Florida State University
Board of Trustees
Audit and Compliance Committee
Meeting Agenda
September 1, 2022

1. Welcome to Attendees
2. Approval of Minutes for the June 9, 2022, Committee Meeting 1-5
3. Office of Compliance and Ethics
   a. Updates since June 22, 2022, Board of Trustees Meeting
      i. CAMS (Conflict Administration and Management System) Project
         1. Faculty Go-Live
      ii. Five-Year Review
         1. Florida Polytechnic University
         2. Florida State University
      iii. HB 7017 Processes Update
         1. Screening of Foreign Researchers
         2. International Travel (July 31, 2022, Report)
         3. Foreign Gift Reporting (July 31, 2022, Report)
      iv. Form 1 Filing Project
      v. Review of Annual Report and Work Plan 6-12
4. Office of Inspector General Services
   a. Approval of FY 2022-2023 Audit Plan – Action Item 13-14
   b. 2022 Quality Assurance Review
   c. Staff Accomplishments
   d. FY 2021-2022 OIGS Annual Report
   e. Status Report – OIGS Audits 15
5. Open Forum for Trustees
6. Scheduling of Next Meeting
7. Motion to Adjourn
Audit and Compliance Committee Meeting

June 9, 2022
8:45AM

Florida State University
Westcott Building
Room 201
Tallahassee, Florida

Trustee Members Present: Maximo Alvarez and Jim Henderson attended via Zoom.

1. Call to Order and Welcome

   Trustee Alvarez called the meeting to order at 8:46AM.

2. Introduction of Mr. Undra Baldwin, Chief Audit Executive

   Trustee Alvarez introduced and welcomed Mr. Baldwin to the Committee. Trustee Alvarez also briefed the Committee on the search for the new Chief Audit Executive.

3. Approval of Minutes for the January 20, 2022, Committee Meeting

   Audit and Compliance Committee minutes were approved for the meeting held January 20, 2022.

4. Office of Compliance and Ethics

   a. Updates Since February 8, 2022, Board of Trustees Meeting

      i. CAMS (Conflict Administration and Management System) Project

      Ms. Blank explained that the University is five months into the live version of CAMS and has transitioned out of the go-live portion of the operation where the University is heavily supported by the vendor, there is free stabilization, and everything is working properly. The University is now in the day-to-day operations of the system where FSU is responsible for the management of the system. Ms. Blank further explained as of June 4, 2022, the University sits at about 71% compliance for new profile updates. That is for profiles that are not associated with research projects. Ms. Blank explained the OCE will continue to work with individual departments and offices over the summer to increase that percentage. The OCE is also working on onboarding new employees who have
joined the University since July because their profiles become live as they onboard with the University, and streamlining the tasks associated with adding and contacting new disclosures. Ms. Blank explained one of the things that the University chases is employees coming on and people rolling off as FSU has changes in leadership and changes in who the reviewers are going to be. She explained that it is an ongoing process, and so OCE continues to improve those systems and train individuals, making sure they have the right reviewers in place for each of the departments.

1. Outside Activity and Pre-Approval Process

The other large project is getting ready for FSU’s faculty launch in the fall. Ms. Blank explained a substitute dependent is the result of the collective bargaining process that is currently going on. Ms. Blank has been invited to a couple of bargaining sessions. She went to a session on June 8, 2022, and the OCE continues to make process on the article that governs conflict of interest and disclosure for faculty members. The OCE is also keeping in touch with the vendor over the summer to address any changes that FSU might need to reflect in the CBA so we have time to make those customizations and changes that might be associated with what faculty needs to disclose. Ms. Blank further explained that FSU has settled into a good rhythm for approval for outside activity that’s ongoing and outside activity that predated the administrative system. She explained FSU has a good preapproval process for new outside activities for staff. There are a total of 87 new preapproval requests since January 10th and the vast majority of those approved are currently under review. In other words, FSU does not deny many of those opportunities.

ii. 5-Year Review

Ms. Blank explained FSU is pushing back the final tests for review for Florida Poly, which is the one that Ms. Blank is reading. Ms. Blank further explained the review for FSU will come after the review of Florida Poly. She explained it is not an issue, FSU is not out of compliance with the BOG and FSU still has time. However, the OCE hopes to give the Committee a much more substantive update at the meeting in September. She explained the review will be led by the University of South Florida.

iii. HB 7017, Foreign Influence – Processes Update

Ms. Blank explained FSU received three portions of that are continuing.

1. Screening of Foreign Researchers

FSU will continue to screen a variety of researchers over the summer. Most of those are visiting scholars and postdocs. Those are the researchers that tend to be here during the summer months. FSU does expect an influx over the end of the summer, including new research assistants that are graduates students
accepted into programs and hired for fall. In March, FSU issued new guidance that allows departments to make conditional offers of employment and secured acceptances of those authors without waiting for a completed screening that was well received. Ms. Blank further explained FSU also has a plan to begin screening new tenure track faculty hires that meet the research definition with start dates of January 1, 2023.

2. International Travel

Ms. Blank explained that the process is going smoothly since the January 1st integration with Concur Travel System. She further explained FSU has had very few issues with delays and approvals or completion of the guidance and forms, and FSU has been dealing with those on a one-off basis. As of today’s meeting, FSU has not had any requests for university sponsored travel to countries of concern. She explained that this type of travel is not necessarily prohibited by the statute; however, it does require some additional reporting, so FSU must keep track of those types of travel in a different way.

3. Foreign Gift Reporting

Ms. Blank explained FSU completed its first gift report to the BOG in January 2022, and the second report will come at the end of July 2022. Ms. Blank explained that FSU received some helpful guidance from the BOG of the expectations for the second report, which is narrower in scope. Ms. Blank explained it is the result of the BOG being flooded with reports on topics like procurement from foreign countries that FSU had some conversations about whether that fell within the definition of a gift or not. Ms. Blank explained the BOG reviewed the lengthy reports and made some changes to the guidance regarding requirements. Ms. Bank explained that FSU will be submitting the report to the BOG at the end of July 2022.

iv. Form 1 Filing

Ms. Blank explained that public officials, including university trustees, must file yearly financial disclosures with the Florida Commission on Ethics. FSU has approximately 215 filers, that includes the Board of Trustees members and anyone with a director title and above. Ms. Blank further explained the due date is July 1, 2022, and there is a grace period that extends through the end of August 2022. Ms. Blank explained she will provide updates as the deadline gets closer and will provide reminders for anyone who hasn't completed and submitted the form. She explained as it gets closer to the beginning of July, Ms. Blank will remind everyone at the full board meeting later this month so FSU can ensure a repeat performance of its 100% compliance rate.
v. Policy Review Project

Ms. Blank explained she will be bringing 4-OP-C-7-J, Outside Employment to the Committee for review in September. She explained that the policies are in need of revisions due to changes in operations and procedures. Ms. Blank explained that she will also be bringing 4-OP-C-13, Policy Against Fraudulent, Unethical, and Other Dishonest Acts to the Committee for review in September to update the Committee on what the OCE is doing. Ms. Blank also explained that she will be bringing the Office’s annual report to the September 2022 committee meeting for review.

5. Office of Inspector General Services

a. Approval of FSU Regulation 2.027 – Action Item

Mr. Baldwin presented the changes to FSU Regulations 2.027. Mr. Baldwin explained for paragraph (11) the last sentence in the paragraph states, “Such allegations will be handled in the same manner as provided for in (11) (a) and (b) above.” It was changed to read “Such allegations will be handled in the same manner as provided for in (10) (a) and (b) above.” He explained the change is to paragraph (10) rather than paragraph (11). Mr. Baldwin explained a new paragraph (13) was added as a result of a recommendation from the BOG staff and aligns the regulation with BOT Regulation 3.003. Mr. Baldwin explained the word “Revised” was changed to “Amended” to be consistent with what was publicly noticed. The Committee approved the motion for the item to be presented at the full Board of Trustees meeting.

b. Seminole Boosters Request for Approval of External Audit Contract Extension – Action Item

Mr. Baldwin explained the Seminole Boosters are requesting a 5-year external audit contract extension with RSM, with a rotation of the lead audit partner for the engagement. Mr. Baldwin explained per FSU Regulation 2.025 – Direct Support Organizations, the contract extension must be approved by the FSU President and then forwarded to the University Board of Trustees for review and final approval. The Committee approved the motion for the item to be presented at the full Board of Trustees meeting.

c. Auditor General Financial Statement Audit

Mr. Baldwin explained he would like additional time to review and update the Audit and Compliance Committee charter, as well as the Office of Inspector General Services audit charter. Mr. Baldwin explained that both charters will be submitted for review and approval at the September 2022 meeting.

d. OIGS Status Report
Mr. Baldwin explained that the OIGS has completed and published 5 audits. He further explained that there are 4 audits in fieldwork stage, 3 audits in report writing stage and 2 in review stage. Mr. Baldwin explained the OIGS also has completed 4 investigative projects and no maleficence or fraud were reported.

e. **FY 2022-23 Work Plan**

Mr. Baldwin explained he would like to continue with the current FY 2021-2022 OIGS Audit Plan for FY 2022-23. Mr. Baldwin explained the FY 2023-24 OIGS Audit Plan should be provided to the Committee at the June 2023 meeting. Mr. Baldwin requested the date of review and approval of the audit plan be changed to June of every year. Mr. Baldwin explained the challenges of a new school year starting in August and working on a new audit plan for each fiscal year. Mr. Baldwin explained the OIGS will continue with the FY 2021-22 audit plan for FY 2022-23. He explained there are projects outstanding that the OIGS can focus on. The Committee approved the suggested changes in dates.

6. **Adjournment**

Trustee Alvarez adjourned the meeting at 9:14AM.
August 25, 2022

MEMORANDUM

TO: Richard McCullough, University President
    Peter Collins, Chairman, FSU Board of Trustees
    Maximo Alvarez, Chairman, Audit and Compliance Committee

FROM: Robyn Blank
      Chief Compliance and Ethics Officer

RE: Office of Compliance and Ethics
    2021-2022 Annual Report and 2022-2023 Work Plan

Attached for your review are the 2021-2022 Annual Report and the 2022-2023 Work Plan for the Office of Compliance and Ethics. The materials will be presented to the Audit and Compliance Committee at the September 1, 2022 Committee meeting, with presentation to the Board of Trustees at the September 23, 2022 meeting. Please let me know if you have any questions or concerns. Thank you.
A MESSAGE FROM THE CHIEF COMPLIANCE AND ETHICS OFFICER

As the Office of Compliance and Ethics (Office) completes its fourth year of existence, I am pleased to present you with a recap of our progress to this point and a plot of our way forward.

Looking back on 2021-2022, FSU emerged from the pandemic with a new vision for growth, achievement, and innovation. We welcomed a new President, Provost, Vice President and Director of Intercollegiate Athletics, and Chief Audit Executive, and will soon be joined by our new Vice President for University Advancement and Vice President for Research. We are revamping our strategic plan and plotting a bold path to national preeminence.

Over the past fiscal year, the Office broadened its substantive operation by launching FSU’s online conflict of interest reporting system, continued its ownership of most of the state-level compliance obligations to eliminate unlawful foreign influence, received designation as the university’s Research Integrity Office, and enhanced its work in FERPA, Clery Act, and HIPAA compliance. I continue to be grateful for the confidence of university leadership in entrusting the Office with these important functions, and value the partnerships across campus that make them successful.

I hope you find the enclosed Annual Report informative on the achievements of the Office during the past twelve months, as well as on the goals we have set for the year and years ahead. The Office’s Work Plan for the 2022-2023 fiscal year is included in this document, similarly organized to reflect our roots in the Federal Sentencing Guidelines. I anticipate that the upcoming five-year review will provide useful, detailed feedback on our operations, and look forward to sharing those results with you. As always, feel free to contact me if you would like a more in-depth explanation of any element, or if you have any questions or concerns about the Office.

Sincerely,

Robyn Blank, Chief Compliance and Ethics Officer
Introduction: The Federal Sentencing Guidelines

Since 1991, The United States Department of Justice (DOJ) has utilized the Business Organizations section of the United States Sentencing Guidelines Manual to analyze the criminal liability of business organizations. If an entity can demonstrate it has a well-developed compliance and ethics program and that criminal conduct occurred in spite of that program, the entity can receive credit against a criminal sentence. But the guidelines have a much greater use than just sentencing bad-acting businesses. Known as Chapter 8, the guidelines have been used by hundreds of organizations to develop their compliance plans and determine the reach of their chief compliance officers, and the DOJ’s revisions and commentary on Chapter 8 since its inception have recognized the guidelines’ broadening application. The Florida Board of Governors used Chapter 8 as the basis for BOG Regulation 4.003, and it provides the framework used for the 5-year effectiveness reviews of each SUS institution’s compliance program. For those reasons, this Annual Report is organized to reflect FSU’s progress in each of the seven elements described by Chapter 8.¹

Element One: Executive Oversight

Via the establishment of the Office of Compliance and Ethics and the designation of the Chief Compliance and Ethics Officer as a direct report to the University President and the Chair of the Board of Trustees, FSU has signaled strong support for the Office and its efforts. The Office Charter is required to be reviewed and re-approved every three years. Edits to the Board of Trustees Audit and Compliance Committee Charter approved in June 2018 provide oversight for the Office, with the Chief Compliance and Ethics Officer reporting quarterly to the Committee and yearly to the full Board of Trustees, or upon request. The Charter was reviewed re-approved in September 2021, and a September 2022 yearly report to the full Board of Trustees will occur contemporaneous to the presentation of this Annual Report and Work Plan.

2022-2023 WORK PLAN ITEMS:

- Develop bylaws and charge documents for staff committees
- Schedule and hold regular meetings (twice a year or once a semester) of staff committees
- Approval of the Compliance Matrix, demonstrating the compliance areas owned by each of the Compliance Partners²

¹ These seven elements are also described in the Office’s Program Plan, approved September 2018.
² The Compliance Matrix has been reviewed by the Compliance Alliance but is current under revision to reflect the changing needs of the institution.
Element Two: Written Standards of Conduct and Policies and Procedures

Policy review and improvement is a continual process at FSU. This year, the Office contributed significantly to development of new policies or revisions of policies and procedures governing Title IX, Florida HB 7, and international travel, many of which were related to changes in laws and regulations at the federal and state levels.

FSU Regulation 2.027, Fraud Prevention, was approved by the Board of Trustees in November 2021 and a revision approved in February 2022 (required by BOG Regulation 3.003).

4-OP-C-13, Policy Against Fraudulent, Unethical, and other Dishonest Acts and OP-C-7-G7, Standards for Employee Ethics, are under review to reflect the existence of the Office of Compliance and Ethics and best practices. A more comprehensive Code of Ethics for employees is also being considered, as the current Code of Ethics addresses a very narrow set of circumstances.

2022-2023 WORK PLAN ITEMS:

- Complete review, revision, and creation of ethics-centered policies (carry-forward from 2021-2022 Work Plan)
- Review university-wide policies for consistency and uniformity on compliance and ethical issues (carry-forward from 2021-2022 Work Plan)

Element Three: Effective Lines of Communication

The Chief Compliance and Ethics Officer maintains regular meetings with the Chief Audit Executive and the Associate Vice President for Human Resources/Chief of Staff for the Vice President of Finance and Administration (monthly), the Associate Athletics Director for Compliance (monthly), the President’s Chief of Staff (weekly), and the Title IX Director (weekly). The Office regularly receives and responds to inquiries and requests for assistance on a variety of issues from departments and offices across the institution, indicating that awareness of the Office is growing. The Office benefits from open-door policies of the University President, Interim Vice President for Research, General Counsel, and Athletics Director, among others.

2022-2023 WORK PLAN ITEMS:

- Establish regular meetings or circulate informational memos/newsletters to keep campus partners informed of activity of the Office, especially on the academic side (carry-forward from 2021-2022 Work Plan)
Element Four: Education and Training

The continuous task of training a large group of diverse administrators, faculty, and staff is one of the heaviest lifts of a compliance office. The Office held targeted trainings as requested, including reduction of inherent bias in student conduct adjudication and responsible conduct in research. As part of the launch of the CAMS system, the core project team conducted dozens of trainings, both online and in person, for Board members, staff, faculty, and procurement employees on both the technical use of CAMS and the substance of conflict of interest laws and policies. We continue to blend asynchronous, remote training opportunities, with live meeting options to meet the needs of departments and offices. The hiring of the Office’s second employee, a business analyst dedicated to CAMS, has been instrumental in improvement of the training materials and communication regarding the system.

As part of its obligations under HB 7017, the Office launched the International Travel Oversight Program, which requires pre-registration and review of educational materials prior to any international travel. The program is a joint effort with Travel Office, and utilizes FSU’s Concur travel system. In the first six months of the program, the Office reviewed more than 200 individual travel requests to ensure compliance.

At the recommendation of the university’s Clery Committee, the Office purchased online training materials for employees designated as campus security authorities (CSAs) under the Clery Act. This summer concludes our efforts to re-identify and re-train all CSAs, and we currently have more than 900 CSAs identified and loaded into our custom Canvas site to deliver the training. The Office is also considering purchase of a toolkit or software for university-wide ethics training.

2022-2023 WORK PLAN ITEMS:

- Create and implement a training and tracking schedule to ensure university-wide knowledge of compliance and ethics matters
- Create or procure a general ethics training module
- Create and implement programming around Compliance Week (November 7-11, 2022)
- Implement customized trainings for CAMS for faculty launch (Fall 2022)
- Improve and promote Office of Compliance and Ethics website (ongoing)

Element Five: Audits and Evaluation Techniques to Monitor Compliance; Establishment of Reporting Processes and Procedures for Complaints

The Office is often part of the management response to reports of the Office of Inspector General Services, working to implement recommendations and address follow-up concerns resulting from internal audits or investigations. Under the authority granted by its Charter, the
Office undertook investigative and inquiry tasks of its own during the past year. The topics of these investigations ranged from HIPAA violations to nondisclosure of outside activity to allegations of misconduct in the procurement process. The Office provides updates to OIGS and the Audit and Compliance Committee, as required and/or upon request.

The Chief Compliance and Ethics Officer has an EthicsPoint license and access to the EthicsPoint site to review complaints that arrive via the online portal. Regular meetings with the Inspector General and the Associate Vice President for Human Resources (see Element Three) assist with workload issues and identification of the correct office to conduct investigatory activities and respond to complaints. As the designated office to receive complaints of violations of HB 7, the Chief Compliance and Ethics Officer also has access to Maxient and reviews reports that are received through the report.fsu.edu portal.

2022-2023 WORK PLAN ITEMS:

- Create handbook/establish protocols for investigations and investigatory reports (carry-forward from 2021-2022 Work Plan)
- Create and implement assessment tool(s) to identify areas of risk and measure improvements when noncompliance is discovered and needs to be remedied (carry-forward from 2021-2022 Work Plan)
- Finalize and implement Office protocols for handling of reports of noncompliance with HB 7 (if required)

Element Six: Appropriate Disciplinary Mechanisms and Incentives for Good Conduct

Although the Office is not responsible for handing down discipline, best practices indicate that creating incentives for good conduct can be just as important as deterring poor conduct via discipline. Trainings have emphasized the importance of compliance and ethics at all levels of the institution. Individually tailored trainings identify the specific contributions of the participating group to the university’s mission and discuss the risks associated with noncompliance. When discipline is recommended as an outcome of an investigation, the Office of Compliance and Ethics works with the departmental supervisor and the Office of Human Resources to ensure that discipline is consistent and proportional.

The Office’s challenge coin project, which began in September 2021, has been hugely successful. We have distributed approximately 50 challenge coins to project champions, federal and state partners, and those at all levels of campus who display exemplary commitment to ethical principles.
2022-2023 WORK PLAN ITEMS:

- Continue to utilize training opportunities to highlight the importance of ethical conduct

**Element Seven: Investigation and Remediation of Systemic Problems**

As described in last year’s Annual Report and mentioned here in Element Four, the implementation of CAMS has made important improvements to FSU’s outside activity and conflict of interest disclosure processes. Substantively, the use of SmartForms to guide outside activity disclosures has generated better information about proposed activities, allowing us to make informed decisions about conflicts of interest and conflicts of commitment. Procedurally, our move from a paper-based system to an online one makes tracking, approval, and analysis of information easier and more reliable.

The CAMS project is also an essential response to the Florida Legislature’s interest in identification and investigation of allegations of foreign influence on research and the passage of new laws governing same. In cooperation with the Office of Research, the Office has utilized the RAMP Export Control module to ensure that required screenings are completed prior to hiring of foreign workers, and the integration of CAMS with the RAMP modules has made it possible for us to ensure complete disclosure of all interests, whether or not connected to a research project. To date, we have completed more than 250 individual screenings.

The Office looks forward to continuing conversations about the centralization of HIPAA and GDPR compliance operations, as domestic and international privacy laws (e.g., California’s Privacy Rights Act and Privacy Protection Act; China’s Personal Information Protection Law) require compliance and/or risk management analysis, the development of FSU’s enterprise risk management program; and enhancement of our chemical inventory process.

2022-2023 WORK PLAN ITEMS:

- Continue to enhance and streamline processes required by HB7017 related to screening of foreign workers, reporting of foreign agreements, and travel
- Continue progress on responses to gap analyses (HIPAA and GDPR), incorporating lessons learned from, and new needs generated by, FSU’s COVID-19 response
MEMORANDUM

TO: President Richard McCullough
    Peter Collins, Chairman, FSU Board of Trustees
    Maximo Alvarez, Chairman, Audit and Compliance Committee

FROM: Undra Baldwin, Chief Audit Officer

SUBJECT: FSU Office of Inspector General Services
        2022-2023 Annual Work Plan

Attached for your review is the 2022-2023 Annual Work Plan for the Office of Inspector General Services. The materials will be presented at the Audit and Compliance Committee on September 1, 2022, Committee meeting, with presentation to the Board of Trustees at the September 23, 2022, meeting. I respectfully request this item to be placed on the BOT Consent Agenda for the September 23, 2022, BOT meeting.

Thank you.

Attachment

Office of Inspector General Services 2022-2023 Annual Work Plan
# FY22-23 Audit Plan

## Operations, Compliance, and Financial

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## Information Technology

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## Additional Projects

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