



WASHINGTON STATE
UNIVERSITY

RISK AND COMPLIANCE UPDATES

Sharyl Kammerzell
Chief Compliance and Risk Officer



THE REVIEW | OPINION

Columbia Capitulated — But So Did the Rest of Higher Ed



THE REVIEW | OPINION

How an Accreditation War Could Start



THE REVIEW | ESSAY

Accreditation Is Trump's 'Secret Weapon'

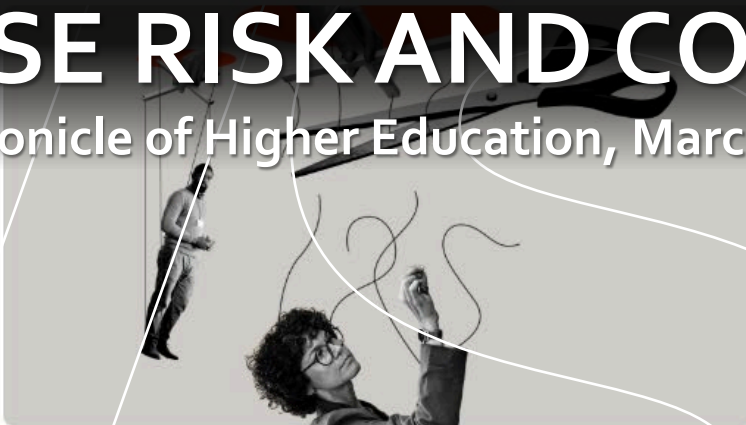
FEDERAL POLICY IMPACTS ON ENTERPRISE RISK AND COMPLIANCE

(Chronicle of Higher Education, March 26)



THE REVIEW | ESSAY

The Rise and Fall of the Campus Left



THE REVIEW | ESSAY

Shared Governance Is Crumbling



THE REVIEW | OPINION

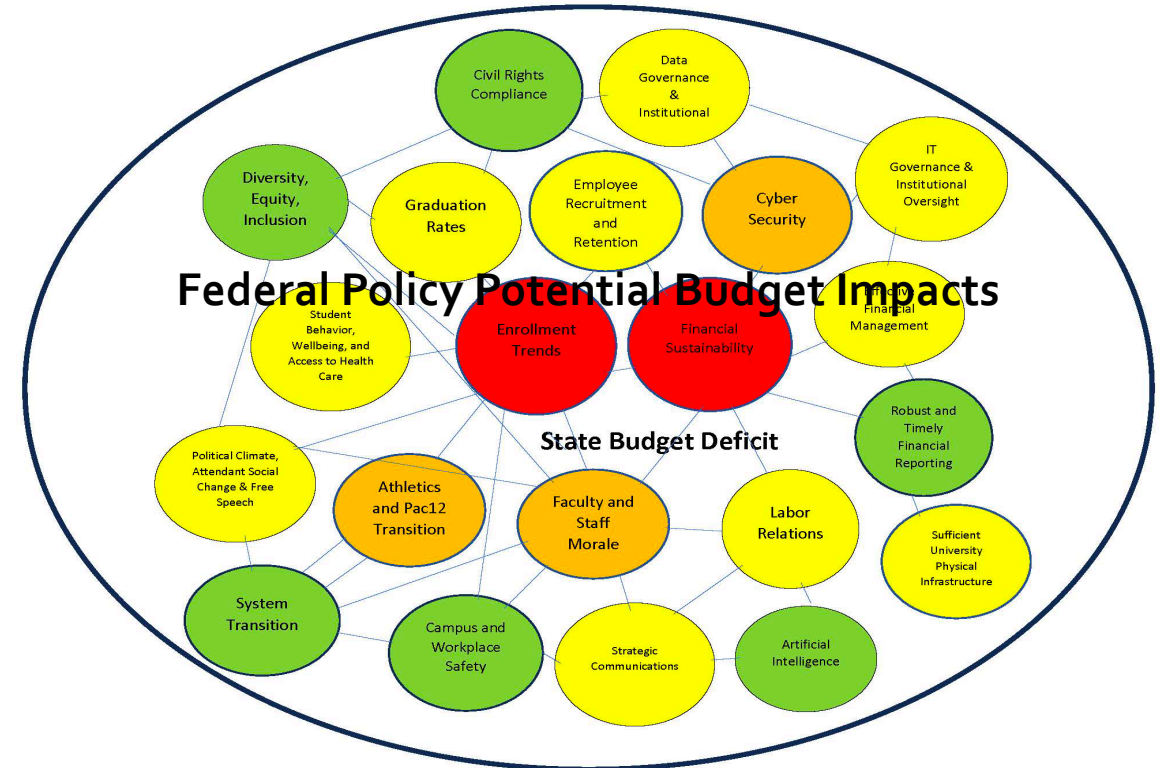
Higher Ed Needs Checks and Balances

FEDERAL POLICY IMPACTS ON ENTERPRISE RISK

January 24, 2025

Enterprise Risk Management

April 17, 2025



“Outlook revised to negative as federal policy actions raise risk across the (US Higher Education) sector”

Moody's Outlook, March 18, 2025

The potential fiscal Impact is universal for higher education; the uncertainty is what institutions will be impacted and the basis for the action

Credit impact ● Negative ● Neutral ● Positive Severity ● High ● Medium ● Low			
Policy risk	Institutions affected	Credit impact	Severity
Federal research cuts	All, predominantly R1 institutions	●	●
Enforcement actions related to DEI programs	All	●	●
Department of Education restructuring	All	●	●
Reduction or interruption in Pell Grants	All, institutions serving low-income students	●	●
Changes or disruptions to federal student loans	All	●	●
Endowment tax	Wealthy private colleges and universities	●	●
Reduction in foreign student visas	Many, especially those with STEM or art and design programs	●	●

Source: Moody's Ratings

Shifting Sands in Compliance



Focus Areas

- Title IV – Federal Student Aid funding
 - (Higher Education Act)
- Title VI – Non-Discrimination
 - (Civil Rights Act)
- Title IX – Sex-based Discrimination
 - (Education Act)
- Immigration:
 - I-9 Emphasis for Employers
 - Status Actions - International Community

I-9 Focus for Employer Immigration Compliance

■ Federal Landscape

- I-9 documents a person's legal right to work in the US.
- Increased audits by Immigration and Customs Enforcement are expected
- Fines:
 - Up to \$2,789 per document error
 - Up to \$27,894 per employment error
 - Criminal fines and prison for HR managers and businesses considered to be "harboring" undocumented workers

WSU Updates

- Phasing out legacy system, moving all I9 processing to Workday
- Workday platform improves workflow, tracking, and alerts
- Role-based access and accountability added in Workday
- Employee access added – expedites verification process
- Updated and enhanced training
- Improved and increased compliance reporting

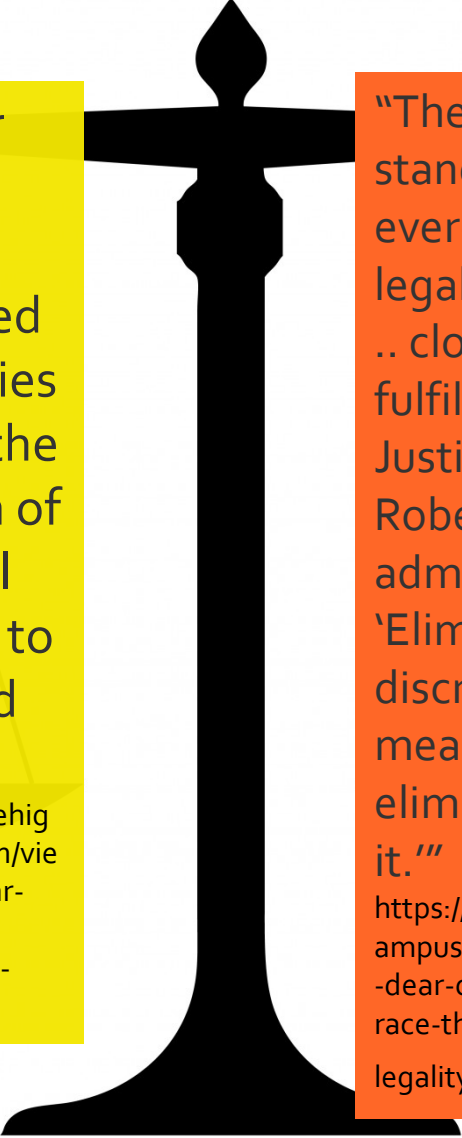
Status Actions Across International Community

■ Federal Landscape

- As of April 10, almost 1,300 international students or scholars visas revoked and/or status record terminated, jeopardizing legal status
- Reason given is “other” with a vague reference to a criminal records check “and/or” a visa revocation.
- April 9, DHS announces policy of screening social media for antisemitism

WSU Landscape

- As of April 11, 3 students have had their SEVIS record terminated.
- Providing support on case- by-case basis coordinated through International Student and Scholar Services
- Information and communication
 - Immigration enforcement on campus
 - “Know your rights”
 - International and domestic travel



"This letter revealed novel, unsupported legal theories regarding the application of federal civil rights laws to schools and colleges."

<https://www.insidehighered.com/opinion/views/2025/02/27/dear-colleague-letter-lawless-attack-dei-opinion>

"The new DCL stands on *SFFA's* ever-expanding legal foundation. .. closer to fulfilling Chief Justice Robert's *SFFA* admonition: 'Eliminating discrimination means eliminating all of it.'"

<https://www.mindingthecampus.org/2025/03/24/the-dear-colleague-letter-on-race-the-sound-fury-and-legality/>

Civil Rights Compliance and Enforcement: Title VI

Title VI of the Civil Rights Act of 1964

Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.

- OCR Dear Colleague Letter: Title VI of the Civil Rights Act in Light of Students for Fair Admissions v. Harvard issued by the U.S. Department of Education's Office for Civil Rights (OCR) on February 14, 2025.
- Frequently Asked Questions About Racial Preferences and Stereotypes Under Title VI of the Civil Rights Act (In response to DCL)

Civil Rights Compliance and Enforcement

Title IX prohibiting sexual discrimination

■ OCR Dear Colleague Letter: Title IX Enforcement, issued January 31, 2025; reissued February 4, 2025

- OCR will enforce Title IX under the provisions of the 2020 Title IX Rule, rather than the 2024 Title IX Rule.
 - Changes definition of sexual harassment; procedural protections for complainants and respondents; supportive measures to complainants, reporting processes.
- Must enforce Title IX consistent with January 20, 2025 Executive Order, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, which orders agencies to:
 - *“enforce all sex-protective laws to promote [the] reality” that there are “two sexes, male and female,” and that “[t]hese sexes are not changeable and are grounded in fundamental and incontrovertible reality.”.*

Title IV of the Higher Education Act: Federal Student Aid

Pell Grants ; Federal Supplemental Educational Opportunity Grants (FSEOG) ; Direct Subsidized/Unsubsidized Loans ; Direct PLUS/Graduate PLUS Loans

Institutions Must Meet Federal Requirements to Participate

- **Accreditation:** must be accredited by an accrediting agency recognized by the U.S. Department of Education (ED).
- **Certification:** The institution must be certified by ED as eligible to participate in Title IV programs.



Intersection of Federal Civil Rights Enforcement and Title IV Funds

Executive Order: *Improving Education Outcomes by Empowering Parents, States, and Communities*

March 20, 2025

“The Secretary of Education shall ensure that the allocation of any Federal Department of Education funds is subject to rigorous compliance with Federal law and Administration policy, including the requirement that any program or activity receiving Federal assistance terminate illegal discrimination obscured under the label “diversity, equity, and inclusion” or similar terms and programs promoting gender ideology.”



WASHINGTON STATE
UNIVERSITY

Navigating Through Turmoil

- Seek to understand scale, scope and source of risk
Recognize chaos, maintain focus
- Assess our current compliance and change factors
Improve consistency to benefit WSU overall
- Provide guidance, communication, and support
Ensure actions are legal and effective
- Stay true to our mission
Support core values of access and opportunity for all

<https://news.wsu.edu/navigating-challenges/resources-faqs/>

Navigating Challenges

Exploring WSU's financial landscape and the steps being taken to secure a strong and sustainable future.

[Home](#)[FAQs & Resources](#)[WSU Insider Series](#)[Messages](#)[Contact](#)

FAQs and Additional Resources

FAQs and additional resources will continue to be made available as we navigate the challenges ahead.

A stylized tree with a brown trunk and branches. The leaves are replaced by numerous colorful hands in various colors including red, orange, yellow, green, blue, and pink. The hands are arranged to form the canopy of the tree.

**IT TAKES A VILLAGE AND THE WSU VILLAGE IS
WORKING HARD TO CONTINUOUSLY RESPECT AND
PROTECT CIVIL RIGHTS AND MEET COMPLIANCE
REQUIREMENTS**