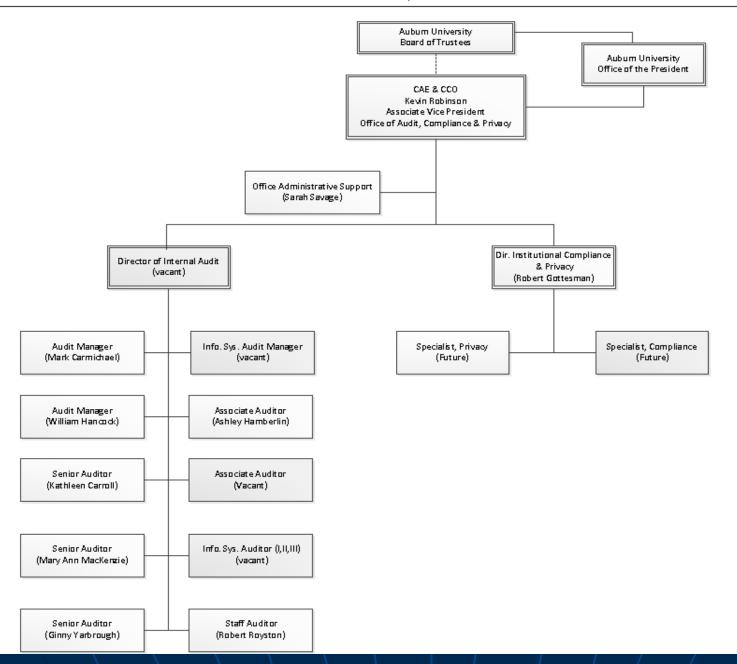


# Changing Your Paradigm on Risks & Controls

Kevin Robinson, CIA,CFE, CCEP
Associate Vice President
Audit, Compliance, & Privacy



#### AUBURN UNIVERSITY OFFICE OF AUDIT, COMPLIANCE & PRIVACY



## WORLD HAS CHANGED...

#### Auditor: \$74,200 missing from Iowa athletic ticket deposits

[ 0 ] July 18, 2014 | Josh O'Leary

A state audit released Friday has determined that nearly \$75,000 collected by the University of Iowa Athletics Ticket Office for Hawkeye Express tickets for three football games in 2011 was never deposited.

Those numbers are higher than an internal audit by the University of Iowa last year showed that two games' worth of proceeds, or \$66,000, was missing.

At the request of university officials, the state auditor investigated the UI Athletics Ticket Office and the operations of the Hawkeve Express, the train that transports



Passengers leave the Hawkeye Express after riding fro Coralville to Kinnick Stadium. (Register file photo)

#### UCLA professor strikes deal in lab fire case, avoids prison



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#### Pledge sues Penn State, fraternity caught in nude photo scandal

REUTERS 20 hours ago



(Reuters) - The whistleblower in a Penn State University fraternity scandal tied to a private Facebook group featuring photographs of nude and apparently unconscious female students has sued the school and fraternity according to



allegedly selling a large amount of date rape drug, police say. Police Chief Paul Register told Al.com that Howard, 64, was arrested at his home

Auburn University lab tech sold date

outside of Auburn. Howard works in the College of Engineering at the university.

Published May 27, 2015 · FoxNews.com 🔓 8 🔰 28 🗭 4 🧮 🗐

A chemistry lab technician at Auburn University was arrested Friday after

rape drug, police say

Register said in a press conference Tuesday at the U.S. Attorney's Office for the Middle District of Alahama that the FBI and the DEA assisted in the six-month investigation. He also said that no Auburn students have been identified as victims of the drugs Howard is accused of selling



**University of Maryland computer security** breach exposes 300,000 records

#### July 30, 2014 by Andy Thomason



#### In New Sexual-Assault Bill, Harsher Penalties for Colleges

[Updated (7/30/2014, 1:40 p.m.) with a link to the text of the bill.]

A bipartisan group of U.S. senators led by Claire McCaskill, a Missouri Democrat, unveiled a bill Wednesday morning aimed at curbing sexual assault on college campuses. Among other things, the bill would increase potential penalties for colleges that don't comply with federal rules.

#### View the text of the bill here

Under the terms of the proposed legislation, colleges that don't comply with its rules could face fines of up to 1 percent of their operating budgets. For larger institutions, such a penalty could amount to several million dollars. The bill would also increase the maximum penalty for a violation of the Clery Act, a campus-crime-reporting law, to \$150,000 from \$35,000.

The bill would also require, among other things, that:

#### North Carolina, NCAA sued for academic scandal

















The suit, which seeks to become a class action, was filed in a North Carolina state court on behalf of

women's basketball player Rashanda McCants and football player Devon Ramsay by lawyers from Hausfeld LLP the same firm that is pursuing the Ed O'Bannon antitrust case against the NCAA concerning the use of college athletes' names, images and

Rashanda McCants is the younger sister of former North Carolina men's basketball player Rashad McCants.

This case involves allegations of breach of contract against UNC for a failure to provide "academically sound classes with legitimate educational instruction."









# My Objective: Paradigm Change

Paradigm - A set of assumptions, concepts, values, and practices that constitutes a way of viewing reality for the community that shares them







#### Risk – What Is It?

- Anything <u>bad</u> that might <u>happen</u> and <u>prevent</u> us from <u>achieving</u> our <u>objectives</u>.
- Why should you care?
- "Because every manager is a risk manager."







#### Risk Mgt Failure A Real Life Example – Nov 18, 1999





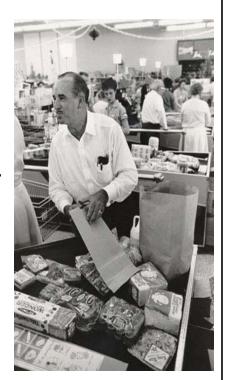
- 12 <u>Dead</u> and 27 <u>Injured</u> in <u>Bonfire Collapse</u>.
- "....panel found that <u>organizational failure</u> contributed to the bonfire accident."
- Texas A&M today





# George Jenkins, Founder of Publix Grocery Stores

- "Publix will be a little better place to work, or not quite as good because of you." – George Jenkins
- "Auburn University will be a little better at managing risk, or not quite as good because of you." – KR
- Risk management may not be in your title – <u>but it is in your job</u>.







## Risk Management Tips

 Risk comes on all levels from the strategic to the transactional.

 Goal isn't to eliminate all risks, but to manage where we have higher levels than we want.

 There are many ways to evaluate risks and all involve some subjectivity.



## 3 Risk Suggestions

 Pro-active risk management doesn't have to be complicated.

 Pay attention to what's happening at other schools and consider if you have risk that are too high.

Preventing crisis is virtually always cheaper.



## Possible Responses to Risk



- 1. Avoid it.
- 2. Live with it.
- 3. Share it (or transfer it to someone else).
- 4. Attempt to manage it.





### Internal Controls







## Exclusive photo from the last time an auditor discussed internal controls with COSO triange:









## Risk Assessment/Internal Control a Practical Illustration







#### The Mystery of Internal Controls



"Everyone has a <u>personal</u> internal control system (PICS)."





#### **PICS**

- Debit Cards –
- pin numbers
- Your House –
- locking doors
- Bank Accounts –
- monthly reconciliations

- Your Car –
   <u>maintenance,</u>
   insurance.
- Your Self <u>seat belts</u>, <u>exercise</u>, <u>insurance</u>.
- Anything you do in your personal business to protect yourself and achieve objectives.







Following these simple suggestions will greatly improve the controls in your area.





## 10 Suggestions

- Set a strong example for the expectation of ethical behavior, compliance with laws/policies, and communicate your expectations routinely to your unit's personnel.
- 2. Never sign something you don't understand. Also sign only your own name.
- 3. Don't violate legal requirements for anyone (aka the prison avoidance rule).





## 10 Suggestions

- 4. If something doesn't make sense ask questions about it until you do. Pay attention to what your employees are doing.
- 5. Be familiar with institutional policies and procedures. Be willing to call and ask questions.
- 6. Consider unique risks your unit may have (i.e. cash collections, contracts and grants, etc.) and ensure additional oversight is provided.





### 10 Suggestions

- 7. Ensure accounts are reconciled monthly and review this reconciliation for any unusual transactions. (This should include a review of payroll and leave reports.)
- 8. Don't let one employee have complete control of any process.
- 9. Keep offices and labs locked to protect property, data, and other resources. (Remember to shred paper documents with identifying information.)
- 10. Ensure institutional assets are used for institutional business.







## Control Evaluation Is Ongoing







# Avoid the 2 Big Myths Myth 1:

 "We will send it through and if it is processed, if it is, then it's okay."

 Fiduciary responsibility rests with you if you send something through you are saying it's okay.



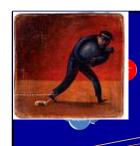


### Myth 2

 "It is our money anyway, we can spend it however we want."

 State and federal law dictate what is allowable – you are a steward of funds.





#### Focus on Fraud



- Colleges and Universities all face unique risks with respect to fraud particularly occupational fraud.
- A major fraud has substantial implications for the institution:

Fund raising, legislative, federal, general public relations





#### Fraud Defined

 In criminal law, fraud is the crime or offense of deliberately deceiving another in order to damage them – usually, to obtain property or services unjustly.









### Fraud Happens

# NEW YORK POST 🚟

Proto Bernie Madott skulks from EXCLUSIVE his Manhattan penthouse

CAROLINE, I WANT HILL'S SENATE SEAT 👑

#### Enron Chiefs Guilty of Fraud and Conspiracy

By ALEXEI BARRIONUEVO and VIKAS BAJAJ 3 minutes ago

Kenneth L. Lay, right, and Jeffrey K. Skilling, the chief executives who guided Enron through its spectacular rise and even more stunning fall, were found guilty today of fraud and conspiracy, which each carry a sentence of 5 to 10 years in prison.





Pat Sullivan/Associated Press;







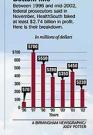
much as \$4.6 billion in fraudulent and improper accounting,

#### The scheme

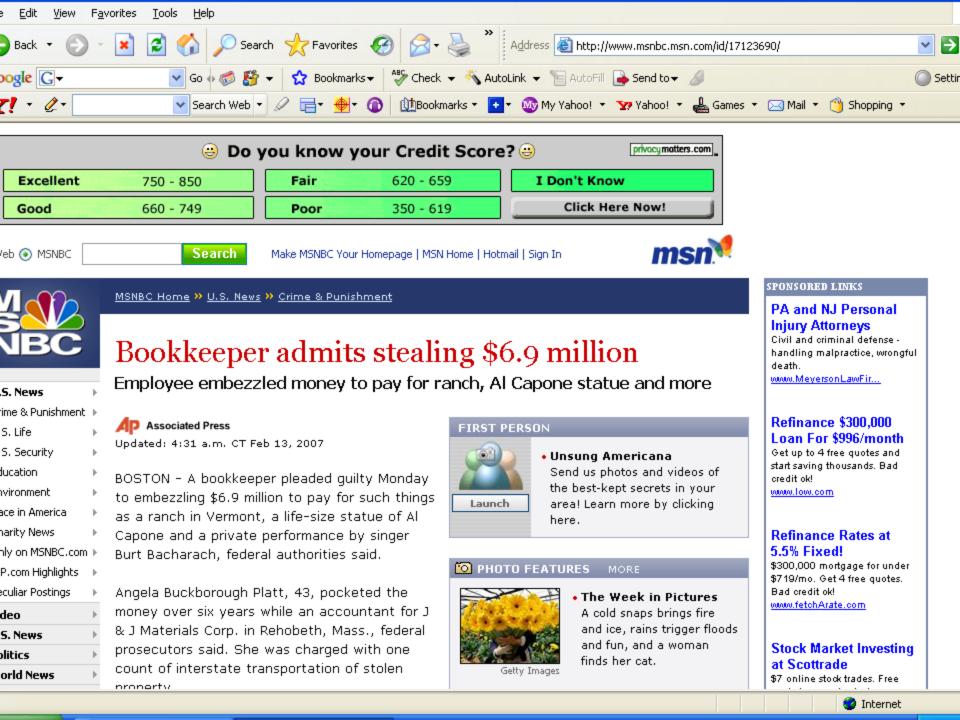
Here is how the accounting fraud was carried out, according to government authorities, who have secured guilty pleas from 15 former company executives and have charged former CEO Richard Scrushy in an 85-count criminal indictment. Scrushy as pleaded not guilty and says the fraud occurred without his knowledge.

- Top officials would review quarterly results and compare figures to Wall Street expectations. If actual results fell
- To do this, "family members"
- Accounting staffers took steps to conceal their fraud, keeping false entries in some accounts below a certain threshold outside auditors
- false documents such as invoices to hide their work.

Sources: HealthSouth, Securities and



**Bottom line** 



# And in places you might not expect





## Occupational Fraud Defined:

"The use of one's occupation for personal enrichment through the deliberate misuse or misapplication of the employing organization's resources or assets."





# My First Exposure to Occupational Fraud







## The Fraud Triangle







#### Pressure

- Key is that the pressure is <u>non-sharable.</u>
- Typical pressures include
- 1. Debt
- 2. Addictions: alcohol, gambling, drugs
- 3. Family problems: health, marital







#### Rationalization

- They don't pay me enough.
- I'm only borrowing.
- Everyone else is doing this.







## Opportunity

- Access to funds
- Access to <u>inventory</u>
- Ability to <u>process transactions</u>







#### "Former Officer Sentenced in \$60,000 Theft"

#### "He was a star."





- 21 year veteran of police force.
- 5 time officer of the year.
- "The most decorated officer I have ever seen. I had the utmost confidence in Faron."
- "I first took the money out for bill purposes for my family. I've had financial problems,"
- "I got stuck in a financial mess.
   I had every intention of paying it back, but I was unable to and I took more to try and survive."





#### Fraud Quick Facts

- Most fraud is found by <u>employees &</u> <u>managers</u> simply paying attention to what is going on.
- <u>Perception</u> of <u>detection</u> is the best deterrent to fraud.
- All employees have a role in ensuring ethical business dealings of the institution.
- When fraud occurs it has implications: donors, legislators, research, etc...





## Most Common Reason Fraud Occurs

One Person is given \_complete control\_ of the financial process without any oversight or monitoring from the supervisor or department head.

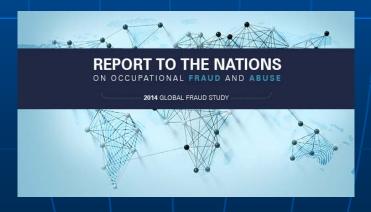


### 2014 ACFE Report

- Estimates organizations <u>lose 5%</u> of their annual revenue to <u>fraud</u>.
- Median loss <u>\$145,000 per case</u>
- Median length <u>18 months</u>
- As has been true in every report ---- tips are the greatest source of fraud detection.
- Small organizations are disproportionately victimized by fraud.

## 2014 ACFE Report 3 Ways Fraud Occurs

- 1. Asset Misappropriation
- 2. Corruption Schemes
- 3. Financial Statement Fraud



# 2014 ACFE Report Industries By Frequency (not \$)

- 5. Education
- 4. Health Care
- 3. Manufacturing
- 2. Government
- 1. Banking

2010 was first time ever in the top 5 as to frequency. We've held ranking in 2012 & 2014!





Gender of Fraud Perpetrators, who commits more frequently?

Male 66.8% Female 33.2%

Not true for Universities based on my experience. Also in USA 54-46.





# Length of employment, who commits most frequently?

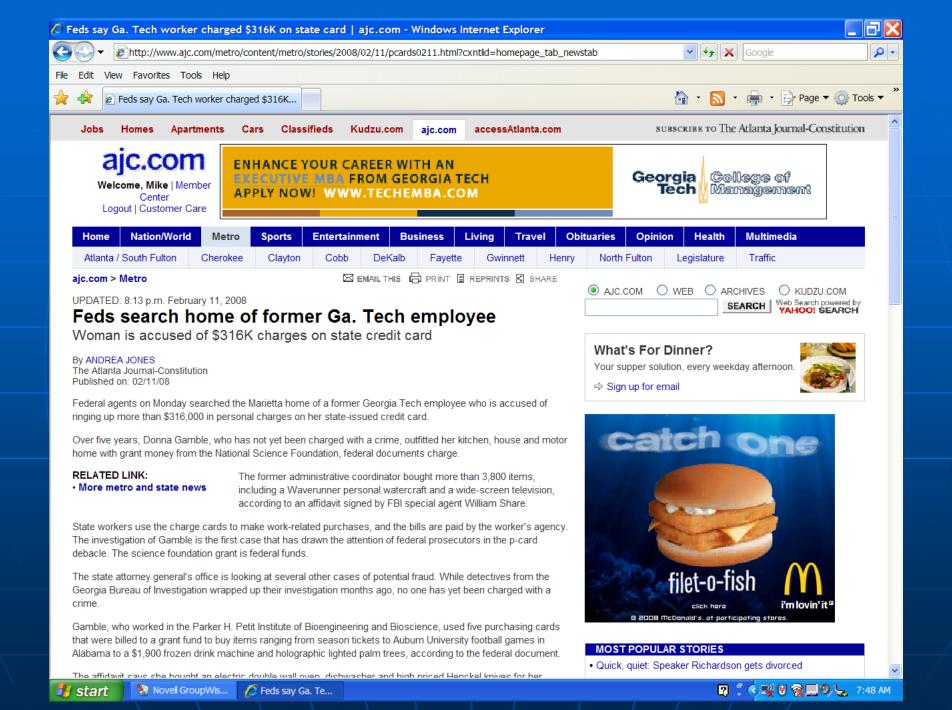
1-5 years of employment most frequent (but losses are lower, long term cause more loss dollar wise.)

Not true for Universities based on my experience.

# 2014 ACFE Report What contributed to fraud occurring?

- 1. Lack of internal controls
- 2. Lack of management review
- 3. Override of existing controls
- 4. Poor tone at the top
- 5. Lack of competent oversight

\*\*\*If these are the things that contribute to fraud what should we do?



## Georgia Tech



### How That Case Concluded



"Contemplating any business act, an employee should ask himself whether he would be willing to see it immediately described by an informed critical reporter on the front page of his local paper and thus be read by his spouse, children, and friends."

Warren Buffett

## The Curious Case of Quin Wiggins



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### Jury Decides Fate Of Former TSU Official

POSTED: 10:57 am CDT May 8, 2007 UPDATED: 5:45 pm CDT May 8, 2007

Homepage > HOUSTON NEWS



HOUSTON -- Jurors reached a decision in the punishment phase of a former Texas Southern University financial officer convicted of helping cover up a tax-funded personal spending spree, KPRC Local 2 reported

Quintin Wiggins, the university's former vice president of finance, was sentenced to 10 years in prison. Wiggins was found guilty on Wednesday of one count of misapplication of fiduciary property with a value over \$200,000, a first-degree felony.

Prosecutors asked for a 30-year sentence but said they were happy with the decision.





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### **RELATED TO STORY**



 Video: Former TSU Officer Receives 10-Year Sentence

"We're satisfied with that," prosecutor Julian Ramirez said. "Prison time sends a strong message. We can't argue with what the jury did. They put a lot of time into this case. They heard about 55 to 60 hours of testimony and they did what they thought was right. We respect that."

A judge has not yet ruled on Wiggins' attorney's request for an appeal bond. Anyone sentenced to 10 years or less in prison is not qualified for an appeal bond.

Prosecutors said Wiggins helped hide a nearly \$300,000 spending spree by the university's now-former president. Priscilla



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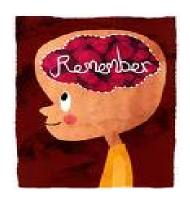
The physicians at M. D. Anderson are pioneering innovative approaches to treating all types of

skin cancer, including melanoma, basal cell, and squamous cell. Melanoma alone accounts for 60,000 new skin cancer diagnoses per year. To learn more about skin cancer treatment and prevention. Click here.



### Three Things To Remember





....even if you forget most of what I've said today.





### 3 Things

- 1. You are a risk manager. You make things better or worse.
- 2. Internal controls matter in achieving success so think about those you can improve.
- 3. Never let one person have complete control of any process.





### **Questions & Comments**



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