

Middle Tennessee State University
Office of Compliance and Enterprise Risk Management
Enterprise Compliance and Risk Management Committee

March 10, 2020
CAB 112, 11:30pm – 12:30pm

Meeting Minutes

Attendees

B. Cole; B. Burkhart; Dr. J. Gardner; A. Parker; S. Sudak; M. Wilson; D. Simpson; Captain J. Martinez; K. Musselman, B. Waits; H. Zimmerman; T. Wallace; J. Porter.

1. **Meeting Minutes from 10/9/19.** Meeting minutes from October 9, 2019 were reviewed and approved by the Committee with one correction regarding a Committee member's attendance. A motion was made by Associate Vice President Tom Wallace to approve the minutes. The motion was carried by Director Jeff Porter.

2. **Risk Management Updates and Reminders.**
 - a. Potential Legislation. Ms. Stephens commented that there would not be a discussion on Tennessee HB2102 and SB2288 since the President, Executive Management Team, and Crisis Counsel are tracking the bill, as well as other health and safety issues on campus.

 - b. Auto Accident Reporting. Ms. Stephens asked Committee members to remind their respective departments and Divisions to report auto accidents within 24 hours of the accident to the State's auto accident reporting number. Ms. Stephens further reminded Committee members that auto accident reporting to the State is required whether or not a State employee is in a State-owned vehicle or their own personal vehicle, as long as the employee is on State business. Dr. Justin Gardner expressed concerns about employees increasingly utilizing their personal cell phones for University business, including calling the auto accident reporting hotline number. Ms. Stephens responded that some MTSU employees receive phone allowances and that she would contact Vice President Thomas to mention Dr. Gardner's concerns. Associate Vice President Sarah Sudak reminded Dr. Gardner that it is not necessary to utilize a mobile phone to contact the State's auto accident reporting hotline. Ms. Stephens commented that the State can be contacted by email and other ways as long as the reporting occurs within 24 hours of the accident.

- c. FERPA Incidences. Ms. Stephens informed Committee members that two FERPA incidences were investigated during the first quarter of 2020. One case was concluded and the other was in its conclusion stage. A FERPA investigations process also was presented to University Counsel for review. University Counsel Heidi Zimmerman commented that her office was finishing their review.
3. **Records Management**. Ms. Stephens commented that the issues concerning the retention period of student assessment materials was settled and that instructions and a memo were sent to all Records Coordinators in collaboration with Dr. Gardner, Faculty Trustee Mary Martin, and others. Ms. Stephens further commented that the University's annual Records Destruction Days will be announced at a later date. She further explained the purpose of having a Records Database to manage documentation and retention of records. Finally, she mentioned that the State's Sunset Auditors asked about the University's Records Management process.
4. **Other Office of Compliance and ERM Updates**.
 - a. Camp Safety Videos. Ms. Stephens commented that the Department was completing video training for Summer Camp Safety at the request of University Counsel.
 - b. Policy 90. Ms. Stephens informed the Committee that all Athletics Coaches and staff met with the Department in collaboration with Associate Athletics Director Daryl Simpson. Student Athletes also received information about the Policy and Grievance procedures from Mr. Simpson.
 - c. Updates to Annual Trainings. Updates to annual trainings on Ethics and FERPA also are in process. Ms. Stephens additionally reported that there was a significant increase in employee completions of the video Ethics, FERPA, and HIPAA trainings.
 - d. MTSU Compliance Plan. The Compliance Plan will be reviewed again, and discussed, at the Fall 2020 meeting.
5. **Roundtable**. Director Alan Parker of Environmental Health and Safety commented that his area had a preliminary report on the number of critical freezer items for the State Claims and Risk Management's required report. Mr. Parker asked if Ms. Stephens would send campus another reminder, and Ms. Stephens agreed to do so. Ms. Stephens additionally commented that State Director Rodney Escobar provided guidance on the additional types of items that could be included on the critical freezer list, including art, archived items, and other items of value. Any item not provided on the critical freezer list would be denied as a claim by the State if damage to the item occurred. Dr. Gardner suggested reaching out to the Walker Library and the Gore Center.

Mr. Simpson mentioned that Athletics is working on updating policies regarding the name/likeness/image of student Athletes pursuant to the NCAA's recent decisions.

6. **Adjourn.** Assistant Vice President Kathy Musselman made the motion to adjourn. The meeting adjourned at 12:10pm.