



Office of Internal Audit

May 11, 2017

Dr. W. David Watts
President
The University of Texas of the Permian Basin
4901 E. University Boulevard
Odessa, Texas 79762

Dear Dr. Watts:

We have completed our review of procedures related to academic integrity of student athletes. This review was performed as part of our FY 2017 Audit Plan and was conducted in accordance with guidelines set forth in UTS129 and the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

The objective of our review was to determine whether or not the specific procedures that were agreed to between UT System and UT Permian Basin have been implemented. We did not evaluate as to whether or not the procedures that have been implemented are effective in ensuring academic integrity with student athletes.

During the course of our audit, we noted that not all stated procedures have been implemented. These instances are identified in our report along with our recommendations.

We wish to express our appreciation to the management and staff of UT Permian Basin for the courtesy and cooperation extended to us during this audit.

Sincerely,

A handwritten signature in blue ink that reads "Glenn Spencer".

Glenn Spencer, CPA
Institutional Chief Audit Executive

cc: Dr. Steve Aicinena, Director of Athletics
Ms. Erin Bohn, Athletics Compliance Officer
Mr. Mark McGurk, CPA, Vice President for Business Affairs

The University of Texas of the Permian Basin



Athletics Academic Integrity – Review Report

May 2017



**Office of Internal Audit
4901 E. University
Odessa, Texas 79762**

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Executive Summary

The UT Permian Basin (UTPB) Office of Internal Audit has completed its review of procedures related to academic integrity of student athletes. This review was performed as part of our FY 2017 Audit Plan and was conducted in accordance with guidelines set forth in UTS129 and the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

During the course of our review, we noted that not all stated procedures have been implemented as identified later in this report.

Background

In 2015, UT Permian Basin was requested by UT System to review and report on its processes in place to prevent academic fraud from occurring with student athletes. As an outgrowth of the dialogue with UT System, UTPB agreed to implement a number of procedures based upon *Best Practices for Promoting and Maintaining a Culture of Student-Athlete Success, Accountability, and Academic Integrity* from the National Association of Academic Advisors for Athletics.

Review Objective

The objective of our review was to determine whether or not the specific procedures that were agreed to between UT System and UTPB have been implemented. We did not evaluate as to whether or not the procedures that have been implemented are effective in ensuring academic integrity with student athletes.

Scope and Methodology

The scope of our review included documentation of current procedures, review of selected NCAA requirements, and inquiry of those individuals charged with oversight of the academic compliance of student athletes at UTPB.

Our review was conducted in accordance with the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

Ranking Criteria

All findings are ranked based on an assessment of risk factors, as well as the probability of a negative occurrence if the risk is not adequately mitigated. The criteria for the rankings are as follows:

Priority – An issue identified by an internal audit, if not addressed immediately, has a high probability to directly impact achievement of a strategic or important operational objective of a UT institution or the UT System as a whole.

High - A finding identified by internal audit that is considered to have a medium to high probability of adverse effects to the UT institution either as a whole or to a significant college/school/unit level.

Medium – A finding identified by internal audit that is considered to have a low to medium probability of adverse effects to the UT institution either as a whole or to a college/ school/unit level.

Low – A finding identified by internal audit that is considered to have minimal probability of adverse effects to the UT institution either as a whole or to a college/ school/unit level.

Review Results

1. **Required Procedure:**

UTPB will communicate compliance expectations verbally and in writing to all relevant staff each semester.

Result:

While UTPB is communicating academic compliance expectations verbally and in writing to all student athletes each semester by way of both live and online training, **such training is not mandatory for staff/coaches and is not tracked. (Finding No. 1)**

Assessed Level of Risk: Medium

Recommendation:

UTPB should implement mandatory compliance training/updates every semester for all Athletics staff/coaches/student workers/volunteers. This training should also be mandatory for the Registrar, Admissions and individuals engaged in academic advising (see Procedure Nos. 3 and 6). Attendance or completion should be verified and tracked for each individual.

Management Response:

Each semester, the following will complete an on-line training unit specific to academic integrity:

- a. Coaches
 - i. Head Coaches
 - ii. Assistant Coaches
 - iii. Graduate Assistant Coaches
 - iv. Volunteer Coaches
- b. Those involved in certification review
 - i. Registrar
 - ii. Faculty Athletic Representative
 - iii. Admissions Director
- c. The athletics liaison in the student advising center

Implementation Date:

September 1, 2017

Person Responsible for Implementation:

Erin Bohn, Athletics Compliance Officer

2. Required Procedure:

The President will receive monthly briefings from the Athletics Director and meet every semester with the Faculty Athletics Representative and Athletics Compliance Officer.

Result:

The President receives frequent briefings from the Athletics Director and meets every semester with the Athletics Compliance Officer. **However, the Faculty Athletics Representative is not meeting with the President. (Finding No. 2)**

Assessed Level of Risk: Medium

Recommendation:

The Faculty Athletics Representative should meet with the President every semester to discuss student athlete academic compliance.

Management Response:

The Athletics Compliance Officer will schedule two meetings each semester, one between the Athletics Compliance Officer and the President and another between the Faculty Athletics Representative and the President.

Implementation Date:

September 1, 2017

Person Responsible for Implementation:

Erin Bohn, Athletics Compliance Officer

3. Required Procedure:

Athletics staff, including advisors and student athletes, will be provided ethical training information every semester based on NCAA and UTPB academic integrity policies.

Result:

While UTPB is communicating academic compliance expectations verbally and in writing to all student athletes each semester by way of both live and online training, **such training is not mandatory for staff/coaches and is not tracked. (Finding No. 3)**

Assessed Level of Risk: Medium

Recommendation:

UTPB should implement mandatory compliance training/updates every semester for all Athletics staff/coaches/student workers/volunteers. This training should also be mandatory for the Registrar, Admissions and individuals engaged in academic advising (see Procedure Nos. 1 and 6). Attendance or completion should be verified and tracked for each individual.

Management Response:

Each semester, the following will complete an on-line training unit specific to academic integrity:

- a. Coaches
 - i. Head Coaches
 - ii. Assistant Coaches
 - iii. Graduate Assistant Coaches
 - iv. Volunteer Coaches
- b. Those involved in certification review
 - i. Registrar
 - ii. Faculty Athletic Representative
 - iii. Admissions Director
- c. The athletics liaison in the student advising center

Implementation Date:

September 1, 2017

Person Responsible for Implementation:

Erin Bohn, Athletics Compliance Officer

4. Required Procedure:

Regular reporting will occur each semester of academic status and progress to the Faculty Athletics Representative and the UTPB Athletics Council.

Result:

Regular reporting is occurring on an ongoing basis each semester of academic status and progress to the Faculty Athletics Representative and the UTPB Athletics Council.

5. Required Procedure:

All personnel involved in academic support are presently evaluated by the Dean of Undergraduate Success and will include solicited input from the Athletics Compliance Officer.

Result:

The Dean of Undergraduate Success oversees the academic advising function. All Academic Advisors are evaluated by the Coordinator of Academic Advising, who in turn is evaluated by the Dean of Undergraduate Success. **Input on performance is not solicited from the Athletics Compliance Officer. (Finding No. 4)** However, the Athletics Compliance Officer alerts Academic Advising of athletes that may be experience academic trouble and are in need of academic assistance. She meets frequently with the Academic Advisors to discuss such issues as they develop.

Assessed Level of Risk: Low

Recommendation:

UTPB should evaluate the need for, and implement if necessary, a process to obtain input from the Athletics Compliance Officer on the performance of Academic Advisors as it relates specifically to student athletes and athletics compliance.

Management Response:

The Dean of Undergraduate Success will annually seek input on advising performance from the Athletics Compliance Officer.

Implementation Date:

FY 2018

Person Responsible for Implementation:

Dr. William Harlow, Dean of Undergraduate Success

6. Required Procedure:

The Athletics Director and the Athletics Compliance Officer will ensure that every coach and Athletics staff and other staff such as the Registrar, Advisors and Admissions, sign a statement attesting to their conformance to NCAA rules and conformance with conflict of interest policy and ethical conduct. Deans with admissions responsibilities will be trained and attest their compliance.

Result:

NCAA Form 16-1, Certification of Compliance for Institutions is required by the NCAA to be completed, signed and dated by the University President in order to athletic teams or individual athletes to be eligible for NCAA championship competition. NCAA Form 16-2, Certification of Compliance for Staff Members of Athletics Departments is also required by the NCAA to be

completed, signed and dated by all Athletics staff, coaches, Registrar, Faculty Athletics Representative, and others with admissions responsibilities. Both of these forms are to be completed and signed no later than the NCAA deadline of September 15 of each year. These forms are not submitted to the NCAA but are to be kept on file at the institution.

However, Form 16-1 had not been completed and signed by the President at the time of our inquiry. It was subsequently completed and signed on February 14, 2017. In addition, the current year Form 16-2 is missing numerous signatures and signature dates; it does not list all department staff members, including clerical staff; nor does it list other related staff such as the Registrar, advisors and Admissions personnel. Of the signatures that are listed, all but 2 are dated after the deadline of September 15. Finally, no training on athletics academic integrity is provided to Deans or others with admissions responsibilities. (Finding No. 5)

Assessed Level of Risk: Medium

Recommendation:

NCAA Form 16-1, Certification of Compliance for Institutions should be completed, signed and dated by the University President no later than the NCAA deadline of September 15 of each year. In addition, NCAA Form 16-2, Certification of Compliance for Staff Members of Athletics Departments should be completed, signed and dated by all Athletics staff, coaches, Registrar, Faculty Athletics Representative, Admissions and those engaged in academic advising, no later than the NCAA deadline of September 15 of each year. Finally, annual training should be mandatory for the Registrar, Admissions and individuals engaged in academic advising (see Procedures No. 1 and 3).

Management Response:

Forms 16-1 and 16-2 have both been moved to the month of August in the Athletic Compliance calendar. Form 16-2 will be sent electronically to all staff listed above for an electronic signature. The Director of Admissions will attend the NCAA Regional Rules Seminar in June 2017. Periodic attendance at NCAA Regional Rules Seminars will be required for the Faculty Athletics Representative, the Registrar, Director of Admissions, Director of Financial Aid, and the Deans of the College of Nursing, and College of Business and Engineering, who have admissions responsibilities.

Implementation Date:

August 2017 & annually - completion of form 16-1 and 16-2

June or May 2017 & annually - attendance at the NCAA Regional Rules Seminar

Person Responsible for Implementation:

Erin Bohn, Athletics Compliance Officer

7. **Required Procedure:**

The University audit plan will annually include a review of UTPB athletics pertaining to academic integrity.

Result:

This review was included in the approved UTPB Audit Plan for fiscal year 2016-17. Per subsequent discussion, UT System expressed the desire that, absent any serious issues, this review does not need to be performed on an annual basis.

8. **Required Procedure:**

Athletes enrolled in online courses at UTPB will be required to verify their identity through Examity. Examity also requires athletes and other students to verify identity before test-taking.

Result:

Per inquiry with the REACH Director, picture identification is not required for any student, athlete or not, when registering for an online class. Currently, to enroll online, an individual submits an application to Admissions and is then issued a Falcon ID and UTPB email account. Starting in March 2017, all communications will be to the UTPB email account and will no longer be sent to personal accounts. After that, at some point, Duo Factor authentication will be required for a student to gain access to their information in Canvas.

Picture identification is required for all students when participating in an online class and/or taking online examinations. For online exams, the two system applications used for proctoring exams, for both live online exams and recorded online exams, require all students to show their picture identification to the webcam, which then captures and records the image.

9. **Required Procedure:**

The Registrar, the Faculty Athletics Representative and the Athletics Compliance Officer verify each student athlete's degree plan and transcript. Athletics enrollment, including Athletics student workers, student trainers and volunteer students, will be monitored to ensure that courses are not disproportionately enrolled by student athletes and other athletic-related students.

Result:

The Registrar, the Faculty Athletics Representative and the Athletics Compliance Officer verify each student athlete's degree plan and transcript. A Compliance Eligibility Checklist is maintained by the Athletics Compliance Officer for monitoring of athletes' course workload and declaration of major in order to comply with NCAA rules. This document is reviewed and signed off on by both the Registrar and the Faculty Athletics Representative. **However, no monitoring is performed on athletic enrollment, including Athletics student workers,**

student trainers and volunteer students, to ensure that courses are not disproportionately enrolled by student athletes and other athletic-related students. (Finding No. 6)

Assessed Level of Risk: Medium

Recommendation:

Monitoring procedures should be performed and coordinated by the Registrar, Faculty Athletics Representative and Athletics Compliance Officer as to whether athletes, Athletics student workers, student trainers and volunteer students are enrolled in certain classes in a disproportionate manner.

Management Response:

The Athletics Compliance Officer will meet with the Information Resources Department to create a detailed enrollment report by class. The Athletics Compliance Officer will review the report each semester for any classes with a high enrollment of student athletes that cannot be explained by choice of major, practice schedule, etc.

Implementation Date:

September 1, 2017

Person Responsible for Implementation:

Erin Bohn, Athletics Compliance Officer

10. Required Procedure:

UTPB will have a written enforcement policy for the review and reporting of suspected NCAA violations. The policy will identify the roles of UTPB officials responsible for conducting investigations.

Result:

UTPB has a written enforcement policy for the review and reporting of suspected NCAA violations. **However, the procedures that are listed in the Athletics Compliance Policy and the Student Athlete Handbook are not identical. (Finding No. 7)**

Assessed Level of Risk: Medium

Recommendation:

The procedures for reporting perceived violations of NCAA, UTPB and conference regulations should be updated so that identical and current procedures are listed in both the Athletics Compliance Policy and the Student Athlete Handbook.

Management Response:

Upon review of the current procedures we found that the difference between the two policies is that we state that the student athletes can report perceived violations internal to athletics to their

coach or a member of the coaching staff as well as those individuals listed in the Athletics Department Compliance Manual. We also state that student athletes can report incidents external to athletics to the Faculty Athletics Representative as well as those individuals listed in the Athletics Department Compliance Manual. We obviously do not offer these options to staff members as we require them to report violations directly to University Administration.

We will update the Athletics Department Compliance Manual to state that the procedures listed in the Athletics Department Compliance Manual are for coaches, faculty, and staff and that student athletes should reference the Student-Athlete Handbook for reporting procedures for student athletes.

Implementation Date:

September 1, 2017

Person Responsible for Implementation:

Erin Bohn, Athletics Compliance Officer

11. Required Procedure:

The UTPB Athletics Compliance Office each semester will educate Athletics Department personnel and student athletes on their responsibility to report perceived violations of NCAA, conference regulations or UTPB rules. The training must include verification by the athletes that they can do so without fear of reprisal.

Result:

The live orientation does not include specific information on how athletes and staff can report possible violations, and there is no verification process in place. (Finding No. 8)

Assessed Level of Risk: Medium

Recommendation:

Both the live and online orientations should include specific information for how athletes and staff can report possible violations. A process should be implemented to require athletes to verify that they understand the policy of being able to report possible violations without fear of reprisal.

Management Response:

UTPB will include a slide in the live orientation for student athletes as well as the online orientation with information on how student athletes and staff can report possible violations without fear of reprisal. The online orientation quiz will include a question to verify the student-athlete does understand this policy.

Implementation Date:

September 1, 2017

Person Responsible for Implementation:
Erin Bohn, Athletics Compliance Officer

12. Required Procedure:

The current compliance violation reporting system at UTPB includes anonymous reporting to the UT System number as well as reporting to the UTPB Compliance Hotline. Given the cases that have been dealt with in the past year, there is demonstrable evidence that system is working. The UTPB Athletics website will be modified to include an easily accessible anonymous reporting system.

Result:

At the time of our review, the UTPB Athletics website had not been modified to include an anonymous reporting system. (Finding No.9)

Assessed Level of Risk: Medium

Recommendation:

The UTPB Athletics website should be modified to allow easy and anonymous reporting of possible violations. This can include a link to the UTPB Compliance Hotline.

Management Response:

UTPB Athletics website is now modified to include a link to the UTPB Compliance Hotline. This link can be found by clicking Athletic Department at the top of the page, then Compliance from the drop down. The link titled "Complaint Resolution" can be found at the bottom of the page.

Implementation Date:

March 22, 2017

Persons Responsible for Implementation:

Erin Bohn, Athletics Compliance Officer
Ryan Haage, Sports Information Director

13. Required Procedure:

After-violations training will be undertaken by the Athletics Compliance Officer to enhance prevention.

Result:

After-violations notification and instruction on proper procedures is provided by the Athletics Compliance Officer.

14. Required Procedure:

UTPB will conduct an annual risk assessment. Presently, athletics is a high risk area. Information is gathered and shared that attempts to highlight new and continuing risks regarding academic integrity.

Result:

UTPB conducts an annual risk assessment which considers risks associated with Athletics, and in particular, Athletics Academic Integrity.

15. Required Procedure:

Once the UTPB Compliance position has been filled, bi-monthly executive risk management meetings will be initiated.

Result:

The UTPB Compliance position (Auditor's note: this is not the Athletics Compliance Officer) has been filled since April 2015. **Meetings of the Compliance Committee are conducted, but on a quarterly basis, not on a bi-monthly basis. (Finding No. 10)**

Assessed Level of Risk: Low

Recommendation:

UTPB should evaluate the need for, and implement if necessary, more frequent meetings beyond the current quarterly meetings.

Management Response:

With the change in reporting structure for the Athletics Compliance Officer, bi-monthly meetings of the Chief Compliance Officer and the other compliance team members to include the Athletics Compliance Officer will be done quarterly in preparation for the Quarterly Compliance Committee meeting.

Implementation Date:

September 1, 2017

Person Responsible for Implementation:

Mark McGurk, Vice President for Business Affairs/Chief Compliance Officer

Status of Prior Year Findings and Recommendations

N/A

Conclusion

The UT Permian Basin (UTPB) Office of Internal Audit has completed its review of procedures related to academic integrity of student athletes. This review was performed as part of our FY 2017 Audit Plan and was conducted in accordance with guidelines set forth in UTS129 and the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

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During the course of our review, we noted that not all stated procedures have been implemented. These instances are identified along with our recommendations.