

## INSIDE THIS ISSUE

### PG. 1

ERM Hotline Number

---

### PG. 2

Records Management  
Training Request Feature

---

### PG. 3

Annual Ethics and FERPA Training

---

### PG. 4

Risk Management and State of  
Tennessee Certificate of Insurance

---

### PG. 5

Regulatory Minute: What's Going  
On? Compliance & Ethics Events

---

### PG. 6

Compliance Trivia



## *COMPLIANCE IN BLUE*

*The Compliance and Enterprise Risk Management  
Newsletter for Middle Tennessee State University*

**IF YOU SEE SOMETHING, SAY SOMETHING:  
COMPLIANCE & ERM HOTLINE NUMBER**

The Office of Compliance and Enterprise Risk Management (ERM) has a hotline number to report: (1) University compliance concerns; (2) risk management issues; and (3) other areas of concern regarding student, Faculty, or staff health and safety. *(cont. on page 2)*





## HOTLINE NUMBER CONT.

Callers can leave their information or report information anonymously.

**For imminent threats, or if you believe you are in immediate danger, please contact the MTSU University Police Department at (615) 898-2424.**

The Compliance and ERM Hotline number is:

**615-898-5772**

When leaving a message on the Hotline number, please speak slowly and clearly and provide any pertinent information that may be necessary for resource referral and/or investigatory purposes.

## Ethics Quote of the Day

*"In recognizing the humanity of our fellow beings, we pay ourselves the highest tribute."*

*Supreme Court Justice Thurgood Marshall*



## RECORDS MANAGEMENT DATABASE TRAINING REQUESTS

There is a new feature on MTSU's Records Management/Retention Database (Database) for training requests regarding:

- The use of MTSU's Records Management/Retention Database;
- State RDA or State-wide Number classification questions; and
- Other questions regarding records storage, labeling, or other records needs.

Designated department and division Records Coordinators can access the Database, as well as the new training request feature. For additional information regarding the Database, **(cont. on page 3)**



## RECORDS MANAGEMENT CONT.

or for other questions regarding Records Management, please contact any of the following resources:

- ✚ Records Officer email:  
[RDAretenction@mtsu.edu](mailto:RDAretenction@mtsu.edu)
- ✚ Hector del Callar:  
[hector.delcallar@mtsu.edu](mailto:hector.delcallar@mtsu.edu)
- ✚ Donna Baker:  
[donna.baker@mtsu.edu](mailto:donna.baker@mtsu.edu)

Finally, remember that MTSU's annual Records Destruction Days are as follows:

- ✚ October 21, 2019: 8:30am to 1:00pm
- ✚ October 22, 2019: 8:30am to 1:00pm

FERPA

**RISK**

ethics...Ethics...**ETHICS...**

**ETHICS**

**COMPLIANCE**

## ANNUAL TRAINING

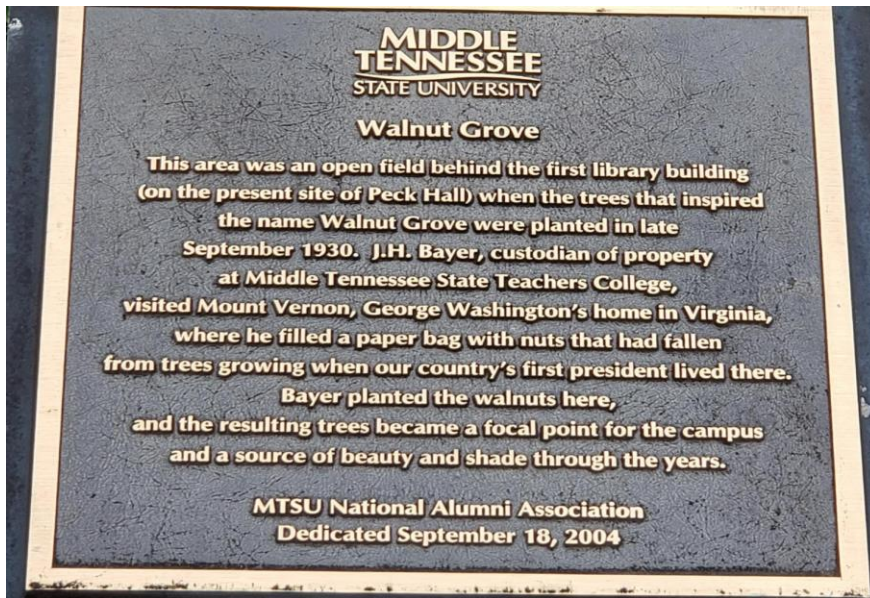
### ETHICS AND FERPA TRAINING

It is time again for the annual Ethics and FERPA training. Both trainings are video-based and provide scenarios for Faculty and Staff to review the materials. The videos are available on Live Stream and can be accessed [here](#).

As a reminder, the Ethics and FERPA trainings are required, and completion of the trainings is tracked by Division. Therefore, please encourage your Faculty, Staff, and Administrators to complete the trainings. The videos are approximately 14 to 18 minutes in length from start to finish.

For additional information, questions, or needs regarding the Ethics and FERPA training, please contact the Office of Compliance and Enterprise Risk Management at [carem@mtsu.edu](mailto:carem@mtsu.edu).





## RISK MANAGEMENT AND STATE OF TENNESSEE CERTIFICATE OF INSURANCE

The State of Tennessee (State) Division of Claims and Risk Management provides important resources to Tennessee consumers, as well as State-funded agencies. As a State-funded, public University, MTSU annually develops and submits risk management reporting to the University's Board of Trustees, as well as to the State Auditor. In addition, the University is tasked with ensuring that vendors and others have appropriate commercial insurance.

As part of the State's updates within the Division of Claims and Risk Management, an updated Self-Insurance Certificate has been posted that covers general liability, auto liability, State property, professional malpractice, and worker's compensation/employer liability within certain statutory coverage limits for all state employees. The 2019, updated State Self-Insurance Certificate of Insurance is available [here](#).

If your department or division is hosting an event on campus and/or inviting a vendor, performer, or including potential risk-related recreational rides or games (whether indoor or outdoor), please contact the Office of Compliance and Enterprise Risk Management (CAERM) to provide a copy of the vendor's insurance information, as well as to discuss any potential risk related to the event and/or recreational ride or game. Additional information regarding insurance and other risk management items are available on the following [Insurance webpage](#) of CAERM.

### Compliance Quote of the Day

**"We are constantly working towards the highest level of compliance possible."**

*Mike Davidson*



# REGULATORY MINUTE: WHAT'S GOING ON?

Compliance and Ethics Event: Nov. 7, 2019 (Faculty & Staff); Nov. 5, 2019 (Student Forum)

*Recognizing National Compliance & Ethics Week – November 3-9, 2019*

In recognition of National Compliance and Ethics Week, the Office of Compliance and Enterprise Risk Management will host its second annual event. The event will be held on **November 7, 2019**, in the Student Union, Ballroom C, and is open to all Faculty and Staff. The event's theme this year is *Raising the Bar: Compliance and Ethics in Blue, 2019*. Guest speakers include:

- ✚ Federal Bureau of Investigations, Special Counter-Intelligence Agents – Randall Bechtel and Nathan Opie
- ✚ State of Tennessee Division of Claims and Risk Management Director – Rodney Escobar

There will be concurrent sessions after the general session, as well as a “Compliance and Ethics Game Room” that will allow Faculty and Staff to test their compliance, risk management, ethics knowledge.

For additional information on the Compliance and Ethics event on November 7, 2019, or to RSVP for the event, please contact the Office of Compliance and Ethics at [carem@mtsu.edu](mailto:carem@mtsu.edu). When providing an RSVP, please provide your name and department.

## Regulatory Updates and Government Actions

1. **Borrower Defense Regulations.** In September 2019, the U.S. Department of Education released an unofficial draft of its Institutional Accountability regulations regarding borrower defenses to repayment claims, pre-dispute arbitration agreements, and institutional responsibility standards. The text of the unofficial draft can be found [here](#). The final rule will be published in the Federal Register.
2. **Student Athlete Pay.** The Governor of California recently signed a bill that would allow college athletes to hire agents, as well as make money from athletics endorsements. The new, California law, which takes effect in 2023, is in contrast to the standards of the NCAA. Other states are also looking at similar legislation to allow student athletes to earn money from endorsements.

# REGULATORY MINUTE: WHAT'S GOING ON? CONT.

3. **Admissions Policies.** A federal Judge in the Massachusetts found that Harvard University's admissions policies did not discriminate against Asian American applicants. Judge Allison Burroughs of the U.S. District Court in Massachusetts concluded that, "Harvard's admission program passes constitutional muster in that it satisfies the dictates of strict scrutiny. The students who are admitted to Harvard and choose to attend will live and learn surrounded by all sorts of people, with all sorts of experiences, beliefs and talents." The full text of the Court's ruling can be found [here](#).

## COMPLIANCE TRIVIA

- Where can you obtain information about the State of Tennessee's Self-Insurance Certificate?
  - Office of Compliance and ERM
  - State of Tennessee's Claims and Risk Management Division
  - All of the above
- Before entering a contract, which internal departments should you contact to ensure all necessary provisions are included?
  - Contracts Office (in the Cope Administration Building)
  - Office of University Counsel
  - Selection/answer "A" first, then "B" if needed
- To whom must you immediately report an auto accident if you are in your personal vehicle or University/State vehicle on University business?
  - State of Tennessee Auto Accident Call Center - (855) 253-0629
  - Office of University Counsel
  - All of the above
  - Selection/answer "A" first, then "B"
- Can a student opt out of the Directory Information under FERPA?
  - Yes
  - No

Answers: 1. C. | 2. C. | 3. D. | 4. A





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## Office of Compliance and Enterprise Risk Management

Webpage: [www.mtsu.edu/carem](http://www.mtsu.edu/carem)

**Compliance and ERM Hotline Number: (615) 898-5772**

For European Union General Data Protection Regulatory questions: [dpo@mtsu.edu](mailto:dpo@mtsu.edu)

For Records Management or MTSU Records Management Database questions: [RDAretenction@mtsu.edu](mailto:RDAretenction@mtsu.edu); [hector.delcallar@mtsu.edu](mailto:hector.delcallar@mtsu.edu); or [donna.baker@mtsu.edu](mailto:donna.baker@mtsu.edu)

