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Board of Trustees

Committee on Legal and Compliance

Minutes of Meeting

VOLUME LC 4

May 8, 2014

A meeting of the Committee on Legal and Compliance was held in Room 218 of The Penn Stater Conference Center Hotel, University Park, Pennsylvania, beginning at 1:30 p.m. on Thursday, May 8, 2014.

The following committee members, constituting a quorum, were present: Kenneth Frazier, Kathleen Casey, Richard Dandrea and Keith Masser.

The following staff members were also present: Rodney Erickson, Regis Becker, Julie Del Giorno, Steve Dunham and Frank Guadagnino.

The meeting was called to order by Chairman Frazier. The minutes of the March 6, 2014 meeting were approved.

Regis Becker, Director of University Ethics and Compliance recommended adoption of The Pennsylvania State University Compliance Plan. The Plan is modeled on the U.S. Federal Sentencing Guidelines which recommend an “effective ethics and compliance program.”

Steve Dunham, Vice President and General Counsel, commented that the University already has and complies with all elements of the Plan but that formal adoption would be helpful. It was determined that full board approval was not necessary to adopt the plan and the plan was voted on and approved by the committee. The plan is a public document and will be included on a University website.

Julie Del Giorno, Athletics Integrity Officer, and Matt Stolberg, NCAA Compliance Officer, will represent Penn State in June at the National Association of Athletic Compliance Officers on a panel discussion entitled Proactive University Reporting Systems. Our model at Penn State is being used as a benchmark in Higher Ed and we should be proud of that.

We continue to ensure we are complying with the mandates as outlined in the Athletics Integrity Agreement and will soon be addressing the annual Team Monitor and Athletic Director certifications of compliance. The Head Coaches report annually to the Athletic Director and the Athletics Integrity Council any issues or problems that have arisen during that year and any corrective actions taken. Head coaches also certify that their team is compliant with NCAA

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Constitution and By-Laws and the Big Ten Handbook, and the principals regarding institutional control, responsibility and ethical conduct and integrity. The Athletic Director uses the written certifications to certify institutional compliance to the Athletics Integrity Council, NCAA and Big Ten.

In accordance with the AIA, to date we have provided covered person training to 873 student-athletes, 392 full-time employees and 128 part-time employees. Thirty full-time and thirty-five part-time employees have yet to be trained, but training sessions will be offered through June. Training is tailored, not generic and done in-person. We stress awareness – who to come to if there is an issue.

Steve Dunham provided the legal update, indicating that he would be providing more information as part of the privileged executive session.

Regis Becker reviewed additional compliance highlights - monthly council meetings; presentation on substantive issues such as student aid and Office of Research Protections. Mr. Becker also referred to export controls; mandatory reporter training; and 17 new laws on child protection, of which 6 affect Penn State directly. He is working with the Office of General Counsel to make sure we are in compliance by the first of the year, 2015, when the laws become effective.

Following the public meeting, the committee then went into privileged executive session.

Respectfully submitted,

Lisa Saupp
Executive Assistant to the Vice President
and General Counsel