



Minors on Campus

Internal Audit Report No. R2016
August 6, 2020



Executive Summary

Audit Objective: To determine if the University has effective controls in place to ensure the safety of working with minors on campus and compliance with applicable policies, laws, and procedures.

Conclusion: Overall, the University has effective controls in place to ensure safety and compliance with applicable policies, laws, and procedures related to hosting minors on campus. However, implementation of the recommendations in this report will help minimize safety risks and enhance the already effective program.

Observations by Risk Level: Management has reviewed the observations and has provided responses and anticipated implementation dates.

Observation	Risk Level	Management's Implementation Date
1. Review and Evaluate the Oversight and Monitoring of Minors on Campus Activities	High	December 31, 2020
2. Develop Internal Procedures for Monitoring, Reporting, and Enforcement	Medium	July 1, 2020

For details, engagement methodology, and explanation of risk levels, please see the attached report.



Observation #1: Review and Evaluate the Oversight and Monitoring of Minors on Campus Activities

High Risk: Without appropriate oversight, monitoring, there is an increased risk of injury or assault to minors as well as legal and reputational risks associated with lawsuits.

The Programs for Minors (PFM) Office does a good job monitoring PACE (*university-sponsored Programs, Activities, Camps, and Events*) for minors. However, there are other programs within the campus community that may be overlooked¹. For example, tutoring and mentoring programs (such as those in Computer Science), lab activities, and third-party programs that do not fall under PACE are not formally being monitored. Due to the growth of the University and its strategic goals for collaboration and service to the community,

it may be time for executive leadership to review the current structure and policies surrounding not only PACE but any events that encompass working with minors. The following two issues regarding oversight and monitoring should be considered in the evaluation.

a. Oversight

Minors on Campus Oversight

UT System Academic Institutions

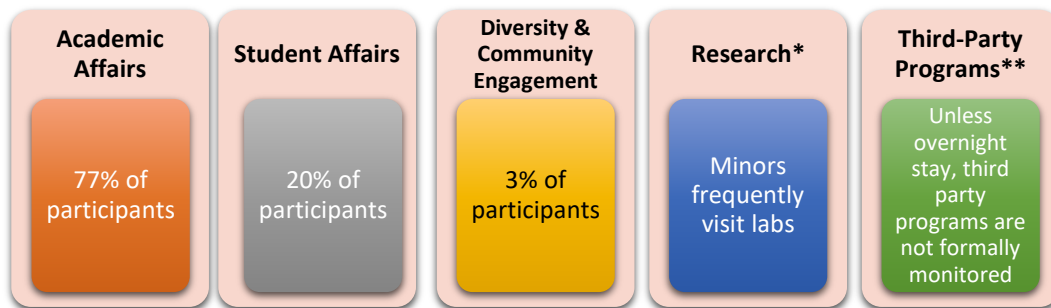
- Academic Affairs – UTEP
- Compliance – UTA, UTPB, UTSA,
- Student Affairs – **UTD**, UTRGV, UT Tyler
- Diversity & Community Engagement – UT Austin

Higher Education Protection Network

- Risk Management and Legal – 34%
- Human Resources – 16%
- Compliance – 16%
- Student Affairs – 10%
- Academic Affairs – 6%
- Public Safety & Security – 4%
- Other – 14%

The UT Dallas PFM Office reports to the Vice President for Student Affairs. Benchmarking results with other UT System academic institutions and the Higher Education Protection Network survey responders² show that minors on campus oversight is not consistent, but most report to either Risk Management or Compliance.

Although the PFM Office is responsible for monitoring procedures for PACE, about 77% of the PACE camp participants at programs were within Academic Affairs.



¹Collins, Candace, Richard Dangel, Aaron Lundberg. "Six Lessons Learned in Managing the Risk of Minors on Campus." *University Risk Management and Insurance Association Magazine* 2014: 13-21. [Reprint.](#)

² Higher Education Protection Network 2019 Operational Survey - <https://www.higheredprotection.org/2019-operational-survey>



****Minors in Research Labs***

Prior to a minor participating in a research lab, the Office of Research provides general guidance for minors in labs, including lab safety training, ensuring parents are aware of hazardous materials in the labs, and facilitating the flow of researcher's compliance paperwork to the PFM Office. Although the Office of Research Lab Safety has received guidance to follow PACE procedures, due to the unique circumstances in the lab setting, the Office of Research Lab Safety has not followed the procedures as they are targeted more at camps that meet the formal designation of "campus program for minors" in [TEC 51.976](#). Efforts have been made between the Office of Research Lab Safety and the PFM Office to ensure oversight is occurring; however, no formal monitoring procedures have been put in place on an institutional basis to address the unique circumstances in labs.

*****Third-Party Programs***

For third party camps with an overnight stay, Residential Camp and Conference Services provides indirect on-site monitoring during the duration of the camp. The PFM Office directly validates child protection training (CPT) *only when the 3rd External Party Camp uses the UTD CPT systems.*

There is no institutional process in place to identify third-party programs occurring on the UT Dallas premises. [UTDSP5015 – Programs for Minors](#) states that *"It is the policy of The University of Texas at Dallas ("University") to provide oversight and training - or to approve or verify oversight and training - for anyone involved with University-sanctioned programs, activities, camps and events for minors...or by an external third-party group whose activity occurs on University premises."*

UTD has drafted a joint sponsorships policy, currently pending board approval, to resolve this gap for on-campus events, but in the meantime the [UT System Rule 80105: Joint Sponsorship of the Use of Property or Buildings](#) is being followed. While there is a University level process in place to approve joint sponsorships and ensure general oversight is occurring, there are no written departmental guidance or policies. The PFM Office monitors PACE joint sponsorships through informal procedures.

b. Monitoring

The PFM Office monitors university-sponsored PACE for compliance with [UTDSP5015 – Programs for Minors](#), such as ensuring that PACE employees background checks and child protection training are performed and appropriate forms are completed. The PFM Office reports the results of its monitoring procedures to the VP for Student Affairs, who reports them to the President, and the Office of Institutional Compliance, Equity, and Title IX Initiatives, who reports them to the VP and Chief of Staff. While reports are made to these leaders, there is no formal monitoring process to ensure that issues have been addressed once reported. Also, processes are not in place to enforce continued compliance in areas outside Student Affairs due to the current university reporting and compliance structure.



Recommendation: Given the growth of the university and expanded programs related to working with minors, the following should be considered by the President and executive leaders within Academic Affairs, Student Affairs, Diversity and Community Engagement, and Research to better manage these high-risks activities:

- Evaluate the reporting structure and policies related to hosting **all** programs and activities related to minors to ensure compliance and accountability.
- Develop a university-wide risk assessment process to continuously monitor the campus community's programs and activities related to minors and develop guidelines for managing the activities as they relate to the unique programs.
- Put procedures in place to ensure the results of monitoring procedures are communicated in a centralized manner to all levels of executive management with responsibility over hosting minors on campus, including minors visiting research labs and attending third party events in accordance with current policy.

Management's Action Plan: The Vice President for Student Affairs will convene a group to discuss the structure and policies of the PFM. Will also consider the procedures for monitoring and dissemination of findings related to programs that are non-compliant. The attached rubric for Reporting and Enforcement will serve as the foundation for the discussion³.

Person Responsible for Implementation: Dr. Gene Fitch, Jr., VPSA

Estimated Date of Implementation: December 2020

³ Not included in the final report.



Observation #2: *Develop Internal Procedures for Monitoring, Reporting, and Enforcement*

Medium Risk: Without documented procedures for monitoring and reporting, responsibilities may not be understood by responsible parties and appropriate enforcement actions may not be taken.

Effective compliance programs have procedures in place that also ensure appropriate responses to detect instances of noncompliance as well as enforcement, ensuring that managers are held accountable. The PFM does a good job of identifying and self-reporting instances of noncompliance on a quarterly basis.

Upon review of their reports and tools, PFM utilizes a checklist to help monitor the pre-camp compliance process. Notably, the PFM checklist does not outline enforcement mechanisms by the Program

Operators' Supervisor and/or PFM Office prior to the start of the camp. Also, as discussed in observation #1, a process is not in place to monitor identified instances of noncompliance by the appropriate leadership (deans and responsible vice presidents) to further ensure appropriate enforcement actions are being taken.

Recommendation: Develop internal written procedures that define monitoring, reporting, and enforcement processes by the responsible executive leaders as outlined in observation #1 in addition to the formal reporting to the Office of Institutional Compliance, Equity, and Title IX Initiatives.

Management's Action Plan: Programs for Minors has created the following internal office procedures:

1. **Criminal Background Checks:** Requesting and indemnifying criminal background checks for persons identified as designated individuals for a PACE for Minors.
2. **Required Training:** Assigning and tracking Child Protection Training and Designated Individuals Training for designated individuals.
3. **Camp Inventory:** Maintaining and updating a Camp Inventory Log.
4. **PACE Outlook Calendar:** Maintaining and updating the Outlook calendar for PACE. This calendar is shared with various departments on campus.
5. **PACE Checklist:** Tracking completion of required documents for PACE for minors.
6. **Reporting and Enforcement Rubric:** Reporting and enforcement responses to identified non-compliance/incidents.
7. **Non-compliance/incident Tracking Log:** Starting in June 2020 a Non-Compliance/Incident Log will be created. Any non-compliance identified by Programs for Minors and all incidents reported to Programs for Minors via PACE Incident Reports for sponsored and third-party programs will be tracked on the spreadsheet and ranked by risk levels 1 – 4 by the director for Programs for Minors. Prior incidents/accidents will be evaluated and added to the Non-Compliance/Incident Log as time permits to assist in identifying trends.

In February 2020 the Programs for Minors Office implemented a new PACE registration and management software that includes integrated platforms for both participant registration and compliance. Having participant and program registrations in one system will streamline the entire operation of the Programs for Minors office.



The Programs for Minors Office is in process of developing and documenting additional procedures for monitoring. Written procedures will be in place by July 1, 2020 for the following:

- Assisting camp directors/coordinators with completing the CircuiTree Compliance Application and obtaining the required approvals.
- Pre-PACE meeting with camp director after CircuiTree Compliance Application has been approved.
- Final Programs for Minors approval.
- Verifying completed participant paperwork in online system.
- Site visits/walk-by/pop-in for online sessions.

Person Responsible for Implementation: Carla Garner, Director Programs for Minors

Estimated Date of Implementation: July 1, 2020



Appendix A: Methodology

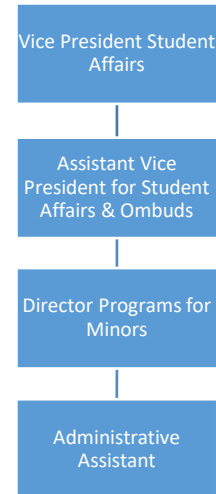
Background

In 2016, the UT Dallas Programs for Minors (PFM) Office was established to “provide oversight for university sponsored programs, activities, camps and events (PACE) involving minor participants⁴ to ensure compliance with regulations and to provide a positive environment that promotes healthy, wellness, safety, and security⁵.”

The PFM Office serves the UT Dallas campus community as the subject matter experts by providing oversight and guidance for hosting minors on campus for university-sponsored programs, activities, campus, and events. The PFM Office reports to Student Affairs and in FY19, provided training and oversight to 59 PACE programs.

Various departments on campus serve in helping the PFM Office ensure compliance with hosting minors across the University.

- The Residential Camps and Conference Services (RCCS) directs third-party external camps to the PFM Office for minors on campus compliance and provides indirect monitoring during a camp *with an overnight component* for internal Groups and third-party external camps.
- The Office of Research (OR) monitors when minors may be in research labs by providing lab safety guidance to researchers.



Controls and Strengths

- The Programs for Minors (PFM) Office proactively ensures the implementation of best practices by benchmarking and staying up-to-date with applicable rules, regulations, and laws that govern minors on campus, including ensuring training, background checks, and required forms are completed.
- Additionally, the PFM Office proactively implements continuous improvements to their process, such as adopting the CircuiTree Registration System, which will electronically streamline the required minor participant forms.
- The PFM Office monitors university sponsored programs, activities, camps, and events for compliance with state and university policies on a quarterly basis.

⁴ Defined as anyone under the age of 18

⁵ <https://www.utdallas.edu/pfm/>



Scope and Procedures

The scope of this audit was FY19-FY20 to date, and our fieldwork concluded on April 22, 2020. To satisfy our objectives, we performed the following:

- Gained an understanding of the minors on campus environment by:
 - Interviewing responsible parties from the various departments that are directly/indirectly associated with the minors on campus compliance process
 - Reviewing all PFM Office value statements, strategic goals, internal procedures/guidelines, flow charts, job description responsibilities, and applicable State laws
 - Benchmarking the minors on campus governance/reporting structure at other institutions
- Reviewing and testing the Quarterly Compliance Report (QCR) procedures that the PFM utilizes during their quarterly PACE audits
- Reviewing the PFM required forms to identify any gaps and analyzing the pre-camp workflow process to evaluate effectiveness and efficiencies

We conducted our examination in conformance with the Texas Internal Auditing Act in conformance with the guidelines set forth in The Institute of Internal Auditor's *International Standards for the Professional Practice of Internal Auditing*. The *Standards* are statements of core requirements for the professional practice of internal auditing.

Follow-up Procedures

Though management is responsible for implementing the course of action outlined in the response, we will follow up on the status of implementation subsequent to the anticipated implementation dates. Requests for extension to the implementation dates may require approval from the UT Dallas Audit Committee. This process will help enhance accountability and ensure that timely action is taken to address the observations.

Thank You

We appreciate the courtesies and considerations extended to us from the management and staff in the Program for Minors Office, Office of Research, Residential Camps and Conference Services, and Student Affairs. Please let me know if you have any questions or comments regarding this audit.

A handwritten signature in blue ink that reads 'Toni Stephens'.

Toni Stephens, CPA, CIA, CRMA
Chief Audit Executive



Appendix B: Report Distribution

<p style="text-align: center;">Members of the UT Dallas Institutional Audit Committee</p> <p><i>External Members</i></p> <ul style="list-style-type: none"> • Ms. Lisa Choate, Chair • Mr. Gurshaman Baweja • Mr. John Cullins • Mr. Bill Keffler • Ms. Julie Knecht <p><i>UT Dallas Members</i></p> <ul style="list-style-type: none"> • Dr. Richard Benson, President • Mr. Rafael Martin, Vice President and Chief of Staff • Dr. Kyle Edgington, Vice President for Development and Alumni Relations • Mr. Frank Feagans, Vice President and Chief Information Officer • Dr. Gene Fitch, Vice President for Student Affairs • Dr. Calvin Jamison, Vice President for Facilities and Economic Development • Dr. Inga Musselman, Provost and Vice President for Academic Affairs • Ms. Sanaz Okhovat, Chief Compliance Officer • Dr. Joseph Pancrazio, Vice President for Research • Mr. Terry Pankratz, Vice President for Budget and Finance • Mr. Timothy Shaw, University Attorney, ex-officio 	<p style="text-align: center;">UT Dallas Responsible Parties</p> <p><i>Responsible Vice President (VP)</i></p> <ul style="list-style-type: none"> • Dr. Gene Fitch, VP for Student Affairs <p><i>Persons Responsible for Implementing Recommendations</i></p> <ul style="list-style-type: none"> • Dr. Gene Fitch, Jr., VP Student Affairs • Ms. Carla Garner, Director of the Programs for Minors Office <p><i>Other Relevant Persons</i></p> <ul style="list-style-type: none"> • Dr. Diego Garcia Theodore, Assistant VP for Student Affairs and Ombudsman <p style="text-align: center;">External Agencies</p> <p><i>The University of Texas System</i></p> <ul style="list-style-type: none"> • System Audit Office <p><i>State of Texas Agencies⁶</i></p> <ul style="list-style-type: none"> • Legislative Budget Board • Governor’s Office • State Auditor’s Office
<p>Engagement Team</p> <p>Project Leader: Jesson Gil, Internal Auditor II</p> <p>Staff: Joshua Bennett, Internal Auditor II</p>	

⁶ Per Texas Internal Auditing Act Requirements



Appendix C: Definition of Risks

Risk Level	Definition
Priority	High probability of occurrence that would significantly impact UT System and/or UT Dallas. Reported to UT System Audit, Compliance, and Risk Management Committee (ACRMC). Priority findings reported to the ACRMC are defined as <i>“an issue identified by an internal audit that, if not addressed timely, could directly impact achievement of a strategic or important operational objective of a UT institution or the UT System as a whole.”</i>
High	Risks are considered to be substantially undesirable and pose a moderate to significant level of exposure to UT Dallas operations. Without appropriate controls, the risk will happen on a consistent basis.
Medium	The risks are considered to be undesirable and could moderately expose UT Dallas. Without appropriate controls, the risk will occur some of the time.
Low	Low probability of various risk factors occurring. Even with no controls, the exposure to UT Dallas will be minimal.