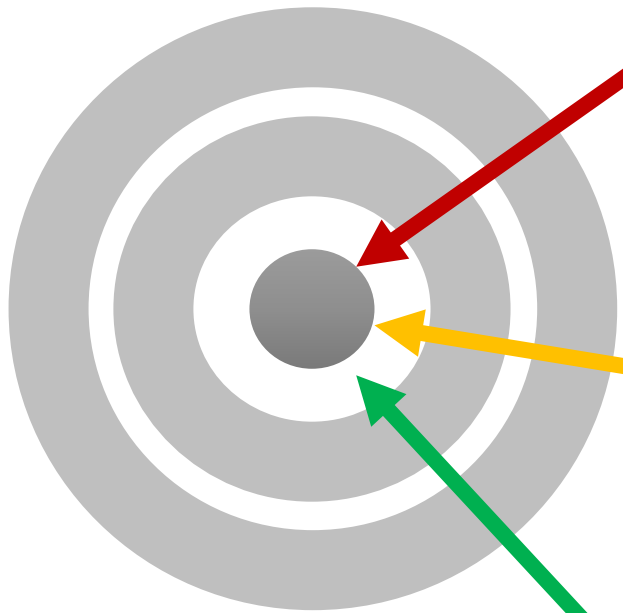




MANAGING REGULATORY CHANGE

SCCE Higher Education Compliance Conference
June 3, 2025

SESSION GOALS



ANTICIPATING Change

What is changing and how to keep track

UNDERSTANDING the New Regulatory Environment

Tools to explain challenges

ENHANCING Our Professional Responses

Identify approaches to address new challenges

INTRODUCTORY QUESTIONS





ANTICIPATING REGULATORY CHANGE

- **What Is Changing**
- **How To Keep Track**

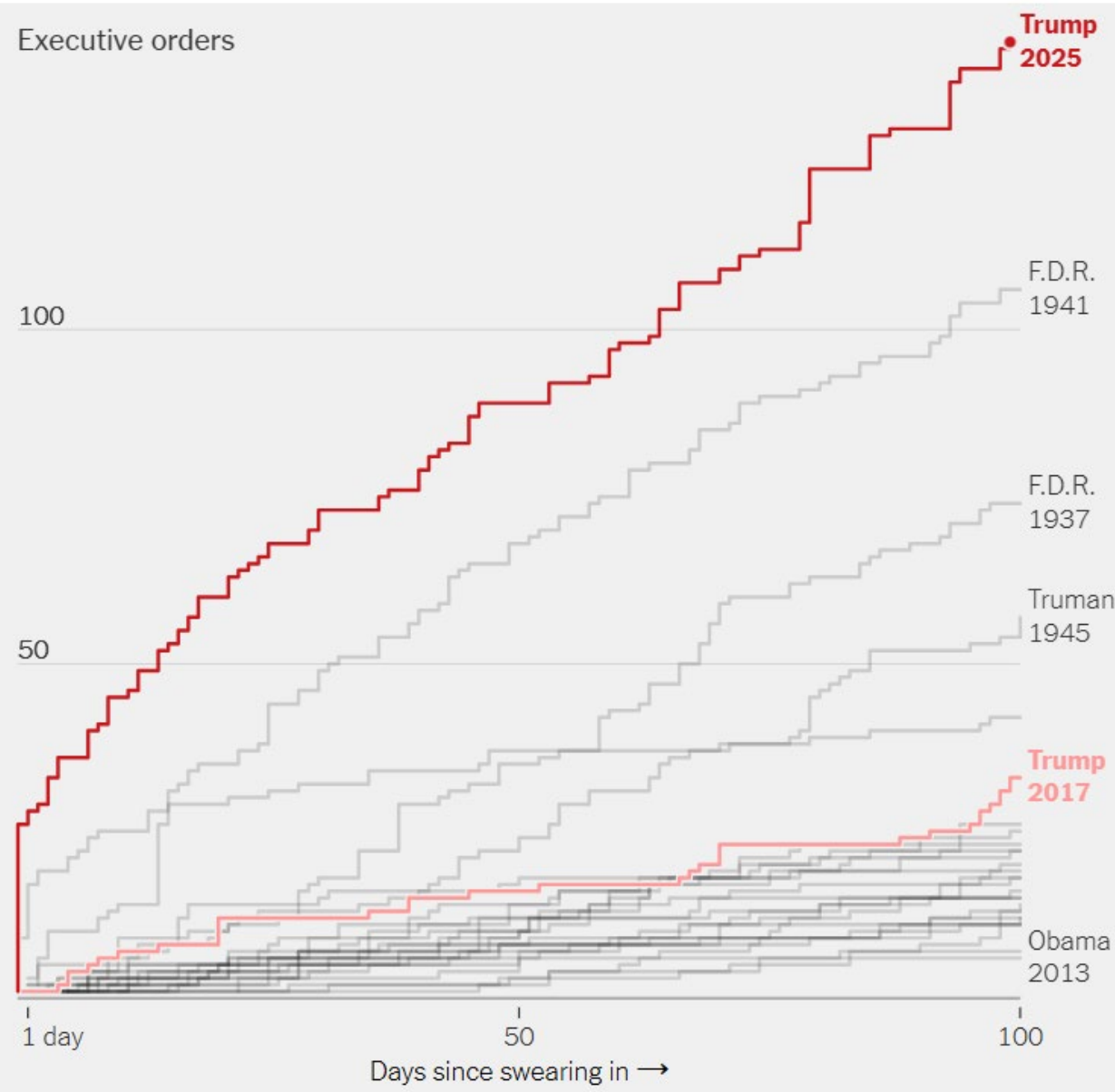
VELOCITY OF CHANGE

EOs by Presidential Term

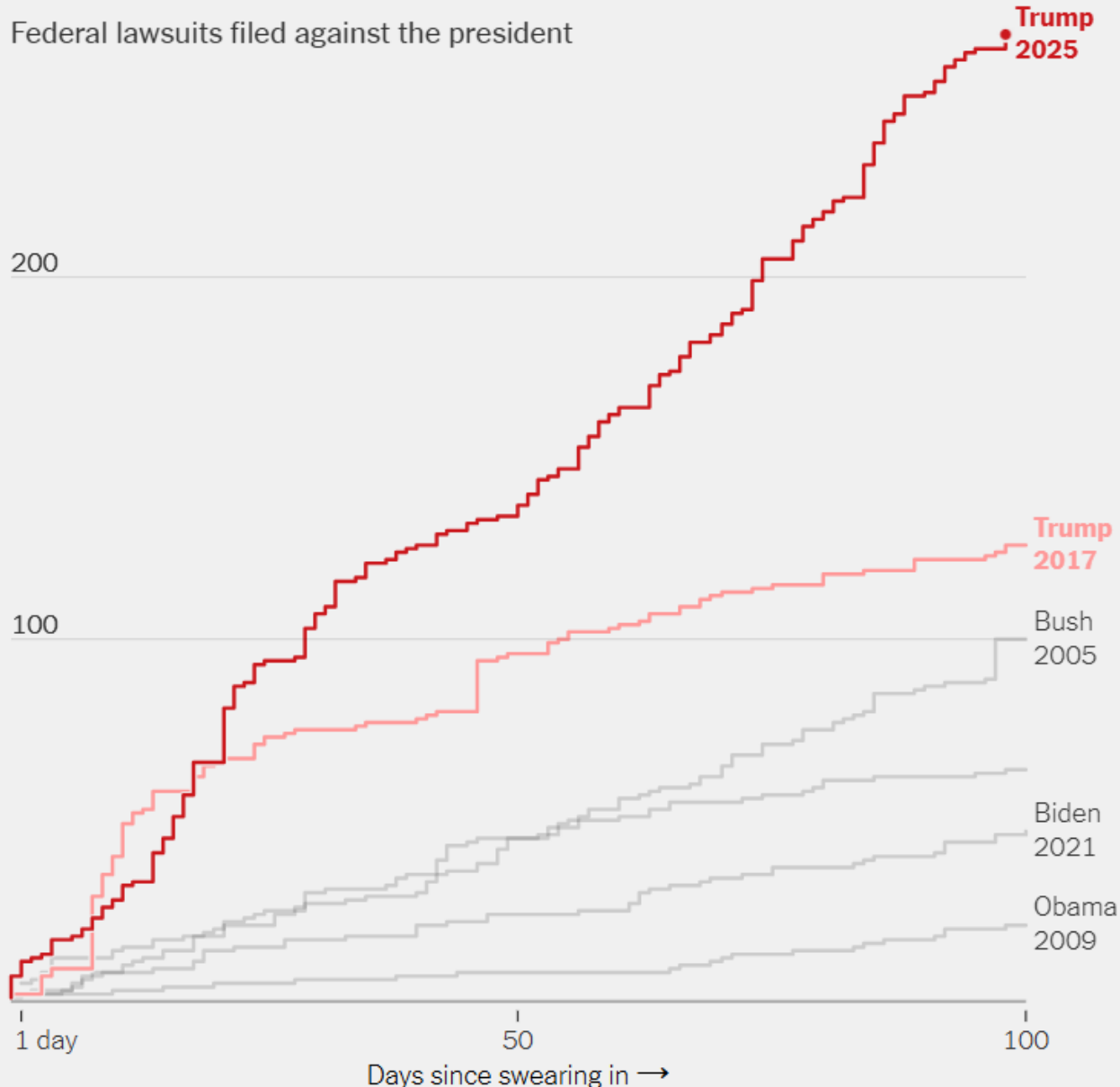
147 EOs in less than four months*

*as of May 8, 2025

Also: 7 Presidential Memoranda & 48 Presidential Proclamations, which clarify overall policy; federal agencies likewise proposing new regulations and requirements



KEEPING TRACK



Disclaimer: Lawsuits Challenging Executive Actions

- EOs bind federal agencies, but are subject to judicial review
- MANY new Eos/regulations being challenged; as of May 8, courts have issued over 200 injunctions
- Actual impacts must be assessed with counsel and with guidance from associations and peers

Sources: Bloomberg.com, May 8, 2025, <https://www.bloomberg.com/graphics/2025-lawsuits-against-trump-administration/?embedded-checkout=true>; NYT, 4/29/25, <https://www.nytimes.com/interactive/2025/04/29/upshot/trump-100-days-charts.html>

Resources for Monitoring

Executive Orders

- COGR is tracking EOs and providing other resources via a resource [website](https://www.cogr.edu/2025-administration-transition-information-resources) [<https://www.cogr.edu/2025-administration-transition-information-resources>] which includes [a webpage](https://www.cogr.edu/cogr-summary-executive-orders) that features a downloadable Excel file of the EOs with summaries that is updated regularly: <https://www.cogr.edu/cogr-summary-executive-orders>

Litigation Tracking

- Litigation Tracker: [Legal Challenges to Trump Administration Actions](https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration/)
<https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration/>
- Executive Order Challenges: [Resource from the Associated Press](https://apnews.com/projects/trump-executive-order-lawsuit-tracker/)
<https://apnews.com/projects/trump-executive-order-lawsuit-tracker/>

Resources for Monitoring

- **Industry Associations**

Resources are available through various associations, such as the National Association of College and University Attorneys (NACUA), which has held almost weekly webinars since the start of the new Presidential administration

- **Peer Groups**

Peer Compliance Officer groups can provide helpful insight on approaches. If you aren't a part of one, join or start one. Connect with similarly situated institutions.

- **Your Institution's Lawyers**

Utilize in-house lawyers, especially in this period to ensure institution has process to assess all new EOs and regulations, and their potential impact



UNDERSTANDING THE NEW REGULATORY ENVIRONMENT

- **Explaining the challenges**

SUMMARY OF CHALLENGES

- Speed, volume, & unpredictability
- Deregulation
Transfer of risk
- De-resourcing Federal Agencies
Transfer of bureaucratic work
- Regulatory Competition and Overlap
Urgent new requirements that cut across existing institutional owners, Subject Matter Experts (SMEs), and processes



These are long-term trends; effects will not end with change of administration. Pressure to deregulate, find uses for GenAI; and competition among federal and state regulators all will continue

SPEED, VOLUME, & UNPREDICTABILITY

Consequences

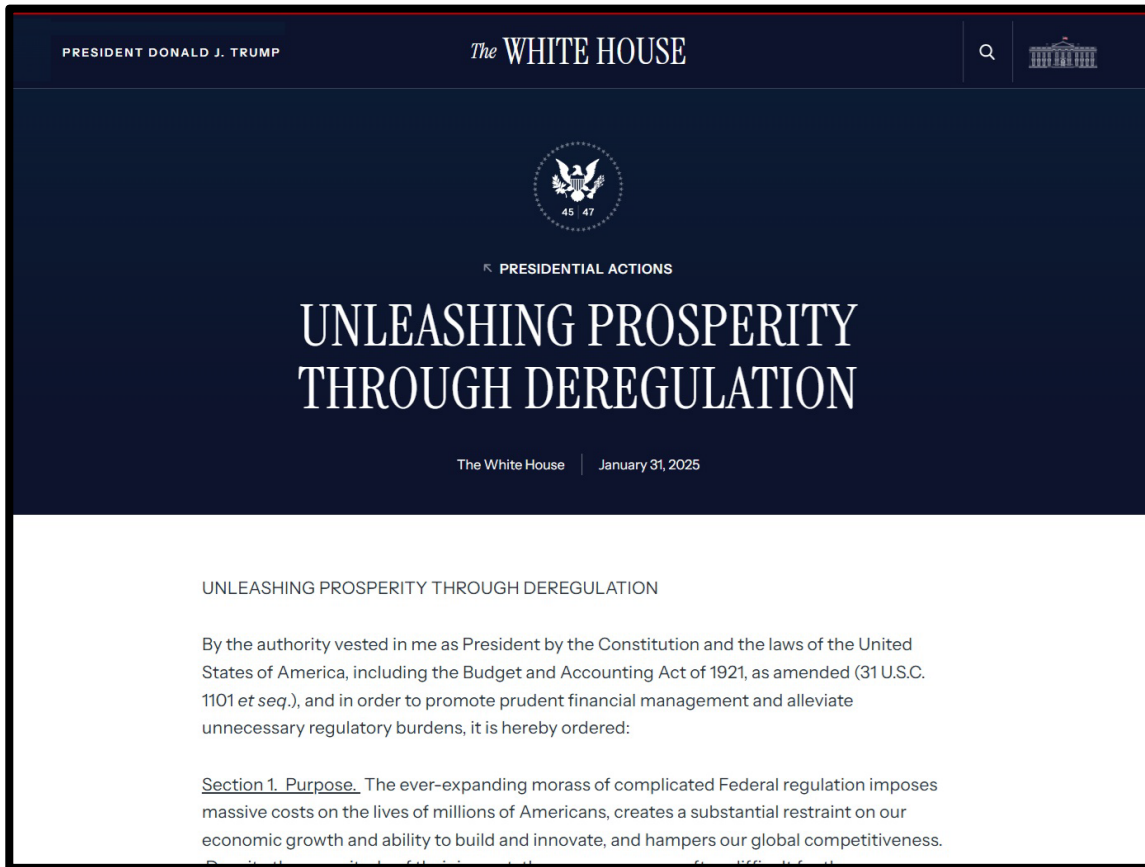
- These are the obvious, known problems that institutional leaders and boards already understand
- “Being overwhelmed by change” makes organizations and individuals reactive — which makes it even harder to gain perspective, be positive, and set priorities
- Naming and framing additional challenges helps leaders put the speed, volume, and unpredictability of the current regulatory environment in context

Speed

Volume

Unpredictability

Executive Order on **Deregulation** (January 31, 2025)



- Stated goal is to create a more streamlined regulatory environment, reduce costs for businesses, and foster economic growth
- Requires federal agencies to repeal a certain number of existing regulations for each new regulation they issue, and regulations related to 10 Supreme Court cases, without notice & comment

EO attempts to fast-track ongoing trend

Examples: **Athletics** and CFATS Regulation

Name
Image
Likeness

Athletics/NCAA NIL

Universities (or others) have to set new limits internally, and the risk limits and accountability can be challenged, or have to be renegotiated.



Suspension of CFATS regulation

Research center ordered 700 lbs. of aluminum powder for 3d printers. Prior regs set tight requirements for quantity, storage, and security. Research center believed it did not have to follow security/risk control limits after the regulations were suspended

Consequences

- Regulations frequently define clear limits, thereby defining acceptable risk levels for institutions
- Deregulation does not eliminate the risk – responsibility for defining risk shifts from government to institution



DE-RESOURCING FEDERAL AGENCIES

Example: Cut in State Department Grant



Fulbright Scholar

Graduate student studying at on Fulbright received letter Secretary of State declaring immediate end to funding

- Letter did not state WHAT funding, or whether decision affected visa
- Internal effort to resolve questions involved 7 people and 3 days in ad hoc work to determine that impact was only DoS travel grant

DE-RESOURCING FEDERAL AGENCIES

Consequence: Transfer of Bureaucratic Work



Department of Government Efficiency
The people voted for major reform.

Stated goal: force federal agency adaption of AI tools and save money by reducing staff



Analogy: Introduction of bar code scanners (early stage AI) for retail self-checkout

- Stores cut employees and costs
- Transferred work of checking out products from employees to customers
- Increased theft (loss of integrity environment)
- Loss of “stickiness” (connection) between customer and store (loss of faith in govt)

REGULATORY COMPETITION AND OVERLAP

Example: DOJ Bulk Sensitive Data Rule



Office of Public Affairs
U.S. Department of Justice

PRESS RELEASE

Justice Department Implements Critical National Security Program to Protect Americans' Sensitive Data from Foreign Adversaries

Friday, April 11, 2025

Share >

For Immediate Release
Office of Public Affairs

Department Answers Frequently Asked Questions, Provides Guidance, and Issues Limited Enforcement Policy for First 90 Days

Today, the Justice Department took significant steps to move forward with implementing a critical program to prevent China, Russia, Iran, and other foreign adversaries from using commercial activities to access and exploit U.S. government-related data and Americans' sensitive personal data to commit espionage and economic espionage, conduct surveillance and

The Data Security Program implemented by the National Security Division (NSD) under [Executive Order 14117](#) addresses this "unusual and extraordinary threat...to the national security and foreign policy of the United States" that has been repeatedly recognized across political parties and by all three branches of government.

The Justice Department's continued prioritization of the Data Security Program delivers on promises made by President Trump in his [America First Investment Policy](#) and [NSPM-2 on Imposing Maximum Pressure on Iran](#), addresses threats identified in the [2025 Annual Threat Assessment of the U.S. Intelligence Community](#) and President Trump's [2017 National Security Strategy](#), and responds to the national emergency President Trump declared

- Rule cuts across export controls, privacy, cyber, identity/immigration, commercialization, etc.
- Requires creation of new program/audit capabilities
- No single team owns enough to drive program without change in existing resources
- Resulted from inter-agency competition; state regulators and legislators also more active
- Will see increase in these broad, multi-silo regulations and legislation

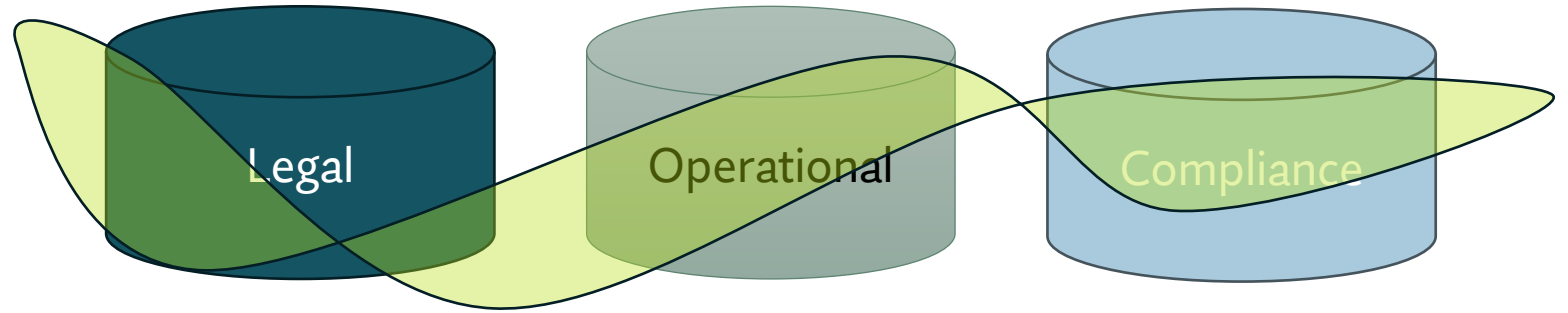
REGULATORY COMPETITION AND OVERLAP

Consequences

Stretches SME and Operational Capabilities

**Agency
Competition**

=



- Forces Compliance to work as both SME and project manager
- Cross-unit impacts often poorly understood by leaders and stakeholders
- Each project forces de-prioritizing of other obligations, requires extensive work, and creates potential conflicts with existing requirements
- Managing ongoing compliance becomes new unfunded mandate



ENHANCING OUR PROFESSIONAL RESPONSES

- **Categories of Approaches**

Overview

- **Enhance Responsiveness**
 - Prepare for Backlash
 - Maintain Neutrality and Work Quality
 - Reinforce and Recommunicate Your Value
 - Maintain Role Clarity
 - Generate Systems
- **Address Risk Transfer**
 - Define Underlying Risks, Orient Toward Values
- **Identify Opportunities**
- **Define and Measure Changes**
- **Leverage Connections**

Prepare for Backlash

Regulatory trends, together with fiscal constraints and unmet resourcing needs, create new challenges for Compliance (including increased frustration with Compliance as a function)

Acknowledge these challenges and confront them proactively



ENHANCE RESPONSIVENESS

Maintain Neutrality & Work Quality

Maintaining
Neutrality

Maintaining Work Quality
and Accuracy

These are critical to
maintaining the trust and
confidence of stakeholders,
and are **essential to
professional/functional
credibility**

ENHANCE RESPONSIVENESS

Reinforce and Recommunicate Your Value

We get it right. We get it done with minimal drama. Our solutions stay fixed. We build institutional credibility.



- Define what makes the contributions of you and your team unique
- Now is the time to reinforce your value — to yourself and team, then others
- When colleagues lose their heads, keep perspective

Maintain Role Clarity

- Clarify what Compliance Role will be in assisting with new obligations
- Assist in clarifying WHO is responsible for ongoing operational ownership and tasks

STEP 1: ROLE DESIGNATION

In times of increased and/or changing regulatory obligations, designating responsibility for compliance with an individual or office is critical.

STEP 2: DOCUMENTATION

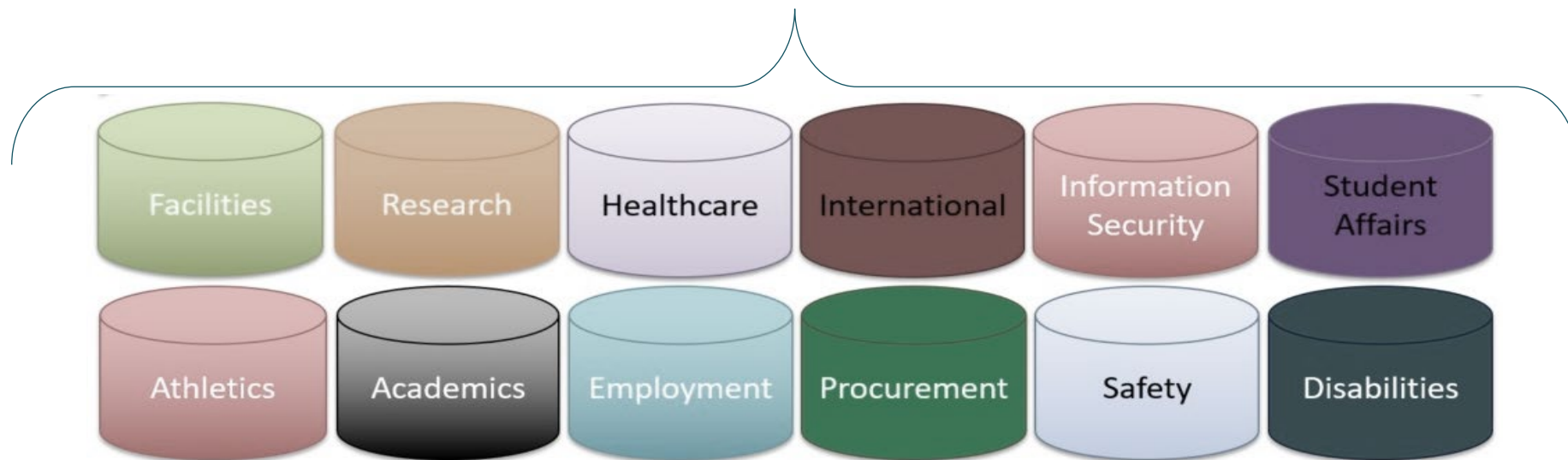
Document the designation in a Policy, Procedure, SOP, or process document.

ENHANCE RESPONSIVENESS

Generate Systems

- Apply project management skills, systems knowledge, and process expertise to cross-unit work
- Design every project to be repeatable; don't do the same thing twice without explicitly leveraging what was done the first time

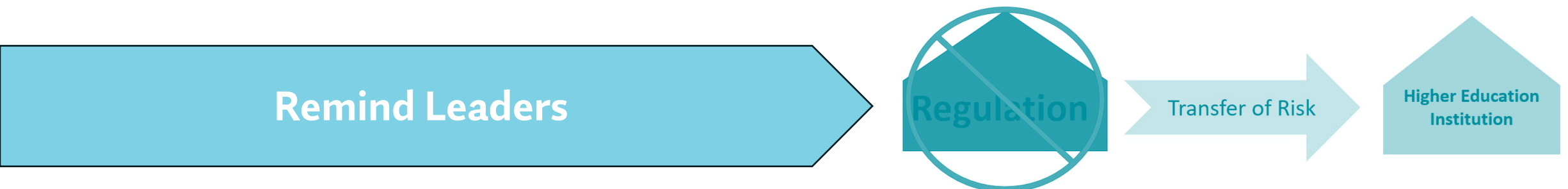
Amateurs set goals; professionals build systems



ADDRESS RISK TRANSFER

Define Underlying Risks, Orient Toward Institutional Values

- **Resource pressures encourage leaders to de-fund compliance functions** where deregulation is expected (e.g., Athletics, civil rights protections).
- **Focus on:**
 - The underlying protection: the risk and the institutional value
 - The ownership of the risk — and on risk acceptance levels
- **Continually communicate** that reducing risk and creating ethical and compliant culture remains the priority **regardless** of government deregulation
 - Connect risks and values work with institution's strategic priorities



ADDRESS RISK TRANSFER

Define Underlying Risks and Institutional Values

- Reinforce local ownership and decision-making where appropriate.
 - Resist tendency to push decisions “up” — overloading leadership.
 - Reinforce local decision-making where appropriate
 - What decisions can be made locally? Be strategic.



IDENTIFY OPPORTUNITIES

Reframe challenges as opportunities

- Focus on defining risk and ensuring efficient assessment and risk acceptance decisions by appropriate level of leadership
- Define challenges and opportunities to stakeholders and keep them engaged
- Define “voice of customer” – faculty member, researcher, student – who must understand impacts on them and what they need to do

BE SEEN as part of solution, not part of problem

- Defending perceived excessive requirements (or political approaches) creates risk that Compliance is guarding turf
- Be ready with a business case and PRACTICAL solutions.

IDENTIFY OPPORTUNITIES

Reframe as opportunity

Deregulation is an opportunity as well as a challenge

- With each new requirement, what can be reduced?
- Shift of bureaucratic work affects everyone at institution, and requires prioritization an opportunity to demonstrate utility

Regulatory competition
cutting across units offers
opportunities to
streamline and centralize



IDENTIFY OPPORTUNITIES

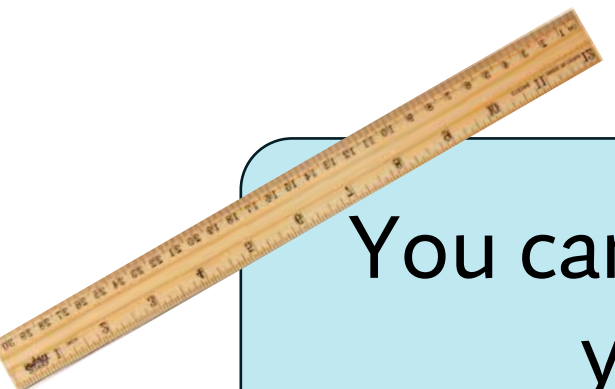
- **Seek opportunities for regulatory simplification** for leadership to promote, either through govt. affairs channels directly, or indirectly through higher education groups (e.g., APLU, AAU, ACE, AAMC, COGR)
- **Extend this to policy/requirement simplification** initiatives: be seen as working proactively on simplifying requirements.
- **Don't overlook campus communication:** At a time of constant change, communicating timely information to the campus community is critical (e.g., updated websites, emails to community, consistent updates to leadership bodies)



DEFINE AND MEASURE CHANGES

Track the Changes

- Regulatory Volume
- Novel Projects
- Offices with the most responsibility
- **Report efforts to Board** → they are keenly interested in changing impacts
 - We are all feeling the consequences anecdotally → Have data to show for it



You cannot change what you don't measure - and what you measure defines the change you want.

LEVERAGE CONNECTIONS

- **Use this conference**
 - Make connections
 - Learn strategies, best practices, and subject matter information from the sessions
- **Leverage peers inside and outside your institution**
- **Solutions are everywhere!**



Strategies?
Solutions?

What are your strategies?

QUESTIONS?

Enjoy the SCCE Higher Education Compliance Conference!

APPENDIX

CONTACT US



Gates Garrity-Rokous

Vice President and Chief Compliance Officer
Office of University Compliance and Integrity
The Ohio State University



THE OHIO STATE
UNIVERSITY

Nedra Abbruzzese-Werling

Associate Vice President for Compliance Services
Compliance Services Office
Boston University

BOSTON
UNIVERSITY



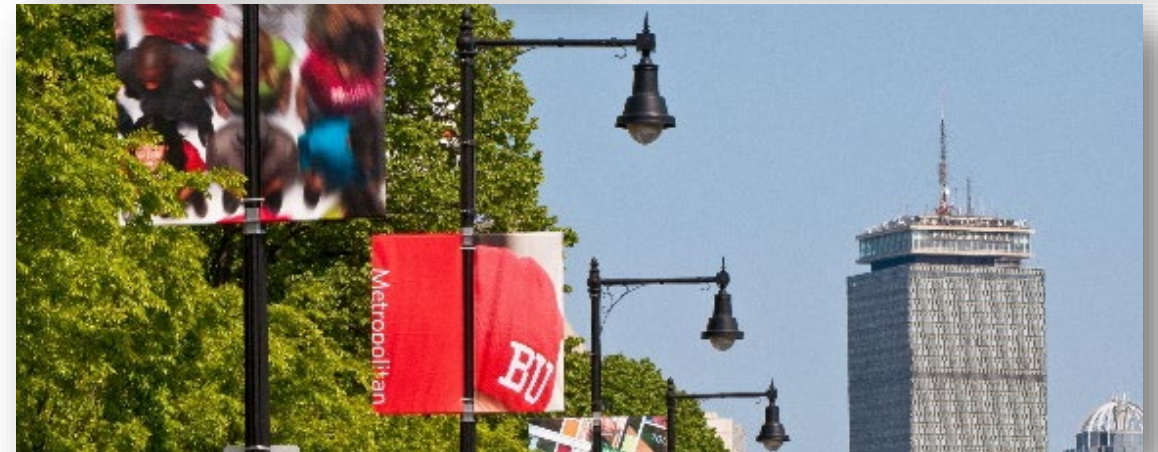
ABOUT OUR INSTITUTIONS

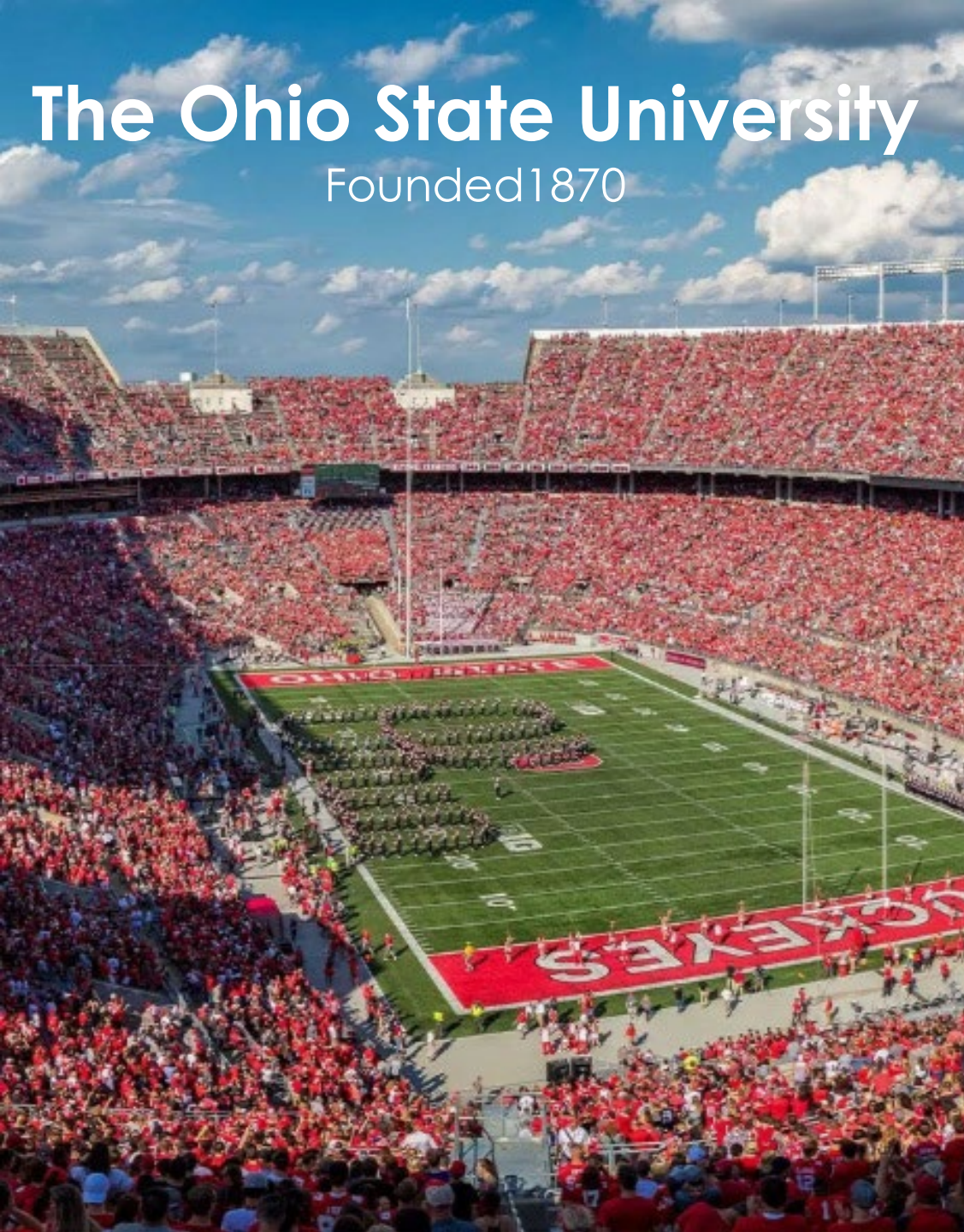


THE OHIO STATE UNIVERSITY



BOSTON
UNIVERSITY





The Ohio State University

Founded 1870

Founded as a land-grant university under the Morrill Act of 1862, Ohio State is a major research university with a global reputation known for its comprehensive programs, strong academic standing, and competitive athletics programs.

Community

- Student Body: 66,901, which includes the Columbus and regional campuses. Columbus campus enrollment is 61,443 students.
 - Graduate & Professional Students: 11,408
 - Undergraduate Students: 59,269
- Living Alumni: 600,000+
- Total Employees: 41,000 Staff and Student employees | Faculty 7,800

Academics

- 350 study abroad programs offered in 70 countries on 6 continents
- Average Class Size ~25
- Student/Faculty Ratio 18:1
- Schools and Colleges 18
- 12,000 Courses offered

Campus

- Six main campuses: main campus in Columbus; regional campuses in Lima, Mansfield, Marion, Newark, and Wooster.
 - Columbus Campus: 1,714 acres | 2.5 miles north of downtown Columbus | 457 buildings | 11 acre historical Oval quad

Athletics

- 36 Varsity Sports | Over 60 Club Sports
- Mascot: Brutus the Buckeye

Research

- \$ \$1.582 billion total research expenditures

* Numbers as of 2024

Boston University is a leading private research institution with two primary campuses in the heart of Boston, and programs around the world. BU is a member of the Association of American Universities.

Community

- Student Body: 37,557
 - Graduate & Professional Students: 18,476
 - Undergraduate Students: 17,744
- Living Alumni: 431,000+
- Total Employees: 10,674 | Faculty 4,309

Academics

- Study Abroad Programs 80+
- Average Class Size 30
- Student/Faculty Ratio 11:1
- Schools and Colleges 17 (including MED and LAW)
- Programs of Study 300+

Campus

- 3 campus locations in Boston: Charles River, Medical Campus, and the Fenway Campus
- Classrooms: 848 | Buildings: 343
- Laboratories: 1,481 | Libraries: 13
- Campus Area (acres): 140

Athletics

- 24 Varsity Sports | 36 Club Sports
- Mascot: Rhett the Boston Terrier

Research

- \$554.0 M total research expenditures
- \$645.6 M Sponsored Research Awards

* Numbers as of FY2023



BOSTON UNIVERSITY
Founded 1839