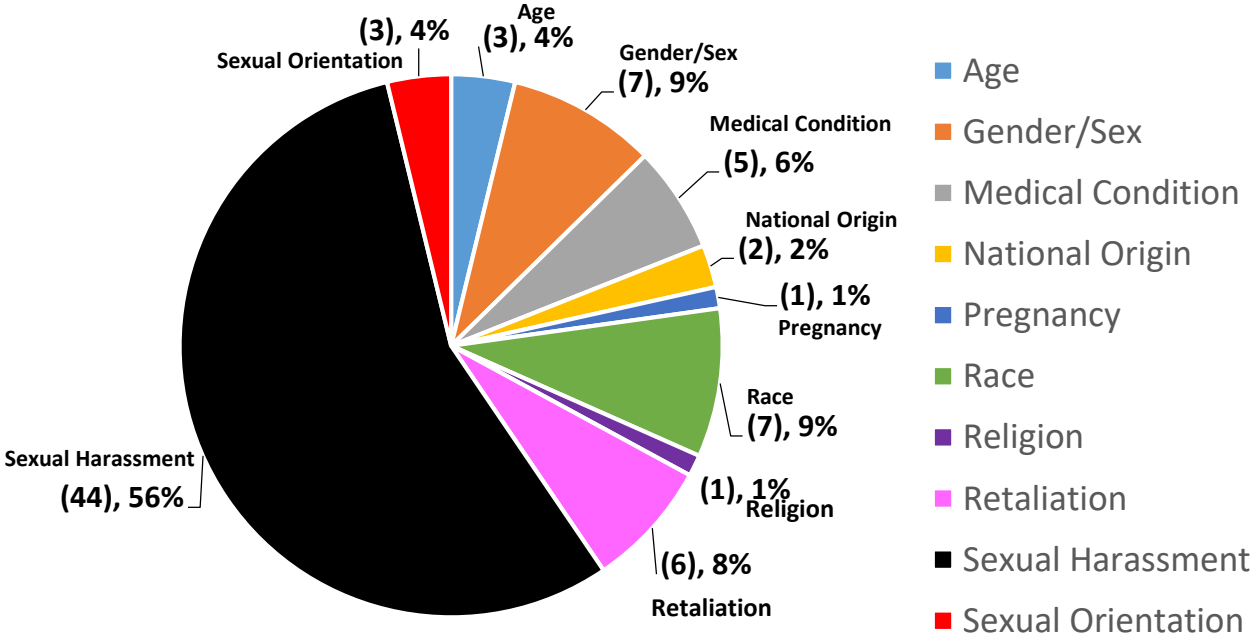
# 2017 Investigation Outcomes (79)

(From January 1, 2017 to current date)

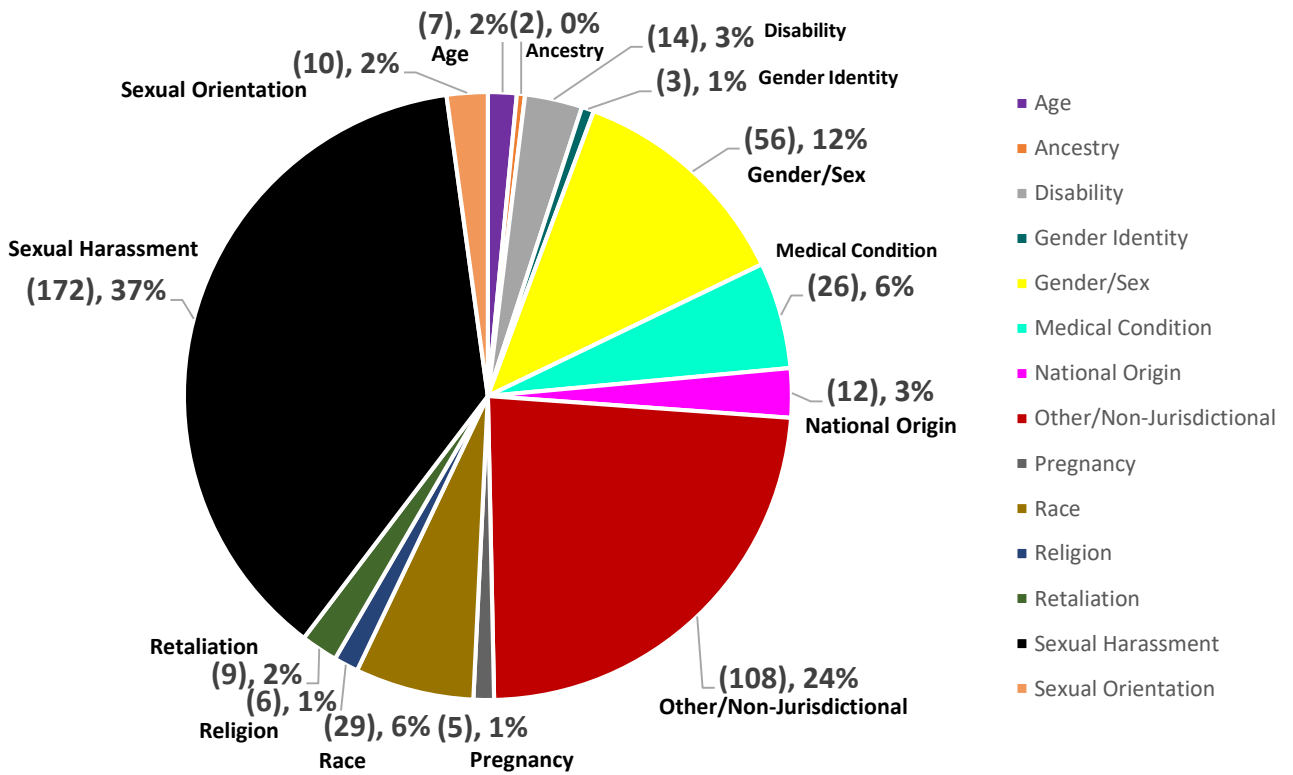




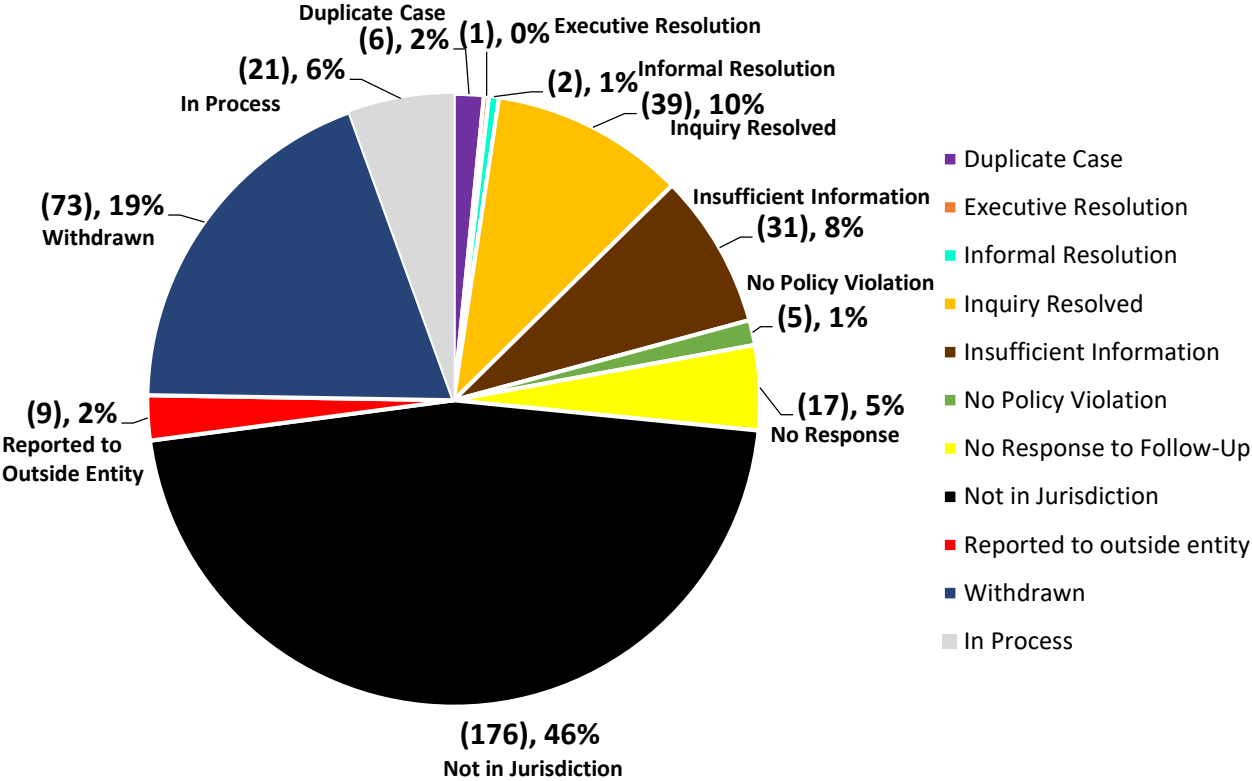
# 2017 Investigations by Allegation Type (79)



## 2017 Inquiries by Allegation Type (459)



# Outcome of Inquiries that Did Not Become Cases (380)



## APPEALS

Total Appeals: 6  
(all upheld OEO finding)

- 4 Students (2 were for one student)
  - 1 Faculty
  - 1 Staff
-

## Sexual Misconduct Climate Surveys – Spring 2017

### Highlights

- Our students know we have policies and procedures for sexual misconduct
- Our students know where to go for help if something happens to them or to a friend
- Our students believe they have the skills and knowledge necessary to intervene if they see a potential for sexual misconduct
- Our students are “active bystanders” meaning that the majority of them have engaged in one or more interventions over the past year when they saw potential sexual misconduct
- Our students believe the “Grey Area” training is helpful

Areas of Improvement	Our response
Low response rate	Earlier marketing and various messaging channels for Spring 2018
High rates of sexual harassment	Increase messaging around the full range of sexual misconduct, not just sexual violence
High rates of Intimate Partner Violence	Increase campus wide programming on healthy relationship skill building, increase marketing for those programs already in existence through SHAC, WRC and other resource centers. Bring/increase programming on branch campuses
Low reporting numbers	Marketing and messaging of confidential advocacy locations for support; explore options for confidential advocacy sites on branch campuses

### Social norming messages:

1. Given our high numbers of bystander intervention, we would like to showcase these to our campus community to commend, appreciate and encourage this positive behavior.
2. We would also like to encourage consent seeking behavior, and showcase the numbers of our students who seek verbal and non-verbal consent for every sexual activity.
3. Given that the majority of our students know where to access help, our last social norming message will be around “Tell Somebody” – encouraging our students who have experienced sexual misconduct to reach out for help and to

encourage our students to support their fellow Lobos if someone discloses sexual misconduct to them.

These social norming messages will be introduced starting in spring 2018 in order to train the NSO leaders to include these messages in NSO and provide the materials in NSO packets. We will train the Resident Advisors with this messaging in August 2018 (to coincide with the Freshman live-in requirement). Then, we will roll out across campus early Fall 2018 as part of welcome back days with help of UCAM, Student Affairs, President's office, Provost's office, branch campuses, HSC and SOM, etc.

This campaign will need to be assessed for efficacy and we are currently developing measures that will work within our current budget confines while providing us with useful data. One possible measure is to assess the number of students accessing the confidential advocacy centers.

Cross campus collaboration:

No office at UNM can do this work alone, OEO is working with the President's Office, UCAM, Student Affairs/Dean of Students, Equity and Inclusion, Athletics, Residence Life and Student Housing, College of Population Health, Anderson School of Management and College of Education to engage undergrad and grad students as interns and for class projects as well as tapping faculty and staff across campus for assistance in assessment, marketing, messaging and evaluation.

To see the full results of both 2017 climate surveys and the 2016 climate survey:  
[https://o eo.unm.edu/title-ix/campus\\_climate\\_survey\\_2017.html](https://o eo.unm.edu/title-ix/campus_climate_survey_2017.html)

**Follow Up Report - Implemented (sort by project)  
October 2017 Open Session**

No	Project Name	Report Approval Date, # of Recommendations, Risk (H/M/L)	Recommendation Title	Executive Recommendation	Management Response	Original Estimated Implementation Date	Revised Estimated Implementation Date	Recommendation Action	Responsible Party
1	<u>Payroll Follow-Up Audit</u>	8/18/2015, 10, M	<u>Recommendation 3 - Administrative Fee</u>	The University Controller's Office should consider charging an administrative fee to departments that submit late EPAFs or other employment documents, as well as for causing unnecessary payroll adjustments.	Payroll will assess options for a fee structure but would like to first determine the successful implementation of the remaining recommendations within this document, especially to identify the root causes of adjustments. Payroll also needs to see how the Talent Management Suite implementation impacts processes. The fee structure will be applied accordingly to departments, HR, and EDCs as applicable.	1/1/2017	9/30/2017	Recommendation will not be implemented. Payroll department will not pursue the fee due to the current budget constraints at UNM, and the additional administrative effort it would take to track and 'fine' departments.	Elizabeth Metzger, University Controller
2	<u>Payroll Follow-Up Audit</u>	8/18/2015, 10, M	<u>Recommendation 7 - OFAS Adjustment Email Notification</u>	OFAS should work with UNM IT to adopt an EPAF email notification system similar to the one developed by HR IT for UNM Staff.	OFAS will take the lead in soliciting IT's support to implement email notifications for faculty EPAFs before the end of the fall semester. OFAS will not implement all email notifications given their lack of resources and time to do so until the staff process is fully tested, implemented and assessed. OFAS will work with HSC and SOM Faculty Employment Areas.	1/1/2016	12/31/2017	The email notification system was tested in 2016-17 for a diverse set of email notifications sent for each type of EPAF, including notifications for past due approval of EPAFs, incomplete EPAFs, errors in EPAFs, and alert warnings for EPAFs that are nearing employment center deadlines or payroll run dates.	Theresa Ramos, Dir, Faculty Employment & Svcs; Richard Wood, Interim Sr. Vice Provost
3	<u>Continuing Education Employee Reimbursements</u>	3/2/2017, 4, H	<u>Recommendation 4 - Not Reporting to UNM Payroll</u>	UNM Unrestricted Accounting, Main, Contract and Grant Accounting, Main, Unrestricted Accounting, HSC and Contract and Grant Accounting, HSC must develop standard operating procedures to ensure all reimbursements not meeting the UNM accountable plan requirements are identified and reported to Payroll, as required.	Chrome River reporting will be utilized to identify the applicable transactions, using system parameters, compliance notifications, and comments as an automated reporting solution to report taxable transactions to Payroll so that the appropriate amount may be included as additional taxable compensation on the payee's paystub and W-2 form, per the requirements of the IRS accountable plan guidelines.	3/31/2017	6/30/2017	UNM Controller's Office has implemented the revised process to help identify and report applicable transactions to UNM Payroll. IA verified that CR reporting has been utilized. The recommendation is cleared.	Elizabeth Metzger, University Controller; Ava Lovell, Sr. Exec. Officer of F&A HSC
4	<u>UNM Press Business Processes</u>	3/31/2017, 4, H	<u>Recommendation 4 - Failure to follow SOP regarding review of submitted works for publishing</u>	The UNM Press should update their procedures to include a documented log for all works submitted to the Press for publication consideration. The log should be reviewed on a regular basis to ensure that all publications submitted for consideration are reviewed timely and that final outcome is communicated to the author.	UNM Press management agrees with the recommendation to update procedures to include a documented log for all works submitted to the Press for publication consideration. The Press receives approximately 1,500 manuscript proposals annually of which fewer than 10% are considered for publication. Once a decision is made to consider a manuscript for publication, information regarding the manuscript, author, etc. will be logged into the Press's title management database and tracked through the publishing process.	7/31/2017	7/31/2017	The website and handbook were updated according to the response.	Nicole Dopson, Financial Officer; Craig White, Interim Provost

**Follow Up Report - Implemented (sort by project)  
October 2017 Open Session**

No	Project Name	Report Approval Date, # of Recommendations, Risk (H/M/L)	Recommendation Title	Executive Recommendation	Management Response	Original Estimated Implementation Date	Revised Estimated Implementation Date	Recommendation Action	Responsible Party
5	<u>Harwood Museum</u>	6/29/2015, 16, M	<u>Recommendation 7 - Art Collection Record Keeping</u>	Harwood should (1) complete data entry of art collection items that are missing critical information, such as value and loaned items from other museums; (2) clean up duplicate data resulting from the database migration; (3) ensure the collection records are reviewed by the Director periodically; (4) report accurate value for fine art insurance coverage to UNM Safety and Risk Services based on data generated from the complete and accurate database.	Incoming and outgoing loans have been tracked in the new database since its August 1, 2014 launch. The previous database did not have that capability. By November 1, 2015, all data entry of collection items missing critical information, including value, when that information is available and clean-up of duplicate data entry items will be complete. Beginning immediately, the director will review collection records on a quarterly basis. A current, accurate valuation of the Harwood's entire collection will require the engagement of a professional appraiser. This is a significant expense that the Harwood's operating budget cannot currently support.	12/31/2016	7/31/2017	Harwood reconciled and cleaned up collection records in its collection management database as it conducted its physical inventory; Director attends weekly Collections meeting during which Registrar reports on recent changes to collection records. It has developed a plan to determine the value in the collection and will utilize the database for reporting value for fine art insurance coverage to UNM Safety and Risk Services.	Richard Tobin, Dir, Harwood Museum; Kymberly Pinder, Dean, College of Fine Arts
6	<u>Harwood Museum</u>	6/29/2015, 16, M	<u>Recommendation 8 - Art Collections Inventory</u>	Harwood should complete a formal physical inventory for its collection items, maintain current inventory records, and notify Inventory Control of its certified inventory results within a year.	In keeping with professional best practices, the director will create a narrative description of protocol and timelines for inventory control. This information will be incorporated into the Harwood's Collections Management Policy. The new protocol and policy will be implemented by November 1, 2015. A formal physical inventory of the museum's 4,900 object collection will require additional funding, in order to support two temporary Curatorial Assistants who will conduct the inventory under the guidance of the Curator of Collections and Exhibitions. If new funding is identified by the Harwood Board, the inventory will be completed by May 1, 2017, in keeping with the American Alliance of Museums' recommendation that formal inventories take place every ten years.	5/1/2017	7/31/2017	Harwood completed a formal physical inventory of the collections; it is utilizing its database for maintaining the inventory records and reporting the inventory results to UNM Inventory Control. Harwood museum will follow inventory recommendations of the American Alliance of Museums; its revised Collections Management Policy reflecting the physical inventory procedures was approved by the Harwood Board.	Richard Tobin, Dir, Harwood Museum; Kymberly Pinder, Dean, College of Fine Arts



**Follow Up Report - Pending (sort by project)  
October 2017 Open Session**

No	Project Name	Report Approval Date, # of Recommendations, Risk (H/M/L)	Recommendation Title	Executive Recommendation	Management Response	Original Estimated Implementation Date	Revised Estimated Implementation Date	% of Progress	Last Status Update	Responsible Party
1	<u>Review of College of Arts and Sciences Operations</u>	4/18/2013, 4, H	<u>Implementation of Process to Track Research Activities</u>	A process should be implemented that enables colleges to effectively track and monitor time that faculty members spend on research activities to help management determine if faculty members are meeting academic load requirements and workload guidelines.	To track faculty research activities, an RFP was created for the purchase of a scholarly productivity subscription service, which will have the ability to track faculty research activities. Actual implementation of the software is expected to be completed by December 15, 2015.	6/30/2013	6/30/2017	50%	Internal Audit has observed the Faculty Research web-based application developed by the UNM Provost Office. The application has been made available to faculty to begin populating the database with "Research" data.	Craig White, Interim Provost
2	<u>Safeguards for Protecting Private Data-Service Providers and Contractors</u>	10/25/2013, 3, H	<u>Recommendation 1 - UNM Information Security Program</u>	The CIO needs to implement the UNM Information Security Program University-wide.	Concur. The CIO will continue implementation of the Information Security Program with the advisory structure approved by the President. The CIO submitted a recommendation to the IT Governance Council UNM Policy 2560 (President, EVPs, and Chancellor) to create a University wide security council. The existing and operational UNM Information Security Program will be assigned to the appropriate advisory structure.	12/1/2013	8/31/2017	20%	The Information Security Program is available on the UNM IT Security website. UNM IT has proposed a charter for a UNM Security Council that will provide ongoing oversight of the Information Security Program. Audit reviewed the UNM Security Council Charter, which has been verbally approved by President Abdallah. The Program is based on ISO 270001, an international standard based on industry best practices. The Information Security & Privacy Office has established specific guidance on four core components of the Program: Awareness, Event, Incident, and Vulnerability Management. The remaining components of the Program: Systems Security, Business Continuity, and Resource, Identity, Operations, Vendor, Asset, and Compliance Management have not been completed. IA will close this finding after the formation of the UNM Security Council but will monitor the continuing implementation of the Program to ensure it is completed in compliance with ISO 270001.	Duane Ej Arruti, Chief Information Officer
3	<u>Safeguards for Protecting Private Data-Service Providers and Contractors</u>	10/25/2013, 3, H	<u>Recommendation 2 - University Information Security Function</u>	The President should give the CIO the explicit authority and responsibility to manage information security University-wide, including the decentralized computing services. The President should also ensure that the CIO has the budget to develop, implement, and enforce security policies.	Concur. The President's Office is working with the EVP for Administration, the Provost and EVP for Academic Affairs, and the Chancellor for Health Sciences on the appointment of an appropriate advisory structure. We will work with the EVP for Administration and the CIO to evaluate whether this office has sufficient budget and authority to develop, implement, and enforce security policies. The Information Security Office, through the CIO, has established a security management reporting mechanism.	12/31/2013	8/31/2017	20%		Duane Ej Arruti, Chief Information Officer
4	<u>Payroll Follow-Up Audit</u>	8/18/2015, 10, M	<u>Recommendation 1 - Payroll Adjustment Codes</u>	The University Controller's Office should revise the adjustment code forms and explanations of the causes of the adjustments to clarify the causes, conditions, and responsible parties creating the adjustments.	Payroll will work with HR and EDCs to identify the needed enhancements. Payroll will work with FSMIT to add the enhancements to the report. Payroll will assess options for notifying departments of their adjustments.	6/30/2016	12/31/2017	40%	8/15/2017 - Payroll has implemented enhancements to address the reason codes for adjustments, and has improved communication to campus department timekeepers, approvers and employees of known un-entered or unapproved time for employees prior to the deadline. A policy change addressing missed payroll deadlines will be requested, and email notifications to department Chairs and/or Deans that addresses adjustments will be in place by 1/1/2018. 10/5/2017 - Payroll reports that progress toward implementation is approximately 40% complete and is on track for full implementation by 12/31/2017.	Elizabeth Metzger, University Controller; Julian Sandoval, Chief Financial Svcs Officer

**Follow Up Report - Pending (sort by project)  
October 2017 Open Session**

No	Project Name	Report Approval Date, # of Recommendations, Risk (H/M/L)	Recommendation Title	Executive Recommendation	Management Response	Original Estimated Implementation Date	Revised Estimated Implementation Date	% of Progress	Last Status Update	Responsible Party
5	<u>Payroll Follow-Up Audit</u>	8/18/2015, 10, M	<u>Recommendation 2 - Payroll Adjustment Late Paperwork Training</u>	The University Controller's Office should develop mandatory training on business practices, required processes, and meeting deadlines aimed at reducing late filing of employment paperwork, EPAFs, payroll adjustments, and employee accounts receivable.	Payroll will work with HR and EDCs to improve communication and training. Adjustments are very heavily tied to the initial job setup. HR and the EDCs will need to partner with Payroll to provide the applicable training for each step of the required processes, and support from the University Provost will be needed to include Deans and Chairs in the mandatory training.	6/30/2016	12/31/2017	40%	Payroll Department is assessing training requirements for applicable areas and who the target audience needs to be, while still working through implementation issues of TMS with the Employment Areas (EA). Determinations and decisions will be made with the EA's for any new training requirements and those timelines will be identified accordingly. Existing training will be augmented as applicable by 12/31/17.	Elizabeth Metzger, University Controller
6	<u>Safety and Risk Services</u>	11/5/2015, 18, H	<u>Recommendation 18 - Chemical Purchases and Perpetual Inventory</u>	The Executive Vice President for Finance and Administration, Executive Vice President for Academic Affairs/Provost, and the Chancellor for Health Sciences should work with the Director of Safety and Risk Services to determine the best course of action to ensure that all chemicals purchased are properly and accurately inventoried via the ERM system. Two considerations might be that all chemical purchases are only allowed to be made via CRLS or LoboMart, or that SRS be the central receiving point for all chemical purchases made outside of CRLS.	A. EVP for Finance and Administration: I will work with the VP of ISS to insure that those areas coordinate with SRS to insure that chemical purchases are recorded in ERM. I will also work with the Purchasing to secure their cooperation in working with SRS to make purchasing through ERM as streamlined as possible. Lastly, I will work with SRS to assist them in becoming the central receiving point for all chemical purchases made outside of CRLS. B. EVP for Academic Affairs/Provost: With the Risk Management, Academic Affairs will issue a memo detailing compliance requirements.  C. Chancellor for Health Sciences: The Health Sciences Center agrees with the Internal Audit finding and recommendation to work with SRS to accurately inventory chemical purchases in the ERM. The HSC will work with SRS to complete the installation of inventory control processes with bar codes which is being implemented at all HSC labs. The systems are being put in place at the request of SRS over the past year to address this issue.	12/31/2016	12/31/2016	33%	Item B - Cleared - SRS sent a memo on behalf of the Provost to the Deans of each college informing of the recommendation and requesting that they send a list of all persons that make chemical purchases to SRS. Item A - SRS has been conducting an ongoing chemical inventory throughout main campus to ensure that chemicals are properly updated to ERM. UPDATE - SRS has had turnover in the area of lab inspections. IA has reached out to determine if vacancies have been filled in order to coordinate walk-along inspections.  Item C - UPDATE - HSC Chancellor notified IA that CON does not have any chemicals, and that SRS has been conducting HSC lab inspections and not informed of issues with regard to use of ERM and that there is some resistance by PIs to use ERM because it is unclear that it is required by federal guidelines. SRS provided IA with lab inspection reports for area 2 at HSC. Review of those reports indicated that one of the labs did not have an posted inventory in the lab and it should be updated in ERM. SRS communicated with HSC Chancellor the need to complete inventories, and suggested that SRS continue inspections and assist with ERM training on an annual basis. A memo from SRS to HSC dated 10/9/17 communicated the inventory inspection process and the federal and state regulations requiring chemical inventories. IA informed HSC that they will need to walk along on a sample of inspections at HSC.	David Harris, Executive Vice President; Paul Roth; Craig White, Interim Provost
7	<u>UNM Press Business Processes</u>	3/31/2017, 4, H	<u>Recommendation 2 - Ongoing Debt</u>	The University Senior Leadership Team should provide stronger guidance as to how the Press is going to balance its budget and how much subsidy the University is going to provide, if any, to keep the UNM Press a viable entity; or, in the alternative, if the Press should continue to operate	A subsidy budget proposal is currently under consideration by the BLT committee.	7/31/2018	7/31/2018	0%	Internal Audit has reached out to the Budget Leadership Team (BLT) to obtain status with regard to progress made to determine any subsidy extended to UNM Press.	David Harris, Executive Vice President

**Follow Up Report - Pending (sort by project)  
October 2017 Open Session**

No	Project Name	Report Approval Date, # of Recommendations, Risk (H/M/L)	Recommendation Title	Executive Recommendation	Management Response	Original Estimated Implementation Date	Revised Estimated Implementation Date	% of Progress	Last Status Update	Responsible Party
14	<u>PPD Remodel and Two Bears Construction Contracts</u>	3/31/2017, 16, H	<u>Non-Compliance with UNM Policies - Recommendation 1</u>	The Vice President for ISS should: Consult with Human Resources to address personnel issues regarding paying for contracted services not received and making decisions that are not in the best interest of the University. Issue appropriate disciplinary actions for the PPD Remodel Manager and PPD Facilities Maintenance Manager in accordance with UAP 3215: Performance Management. Consult with University Counsel regarding payment of funds to Two Bears Construction for services not performed at RVA. The additional cost paid to BCH Construction for completing the stairwells at RVA was \$42,000.	We will consult with Human Resources to address the personnel issues and move forward with appropriate disciplinary actions by March 15, 2017. Additionally, we will consult with University Counsel regarding the payment of funds to Two Bears Construction for services not performed at RVA.	3/15/2017	10/31/2017	50%	Partially Implemented: <b>a.</b> Implemented: The Vice President for Institutional Support Services terminated the PPD Remodel Manager on March 2, 2017 due to his actions of paying for contracted services not received and making decisions that were not in the best interest of the University. The PPD Facilities Maintenance Manager was also issued a suspension on March 16, 2017 for approving the payment of contracted services not received and making decisions that were not in the best interest of the University. <b>b.</b> In process: On October 5, 2017, the VP for Institutional Support Services had a follow up meeting with University Counsel regarding the payment of funds to Two Bears Construction for service not performed at the Redondo Village Apartments. The VP for Institutional Support Services and University Counsel are still looking into best avenues to pursue collection. A decision regarding this approach will be made by October 31, 2017.	Chris Vallejos, Avp, Bsn Plng & Svcs/Iss

**Follow Up Report - Pending (sort by project)  
October 2017 Open Session**

No	Project Name	Report Approval Date, # of Recommendations, Risk (H/M/L)	Recommendation Title	Executive Recommendation	Management Response	Original Estimated Implementation Date	Revised Estimated Implementation Date	% of Progress	Last Status Update	Responsible Party
15	<u>PPD Remodel and Two Bears Construction Contracts</u>	3/31/2017, 16, H	<u>Recommendation 1 - Payment for Services Not Received</u>	The Interim PPD Director should: Consult with Human Resources to address personnel issues regarding paying for contracted services not received and making decisions that are not in the best interest of the University. Issue appropriate disciplinary actions for the PPD Remodel Manager and PPD Facilities Maintenance Manager in accordance with UAP 3215: Performance Management. Consult with University Counsel regarding payment of funds to Two Bears Construction for services not performed at RVA. The additional cost paid to BCH Construction for completing the stairwells at RVA was \$42,000.	We will consult with Human Resources to address the personnel issues and move forward with appropriate disciplinary actions by March 15, 2017.	3/15/2017	10/31/2017	50%	Partially Implemented: a. Implemented: The VP for ISS terminated the PPD Remodel Manager on March 2, 2017 due to his actions of paying for contracted services not received and making decisions that were not in the best interest of the University. The PPD Facilities Maintenance Manager was also issued a suspension on March 16, 2017 for approving the payment of contracted services not received and making decisions that were not in the best interest of the University. b. In process: On October 5, 2017, the VP for Institutional Support Services had a follow up meeting with University Counsel regarding the payment of funds to Two Bears Construction for service not performed at the Redondo Village Apartments. The VP for Institutional Support Services and University Counsel are still looking into best avenues to pursue collection. A decision regarding this approach will be made by October 31, 2017.	Shirley Mitchell, Assoc Dir, Finance & Admin
16	<u>PPD Remodel and Two Bears Construction Contracts</u>	3/31/2017, 16, H	<u>Recommendation 2 - UNM Policy Refresher Trainings</u>	The Interim PPD Director should require that all PPD management and Project Managers attend the policy refresher session.	PPD Interim Director will coordinate with the Chief Procurement Officer to schedule a mandatory training by February 15, 2017.	3/31/2017	11/30/2017	25%	Internal Audit verified that 11 PPD management and staff have taken the required policy refresher course. However, the PPD Interim Director has identified a total of 46 PPD employees that need to take the refresher training and it is offered only once a month. She indicated that a notice will be sent to employees that have not taken the training to take it ASAP. She believes there will be full implementation of this recommendation by a revised target date of November 30, 2017.	Shirley Mitchell, Assoc Dir, Finance & Admin

**Follow Up Report - Pending (sort by project)  
October 2017 Open Session**

No	Project Name	Report Approval Date, # of Recommendations, Risk (H/M/L)	Recommendation Title	Executive Recommendation	Management Response	Original Estimated Implementation Date	Revised Estimated Implementation Date	% of Progress	Last Status Update	Responsible Party
17	<u>PPD Remodel and Two Bears Construction Contracts</u>	3/31/2017, 16, H	<u>Recommendation 6 - Contractor Warranties and Responsibilities</u>	The Vice President for ISS should contract with a third party consultant to test the application of the Sikaflex-15LM caulk against the manufacturer's recommended application for optimal results. If the consultant determines Two Bears Construction did not apply caulk according to recommended application, the PPD Remodel Manager should contact Two Bears Construction and request them to return and reapply caulk correctly to all stairwells.	We will contract with a third party consultant to test the application of the Sikaflex-15LM caulk against the manufacturer's recommended application. If the consultant determines that the caulk was not applied according to recommended application, we will contact Two Bears Construction and request that the caulk be re-applied to all stairwells.	1/31/2017	12/31/2017	75%	ISS Management indicated that a third party contractor was hired to evaluate the application of caulk by Two Bears Construction at the Student Residence Center. On September 25, 2017, AGI provided PPD with their report regarding their inspection of the caulking installed at the Student Residence Center stairwells. AGI concluded that the contractor (Two Bears Construction) failed to provide installation that would ensure a warrantable, watertight and typical life performance of the installed product. Therefore, AGI's assessment is that the caulking will need to be replaced and that the contractor failed to provide services as requested by the University. The VP for Institutional Support Services will work with PPD Administration to follow up with Two Bears Construction regarding this issue and request that they return and reapply the caulk correctly to all stairwells. Implementation of this corrective action is targeted for 12/31/17.	Chris Vallejos,Avp,Bsn Plng & Svcs/Iss
18	<u>PPD Remodel and Two Bears Construction Contracts</u>	3/31/2017, 16, H	<u>Recommendation 6 - Contractor Warranties and Responsibilities</u>	The Vice President for ISS and Interim PPD Director should contract with a third party consultant to test the application of the Sikaflex-15LM caulk against the manufacturer's recommended application for optimal results. If the consultant determines Two Bears Construction did not apply caulk according to recommended application, the PPD Remodel Manager should contact Two Bears Construction and request them to return and reapply caulk correctly to all stairwells.	We will contract with a third party consultant to test the application of the Sikaflex-15LM caulk against the manufacturer's recommended application. Interim PPD Director will contact possible third party and schedule a site visit by January 10, 2017. If the consultant determines that the caulk was not applied according to recommended application, we will contact Two Bears Construction and request that the caulk be re-applied to all stairwells by January 31, 2017.	1/31/2017		75%	ISS Management indicated that a third party contractor was hired to evaluate the application of caulk by Two Bears Construction at the Student Residence Center. On September 25, 2017, AGI provided PPD with their report regarding their inspection of the caulking installed at the Student Residence Center stairwells. AGI concluded that the contractor (Two Bears Construction) failed to provide installation that would ensure a warrantable, watertight and typical life performance of the installed product. Therefore, AGI's assessment is that the caulking will need to be replaced and that the contractor failed to provide services as requested by the University. The VP for Institutional Support Services will work with PPD Administration to follow up with Two Bears Construction regarding this issue and request that they return and reapply the caulk correctly to all stairwells. Implementation of this corrective action is targeted for 12/31/17.	Al Sena, Dir,Physical Plant; Shirley Mitchell,Assoc Dir,Finance & Admin

**Follow Up Report - Pending (sort by project)  
October 2017 Open Session**

No	Project Name	Report Approval Date, # of Recommendations, Risk (H/M/L)	Recommendation Title	Executive Recommendation	Management Response	Original Estimated Implementation Date	Revised Estimated Implementation Date	% of Progress	Last Status Update	Responsible Party
19	<u>PPD Remodel and Two Bears Construction Contracts</u>	3/31/2017, 16, H	<u>Recommendation 8b - Payment for Services not Accepted by UNM</u>	The Interim PPD Director should conduct a General Conditions of the Contract for Construction refresher session, specifically section 9.10.1, and require attendance by all PPD Management.	The Interim PPD Director should conduct a General Conditions of the Contract for Construction refresher session by January 31, 2017 for PPD Management. PPD Interim Director will develop a formal written process for dispute resolution when issues arise concerning acceptance of work by February 15, 2017.	2/15/2017	11/30/2017	25%	Internal Audit verified that 11 PPD management and staff have taken the required policy refresher course, which includes General Conditions of the Contract for Construction. However, the PPD Interim Director has identified a total of 46 PPD employees that need to take the refresher training and it is offered only once a month. She indicated that a notice will be sent to employees that have not taken the training to take it ASAP. She believes there will be full implementation of this recommendation by a revised target date of November 30, 2017.	Al Sena, Dir,Physical Plant; Shirley Mitchell,Assoc Dir,Finance & Admin
20	<u>PPD Remodel and Two Bears Construction Contracts</u>	3/31/2017, 16, H	<u>Recommendation 9 - PPD Remodel Operations</u>	Vice President for ISS should: Consider consolidating PDC and PPD Remodel into one reporting unit. Develop a Business Operations Manual that outlines and enhances processes for specific business functions including, but not limited to, contracting for services, invoice processing, and "Final Project Completion" signoff processes, etc. Review job descriptions, duties and responsibilities of the PPD Remodel division to assign job duties properly. Strengthen internal controls to ensure that the PPD division supervisors and/or managers reviews project's scope of work.	Associate Vice President for ISS and Executive Director for ISS will move forward with consolidating PPD Remodel with Planning, Design and Construction (PDC) by January 15, 2017. They will work with the PDC Directors and Interim PPD Director to successfully consolidate these two units. PDC already has operating procedures for specific business functions and processes and will need time to evaluate and determine which ones are applicable to the Remodel division. If necessary, they will create additional operating procedures to enhance the business processes of the Remodel division. Executive Director for ISS and PDC Directors will meet with Human Resources to review the organizational structure of the consolidated unit and review job descriptions of staff to ensure appropriate alignment. PDC Directors and management team will ensure that all staff have a clear understanding of their duties and responsibilities.	6/30/2017	8/31/2017	100%	Corrective action for this recommendation is fully implemented. Internal Audit verified the following: A. PPD Remodel has been merged with PDC. A new org code (363A) was created for the Remodel group and employees were officially transferred over to PDC on February 1, 2017. A revised Org Chart has been developed and approved. B. PDC has an established business operating procedures manual, which former PPD Remodel employees must follow. Internal Audit reviewed PDC processes and forms for project management, including project management checklists, procurement justification forms, and budget and accounting forms. PDC also provided procurement training materials to all PDC project managers. B. PDC has developed a revised org chart and reporting structure for PDC. PDC has also developed a "Team Member Expectation" document that provides expectations for all PDC employees.	Chris Vallejos,Avp,Bsn Plng & Svcs/Iss

**Follow Up Report - Pending (sort by project)  
October 2017 Open Session**

No	Project Name	Report Approval Date, # of Recommendations, Risk (H/M/L)	Recommendation Title	Executive Recommendation	Management Response	Original Estimated Implementation Date	Revised Estimated Implementation Date	% of Progress	Last Status Update	Responsible Party
21	<u>PPD Remodel and Two Bears Construction Contracts</u>	3/31/2017, 16, H	<u>Recommendation 9 - PPD Remodel Operations</u>	Interim PPD Director should: Consider consolidating PDC and PPD Remodel into one reporting unit. Develop a Business Operations Manual that outlines and enhances processes for specific business functions including, but not limited to, contracting for services, invoice processing, and "Final Project Completion" signoff processes, etc. Review job descriptions, duties and responsibilities of the PPD Remodel division to assign job duties properly. Strengthen internal controls to ensure that the PPD division supervisors and/or managers reviews project's scope of work.	Associate Vice President for ISS and Executive Director for ISS will move forward with consolidating PPD Remodel with Planning, Design and Construction (PDC) by January 15, 2017. They will work with the PDC Directors and Interim PPD Director to successfully consolidate these two units. PDC already has operating procedures for specific business functions and processes and will need time to evaluate and determine which ones are applicable to the Remodel division. If necessary, they will create additional operating procedures to enhance the business processes of the Remodel division. The Executive Director for ISS and PDC Directors will meet with Human Resources to review the organizational structure of the consolidated unit and review job descriptions of staff to ensure appropriate alignment. PDC Directors and management team will ensure that all staff have a clear understanding of their duties and responsibilities.	6/30/2017	8/31/2017	100%	Corrective action for this recommendation is fully implemented. Internal Audit verified the following: A. PPD Remodel has been merged with PDC. A new org code (363A) was created for the Remodel group and employees were officially transferred over to PDC on February 1, 2017. A revised Org Chart has been developed and approved. B. PDC has an established business operating procedures manual, which former PPD Remodel employees must follow. Internal Audit reviewed PDC processes and forms for project management including project management checklists, procurement justification forms, and budget and accounting forms. PDC also provided procurement training materials to all PDC project managers. C. PDC has developed a revised org chart and reporting structure for PDC. PDC has also developed a "Team Member Expectation" document that provides expectations for all PDC employees.	Al Sena, Dir,Physical Plant; Shirley Mitchell,Assoc Dir,Finance & Admin

**Internal Audit Director's Status Report  
Audit and Compliance Committee Meeting  
October 18, 2017**

## INFORMATION ITEMS

**Audit Committee Meeting Calendar.** The followings are approved dates in FY18 for the Committee meeting (The Committee meets in the Roberts Room):

February 15, 2018

May 17, 2018 (Entrance conference for FY18 External Audit)

**Audit Plan Status.** The project status and hours report for the plan is at Tab #8d. The status of the proposed plan as of September 30, 2017 is:

Completed	5
Fieldwork	3
<b>Subtotal</b>	<b>8</b>
Unassigned/Deferred	2
<b>Total</b>	<b>10</b>

The Fiscal Year 2018 (FY18) draft audit plan includes seven (7) audits carried over from FY17. The draft FY18 audit plan will be finalized based on the University wide risk assessment survey and input from the Executive leadership and the Audit and Compliance Committee.

**Department Financial Report.** At Tab 9 is the Internal Audit Department's budget status report for your review. The FY18 adjusted budget is \$824,922, of which \$790,922 is from the general pooled account, and \$34,000 from the departmental reserve. The department ended FY17 with the reserve balance of \$85,356. As of September 30, 2017, the department's actual expenditures are \$183,150 and encumbrances are \$540,280. The estimated fiscal year 2018 ending reserve is \$60,000.

**External Audits and Reviews.** At Tab 9 is the summary information as of September 30, 2017 regarding the external audits and reviews (third party audits) of various grants, contracts, and programs by various federal and state government agencies. There are currently five (5) reviews underway. The Health Resources and Services Administration (HRSA) is auditing two infectious diseases grants totaling \$2.4 million from grant period August 1, 2015 through July 31, 2017. The National Science Foundation contracted with Withum Smith and Brown (WSB) to audit 92 awards from fiscal year 2014 through 2016 for an unspecified amount. This audit may have \$134 thousand in questioned costs (subject to discussions with NSF and OIG) but UNM has not received a final determination or final report yet. The Dallas County Hospital District is auditing the \$750 thousand grant for the project Extension for Community Healthcare Outcomes (ECHO). The Children, Youth and Family Department, State of New Mexico, is auditing approximately 17 contracts totaling \$35.3 million.

In the past four (4) fiscal years, the University of New Mexico had about 26 external third party audits and reviews of various grants, contracts, and programs by various federal and state government agencies with minimum questioned costs and without any major internal control weakness. Recently, the Office of the Inspector General, Department of Health and Human



**Internal Audit Director's Status Report**  
**Audit and Compliance Committee Meeting**  
**October 18, 2017**

Services and FEMA highly praised the University's Contract and Grant Accounting for grants monitoring/review and closeout audits that were completed without any issues; and they determined all costs charged to the grants were allowable in accordance with the terms of the grant(s) and federal cost principles.

The Center for Medicaid and Medicare Services (CMS) has contracted with Cotiviti to perform post-payment (billing) review to identify and correct Medicare claims that contain improper payments. The University of New Mexico Hospital and Sandoval Regional Medical Center have received requests from the Recovery Audit Contractor (RAC) to provide seven (7) records related to patient billings, totaling \$171 thousand, from January 2017 through September 30, 2017. The RAC auditors have not provided any findings to the University Health System as of July 31, 2017.

Index: 676000 - 113280-AUDIT DEPARTME-General Activ

Account Description	Budget (FYTD) Adopted	Budget (FYTD) Adjustments	Budget (FYTD) Accumulated	Actuals Current Month	Actuals Pct	Actuals Fiscal YTD	Actuals Pct	Encumbrances	Balance Available	Balance Pct
<b>Revenue</b>										
1640 - Allocations Pooled Allocatio!	\$790,922.00	\$ .00	\$790,922.00	\$ .00	.00%	\$790,922.00	100.00%	\$ .00	\$ .00	.00%
1900 - Reserves	\$ .00	\$ .00	\$ .00	\$ .00	.00%	\$85,355.86	.00%	\$ .00	(\$85,355.86)	.00%
1901 - Budgeted Use of Reserves	\$34,000.00	\$ .00	\$34,000.00	\$ .00	.00%	\$ .00	.00%	\$ .00	\$34,000.00	100.00%
<b>*TOTAL Revenue</b>	<b>\$824,922.00</b>	<b>\$ .00</b>	<b>\$824,922.00</b>	<b>\$ .00</b>	<b>.00%</b>	<b>\$876,277.86</b>	<b>106.23%</b>	<b>\$ .00</b>	<b>(\$51,355.86)</b>	<b>(6.23%)</b>
<b>Expense</b>										
2020 - Administrative Professional !	\$656,354.00	\$ .00	\$656,354.00	\$55,938.39	8.52%	\$158,222.25	24.11%	\$503,445.51	(\$5,313.76)	(.81%)
2060 - Support Staff Salary Detail !	\$46,717.00	\$ .00	\$46,717.00	\$3,596.97	7.70%	\$9,892.51	21.18%	\$36,834.40	(\$9.91)	(.02%)
20J0 - Student Salaries Gen	\$25,000.00	\$ .00	\$25,000.00	\$1,987.00	7.95%	\$4,726.00	18.90%	\$ .00	\$20,274.00	81.10%
20P0 - Temporary Salary Gen	\$7,500.00	\$ .00	\$7,500.00	\$ .00	.00%	\$757.89	10.11%	\$ .00	\$6,742.11	89.89%
3100 - Office Supplies General	\$1,500.00	\$ .00	\$1,500.00	\$144.00	9.60%	\$272.71	18.18%	\$ .00	\$1,227.29	81.82%
3110 - Books Periodicals Gen	\$250.00	\$ .00	\$250.00	\$ .00	.00%	\$ .00	.00%	\$ .00	\$250.00	100.00%
3140 - Computer Software Gen	\$200.00	\$ .00	\$200.00	\$354.00	177.00%	\$354.00	177.00%	\$ .00	(\$154.00)	(77.00%)
3150 - Computer Supplies <\$5,001	\$200.00	\$ .00	\$200.00	\$ .00	.00%	\$50.97	25.49%	\$ .00	\$149.03	74.52%
31A0 - Business Food - Local	\$1,200.00	\$ .00	\$1,200.00	\$ .00	.00%	\$ .00	.00%	\$ .00	\$1,200.00	100.00%
31C0 - Dues Memberships Gen	\$4,500.00	\$ .00	\$4,500.00	\$ .00	.00%	\$395.00	8.78%	\$ .00	\$4,105.00	91.22%
31J0 - Parking Permits Gen	\$500.00	\$ .00	\$500.00	\$ .00	.00%	\$644.00	128.80%	\$ .00	(\$144.00)	(28.80%)
31K0 - Postage Gen	\$80.00	\$ .00	\$80.00	\$ .00	.00%	\$ .00	.00%	\$ .00	\$80.00	100.00%
31P0 - Training Materials Supplies !	\$200.00	\$ .00	\$200.00	\$ .00	.00%	\$ .00	.00%	\$ .00	\$200.00	100.00%
3800 - In State Travel Gen	\$2,000.00	\$ .00	\$2,000.00	\$ .00	.00%	\$ .00	.00%	\$ .00	\$2,000.00	100.00%
3805 - Instate Travel-Per Diem Sta!	\$500.00	\$ .00	\$500.00	\$ .00	.00%	\$ .00	.00%	\$ .00	\$500.00	100.00%
3810 - Instate Travel-Per Diem No!	\$200.00	\$ .00	\$200.00	\$ .00	.00%	\$ .00	.00%	\$ .00	\$200.00	100.00%
3820 - Out Of State Travel Gen	\$2,500.00	\$ .00	\$2,500.00	\$ .00	.00%	\$227.96	9.12%	\$ .00	\$2,272.04	90.88%
3825 - Out State Travel-Per Diem !	\$500.00	\$ .00	\$500.00	\$ .00	.00%	\$ .00	.00%	\$ .00	\$500.00	100.00%
3830 - Out State Trvl-Per Diem No!	\$200.00	\$ .00	\$200.00	\$ .00	.00%	\$ .00	.00%	\$ .00	\$200.00	100.00%
6000 - Telecom Charges Gen	\$4,000.00	\$ .00	\$4,000.00	\$292.50	7.31%	\$877.50	21.94%	\$ .00	\$3,122.50	78.06%
6020 - Long Distance Gen	\$100.00	\$ .00	\$100.00	\$ .22	.22%	\$8.36	8.36%	\$ .00	\$91.64	91.64%
6060 - Voice Mail Box Gen	\$700.00	\$ .00	\$700.00	\$45.00	6.43%	\$135.00	19.29%	\$ .00	\$565.00	80.71%
6300 - Alarm System Gen	\$300.00	\$ .00	\$300.00	\$11.25	3.75%	\$202.14	67.38%	\$ .00	\$97.86	32.62%
6315 - Electronic Databases	\$1,200.00	\$ .00	\$1,200.00	\$123.00	10.25%	\$220.00	18.33%	\$ .00	\$980.00	81.67%
63A0 - Conference Fees Gen	\$4,000.00	\$ .00	\$4,000.00	\$ .00	.00%	\$792.50	19.81%	\$ .00	\$3,207.50	80.19%
63A2 - Seminars/Training Fees	\$4,000.00	\$ .00	\$4,000.00	\$1,240.00	31.00%	\$1,465.00	36.63%	\$ .00	\$2,535.00	63.38%
63C0 - Copying Gen	\$100.00	\$ .00	\$100.00	\$15.00	15.00%	\$15.00	15.00%	\$ .00	\$85.00	85.00%

Index: 676000 - 113280-AUDIT DEPARTME-General Activ

Account Description	Budget (FYTD) Adopted	Budget (FYTD) Adjustments	Budget (FYTD) Accumulated	Actuals Current Month	Actuals Pct	Actuals Fiscal YTD	Actuals Pct	Encumbrances	Balance Available	Balance Pct
63V0 - Consultant Fees Gen	\$25,451.00	\$0.00	\$25,451.00	\$0.00	.00%	\$0.00	.00%	\$0.00	\$25,451.00	100.00%
69Z0 - Other Professional Services!	\$15,100.00	\$0.00	\$15,100.00	\$716.59	4.75%	\$2,149.77	14.24%	\$0.00	\$12,950.23	85.76%
70E0 - Computer Hardware Mainte!	\$1,200.00	\$0.00	\$1,200.00	\$0.00	.00%	\$0.00	.00%	\$0.00	\$1,200.00	100.00%
70E1 - Computer Software Mainten!	\$10,400.00	\$0.00	\$10,400.00	\$0.00	.00%	\$0.00	.00%	\$0.00	\$10,400.00	100.00%
70F0 - Equipment Rent Expense G!	\$3,000.00	\$0.00	\$3,000.00	\$332.82	11.09%	\$744.34	24.81%	\$0.00	\$2,255.66	75.19%
80K0 - Banner Tax	\$770.00	\$0.00	\$770.00	\$32.74	4.25%	\$85.54	11.11%	\$0.00	\$684.46	88.89%
80K2 - Foundation Surcharge	\$4,500.00	\$0.00	\$4,500.00	\$323.98	7.20%	\$910.76	20.24%	\$0.00	\$3,589.24	79.76%
<b>*TOTAL Expense</b>	<b>\$824,922.00</b>	<b>\$0.00</b>	<b>\$824,922.00</b>	<b>\$65,153.46</b>	<b>7.90%</b>	<b>\$183,149.20</b>	<b>22.20%</b>	<b>\$540,279.91</b>	<b>\$101,492.89</b>	<b>12.30%</b>
Total Revenue:	\$824,922.00	\$0.00	\$824,922.00	\$0.00	.00%	\$876,277.86	106.23%	\$0.00	(\$51,355.86)	(6.23%)
Total Expense:	\$824,922.00	\$0.00	\$824,922.00	\$65,153.46	7.90%	\$183,149.20	22.20%	\$540,279.91	\$101,492.89	12.30%
Net:	\$0.00	\$0.00	\$0.00	(\$65,153.46)	.00%	\$693,128.66	.00%	(\$540,279.91)	\$152,848.75	.00%

Parameters:

Index: 676000 - 113280-AUDIT DEPARTME-General Activ

Groupings:

Warning: These reports will show fiscal year activity. For inception to date activity for Grants please use the FRRGLDS - Grant Ledger Detail Summary report.

**External Audits and Reviews  
As of September 30, 2017**

Agenda Item #9c

<b>Granting Agency/Entity</b>	<b>National Science Foundation (NSF)</b>	<b>Dallas County Hospital District</b>	<b>HRSA</b>	<b>HRSA</b>	<b>CYFD</b>	<b>CMS (Patient Billings) - RAC Requests as of September 30, 2017</b>
Contract/Grant/Program Title	Various; 92 total awards tested	3RZ07	3RY66	3RX49	Various; 17 total contracts tested	Medicare
Contract/Grant Period	Various; Audit covers FY14-FY16	2016-2017	8/1/15 - 7/31/17	4/1/15 - 3/31/17	covers FY15 and FY16 funds	Various
Contract/Grant Total Amount	Various; 92 total awards tested	\$750,000.00	\$945,256.00	\$1,465,732.00	\$35,368,253.00	N/A
Contract/Grant Amount - Current FY						N/A
Principal Investigator	Various	Sanjeev Arora	Steven Williams	Steven Williams	Various	N/A
Department	Various	ECHO	Infectious Diseases	Infectious Diseases	Various	Hospital RAC Audits
Agency Audit/Review Notification	7/14/2016	Hospital District	HRSA	HRSA	5/9/2017	Various
Audit/Review Entrance/Visit Date(s)	3/27/17 - 4/7/17 On-Site	TBD	6/13/2017	6/13/2017	5/17-5/18/2017	Remote
Audit/Exit/Final Report Issued	TBD	6/28/2017			Exit Conference on 5/18/2017 TBD on Final Report	Continuous
Question Cost, if any	\$134,020; However, still subject to detailed discussions and negotiations with NSF, OIG					N/A
Audit/Review Major Finding, if any	TBD					See Comments
Corrective Action Plan, if any	TBD					In Process
Planned Implementation Date	TBD					N/A
Campus	Main/HSC	HSC	HSC	HSC	Main/HSC	Hospital RAC Audits
Auditor if Different than Grantor	WithumSmith+Brown (WSB)					Cotiviti
Comments	NSF, OIG Audit	On Site Review	Initial Reponse Letter due end of Oct 2017	Initial Reponse Letter due end of Oct 2017	Additional backup requested on subaward invoice. All provided in June 2017. Still awaiting results from CYFD. Last follow up was 10/5/17.	The Recovery Audit Contract (RAC) auditors have requested 9 records totaling \$171 thousand as of 9/30/2017. Result of their review is pending.