NCAA Bylaw 13 Athletics Camps and Clinics Audit

Fiscal Year 2013

January 2015

The University of Texas at Austin
Office of Internal Audits
UTA 2.302
(512) 471-7117
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This report has been distributed to Internal Audit Committee members, the Legislative Budget Board, the State Auditor’s Office, the Sunset Advisory Commission, the Governor’s Office of Budget and Planning, and The University of Texas System Audit Office for distribution to the Audit, Compliance, and Management Review Committee of the Board of Regents.

NCAA Bylaw 13 Athletics Camps and Clinics Audit
Project Number: 14.005
January 29, 2015

President William C. Powers, Jr.
The University of Texas at Austin
Office of the President
P.O. Box T
Austin, Texas 78713

Dear President Powers,

We have completed our audit of Athletics Camps and Clinics. Our scope included the policies, procedures, and controls in place during FY13 for football and volleyball camps.

Based on the procedures performed, we conclude that Athletics has reasonable controls in most areas. However, opportunities for improvement were noted for Background Checks, Required Safety Training, Physical Access Security Procedures, Unaccompanied Children, and Safety Protocol Information Provided to Parents. Our audit report provides detailed observations for the areas under review. Suggestions are offered in the report for improvement in the existing control structure.

We appreciate the cooperation and assistance of Intercollegiate Athletics staff throughout the audit and hope that the information presented herein is beneficial.

Sincerely,

Michael W. Vandervort, CPA
Director

cc: Internal Audit Committee Members
Ms. Nancy Brazzil, Deputy to the President and Chief of Staff, Office of the President
Mr. Stephen Patterson, Athletic Director, Intercollegiate Athletics
Ms. Christine Plonsky, Athletic Director and Executive Sr. Associate AD M-W Ext. Services, Intercollegiate Athletics
Ms. Lori Hammond, Associate Athletics Director, Risk Management and Compliance Services, Intercollegiate Athletics
Mr. Luke Nelson, Manager of Intercollegiate Athletics Camps,
Intercollegiate Athletics
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EXECUTIVE SUMMARY

This audit was requested by Intercollegiate Athletics (Athletics) as a consulting engagement and was conducted as a part of our Fiscal Year 2014 Audit Plan.

The scope of this audit included the policies, procedures, and controls in place during the FY13 football and volleyball camps season. Our audit objective was to advise Athletics regarding the camps and clinics control environments and determine if they are in compliance with UT Austin policies and procedures, NAAC Reasonable Standards, NCAA rules and regulations, as well as state and federal laws, regulations and standards.

Each year, pursuant to its mission, Athletics facilitates numerous sports camps that serve the children of the State of Texas and beyond. The goal of these camps is to improve the skill sets of young athletes by providing them with access to top-level coaching and instruction. This audit reviewed the football camp and volleyball camp programs. Over the summer of 2013, these two programs facilitated 17 camps serving over 3,100 campers, and employed 230 coaches and staff. Total revenue generated by these camp programs was approximately $1.1 million.

Based on procedures performed, it appears that the Athletics has reasonable controls in most of the areas reviewed. However, opportunities for improvement were noted for Athletics Camps internal procedures. Two recommendations were made to enhance controls in this area, and three recommendations were made regarding best practices for safeguarding children attending camps.
BACKGROUND

Per The University of Texas at Austin (UT Austin) Intercollegiate Athletics (Athletics) website, "The Athletics Departments at The University of Texas at Austin are committed to The University’s mission of achieving excellence in education, research, and public service. Specifically, the mission is focused on three interrelated communities: student-athletes, the UT Austin community, and the citizens of the State of Texas."

Each year, pursuant to its mission, Athletics facilitates numerous sports camps that serve the children of the State of Texas and beyond. The goal of these camps is to improve the skill sets of young athletes by providing them with access to top-level coaching and instruction. This audit reviewed the football camp and volleyball camp programs. Over the summer of 2013, these two programs facilitated 17 camps serving over 3,100 campers, and employed 230 coaches and staff. Total revenue generated by these camp programs was approximately $1.1 million.

UT Austin is a Division I member of the National Collegiate Athletic Association (NCAA). In accordance with legislation enacted by NCAA Article 2.8.1 Responsibility of Institution, "Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved." NCAA Bylaw 13.12 defines the many facets of camps and clinics, and provides the criteria to which Athletics must adhere to achieve compliance.

This audit was conducted at the request of Athletics as a part of our Fiscal Year 2014 Audit Plan.

SCOPE, OBJECTIVES, AND PROCEDURES

The scope of this review included the policies, procedures, and controls in place during the FY13 football and volleyball camps. Specific audit objectives were to advise Athletics regarding the camps and clinics control environments and determine whether they were in compliance with:

- State and federal laws,
- NCAA rules and requirements,
- UT Austin policies and procedures; and
- NAAC Reasonable Standards.¹

At the request of Athletics, Internal Audits also reviewed and made suggestions regarding camps and clinics best practices as recommended by The Louis Freeh Report².

¹ http://www.nacda.com/naacc/naacc-reasonable-standards.html
² The independent report by Louis Freeh and his law firm, Freeh Sporkin & Sullivan, LLP, details the facts and circumstances of the actions of The Pennsylvania State University surrounding a child abuse case, and is available at the link provided (includes a statement by Mr. Freeh).— http://progress.psu.edu/the-freeh-report.
To achieve these objectives, Internal Audits:

- Evaluated camp program financials, employee records, and documentation;
- Provided a detailed questionnaire to relevant staff; and
- Reviewed applicable policies and procedures.

This audit was conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing* and with *Government Auditing Standards*.

The remainder of this report presents detailed observations and recommendations.

**AUDIT RESULTS**

Based on procedures performed, it appears that the Athletics has reasonable controls in most of the areas reviewed. However, opportunities for improvement were noted for Athletics Camps internal procedures.

Five recommendations were made in the following areas: Background Checks, Required Safety Training, Physical Security Access, Unaccompanied Children, and Safety Protocol Information Provided to Parents.

**Background Checks**

Six (28.6%) of 21 football camp employees, two (10.5%) of 19 volleyball camp employees, and two (22.2%) of nine student-athlete volleyball camp employees tested started working before completing the required background check process. Without completion of background checks before beginning work, there is an increased risk of child endangerment at Athletics camps.

According to *The University of Texas System (UT System) Policy 124 2.5(c)*, “Youth camps shall ensure that for all employees and final applicants who will work at the camp, and all volunteers and student observers, who will regularly or frequently be at the camp are subject to a criminal background check each year. The check shall be conducted prior to permitting an individual to work, volunteer, or be present.”

**Recommendation #1:** The camp director and/or camp coordinator should ensure current background checks are on file prior to employees beginning work.

**Management’s Corrective Action Plan:** In these instances, the camp employees were also current Texas Athletics employees and did not get flagged by human resources procedures in place at the time. These procedures changed prior to summer 2014. Thus in summer 2014 camps, Athletics Human Resources implemented a tracking spreadsheet for all camp employees and made it available to camp directors. This change in the camp and clinic hiring process will prevent any current Texas employee from commencing working camps prior to having
completed a background check. It is important to note that any current Texas Athletics staff did have a background check upon hire into their position.

**Responsible Person:** Athletics Human Resources Coordinator

**Planned Implementation Date:** Summer 2014 (Updated date summer of 2015)

**Post Audit Review:** Internal Audits performed follow-up work in October and November of 2014. Three (20%) of the 15 football employees and one (6%) of the 16 volleyball employees tested did not have current background checks on file before beginning work at summer 2014 camps. Internal Audits will retest again after the completion of summer 2015 camps.

After Internal Audits followed up with this recommendation and found that the original action plan had not been successfully implemented, Intercollegiate Athletics offered the following explanation:

**“Management Response Addendum – 1/6/15:** In response to the post audit finding, we believe additional explanation is warranted. The finding states that three of the 15 football employees and one of the 16 volleyball employees tested did not have current background checks on file before beginning work at summer 2014 camps. In the case of the three football employees, each were current full-time UT employees who previously completed a background check, just not within the 12 calendar months prior to the camp start date. In these specific cases, Human Resources was not made aware by the camp director that the employees were working camps until just before the camp began, thus, there was not sufficient time for the background checks to clear. However, the background checks were initiated by IA HR as soon as they were notified of their participation and the background checks all ultimately cleared. In the case of the volleyball employee, this was a late hire by the volleyball camp staff due to another camp employee backing out at the last minute. The background check was initiated immediately upon hire and cleared, but she commenced work prior to the background check clearing.

In light of these findings, the background check verification process has been modified to provide the camp directors access to view a spreadsheet showing the progress of each employees background check. The expectation is that each camp director is responsible for monitoring the progress and not permitting any employee to commence working until a background check is cleared.

The educational programming for camp directors has also been enhanced this year by providing multiple in-person education sessions leading up to the start of camp season opposed to previous years where only one session was provided.”
Required Safety Training
One (5.5%) of 19 volleyball camp employees tested started working before completing the required sexual abuse and child molestation awareness training and examination. Without completing the required training and examinations before beginning work, there is an increased risk of child endangerment at Athletics camps.

According to UT Austin’s 2012 Department of Intercollegiate Athletics Camp Policy Manual, “All camp employees, regardless of job status, are required to successfully complete the campus program for minors training and examinations program on sexual abuse and child molestation. Certification must be on file by the Camp Director and Camp Coordinator before the employee begins work.”

**Recommendation #2:** The camp director and/or camp coordinator should ensure all required training and examinations have been completed and are on file prior to employees beginning work.

**Management’s Corrective Action Plan:** Texas Athletics Human Resources and Risk Management/Compliance have new procedures in place to ensure training confirmation. Camp directors and coordinators are responsible for confirming that all camp employees have completed required training and exams prior to commencing work at camps.

**Responsible Person:** Manager of Intercollegiate Athletics Camps

**Planned Implementation Date:** Immediately (10/01/2014)

**Post Audit Review:** Internal Audits will perform follow-up work after summer 2015 volleyball and football camps.

**Physical Access Security Procedures**
A review of policies and procedures found that the football camps program did not have existing procedures to ensure the security of physical access points at football camps. Without a procedure in place to restrict access, unauthorized individuals may have physical access to areas frequented by children.

Recent events at Penn State University have influenced best practices for child safety on university campuses; specifically, Chapter 10 of the *Louis Freeh Report* states, “Increase the physical security and access procedures in areas frequented by children or used by camps and programs for children.”

**Recommendation #3:** The camp director and/or camp coordinator should document and implement procedures to restrict and monitor physical access to areas frequented by children.

**Management’s Corrective Action Plan:** Collaborate with all camp directors to develop a camper information packet (similar to volleyball) that addresses procedures to restrict and monitor physical access to areas frequented by children.
This information will be housed on the camp website and a link provided to the information in the camper’s confirmation e-mail.

**Responsible Person:** Manager of Intercollegiate Athletics Camps  
**Planned Implementation Date:** June 1, 2015

**Post Audit Review:** Internal Audits will perform follow-up work in June 2015.

**Unaccompanied Children**
A review of policies and procedures found that football camps do not have a policy documenting procedures for unaccompanied children. Without a documented policy, camp directors and camp coordinators cannot ensure that the safety of unaccompanied children is addressed in a consistent manner.

Recent events at Penn State University have influenced best practices for child safety on university campuses; specifically, Chapter 10 of the *Louis Freeh Report* states, “Update, revise or create policies for unaccompanied children at University facilities, housing, and University programs.”

**Recommendation #4:** The camp director and/or camp coordinator should document and implement a policy detailing how the camp program will consistently address the safety of unaccompanied children attending football camps.

**Management’s Corrective Action Plan:** All sports will develop a policy for unaccompanied children at camps and provide the policy to campers and/or the campers’ parents (or legal guardians) with a document detailing the camp program policies and how the camp will ensure the safety of children attending camps.  
**Responsible Person:** Manager of Intercollegiate Athletics Camps  
**Planned Implementation Date:** June 1, 2015

**Post Audit Review:** Internal Audits will perform follow-up work in June 2015.

**Safety Protocol Information Provided to Parents**
A review of policies and procedures found that the football camps do not currently provide parents with safety protocol information. Without providing safety protocol information, parents may not be aware of protocol in place for children attending camps.

Recent events at Penn State University have influenced best practices for child safety on university campuses; specifically, Chapter 10 of the *Louis Freeh Report* states, “Provide information to parents of non-student minors involved in University programs regarding the University’s safety protocols and reporting mechanisms for suspicious or improper activity.”

**Recommendation #5:** The camp director and/or camp coordinator should provide parents with safety protocols in place during football camps.
Management’s Corrective Action Plan: All camp directors were asked to make this information available to campers/parents for the first time in summer 2014. It was not micromanaged in that camps were not required to provide in a certain format, but they were at least required to make it available in some way (e.g., website, email, or handout). Moving forward, every camp will be required to use the document developed (if not currently using) and provide campers and/or campers’ parents with safety protocols in place during camp and reporting mechanisms for reporting suspicious or improper activity.
Responsible Person: Manager of Intercollegiate Athletics Camps
Planned Implementation Date: Summer 2014

Post Audit Review: Internal Audits performed follow-up work in October 2014. The recommendation and corrective action plan were implemented for summer 2014 camps.

CONCLUSION

Based on procedures performed, it appears that the Athletics has reasonable controls in most of the areas reviewed. However, opportunities for improvement were noted for Athletics Camps internal procedures. Two recommendations were made to enhance controls in this area, and three recommendations were made regarding best practices for safeguarding children attending camps.

In accordance with directives from The University of Texas System Board of Regents, the Office of Internal Audits will perform follow-up procedures to confirm that audit recommendations have been implemented.