

Office of Inspector General Review of Foreign Influence

Report # C-2425DOE-006

May 2025

Executive Summary

In accordance with the Department of Education's fiscal year (FY) 2024-2025 audit plan, the Office of Inspector General (OIG) conducted a review of foreign gifts and foreign gift agreements reported by institutions of higher education (IHE) to the State Board of Education. Section 1010.25, Florida Statutes (F.S.), requires the Inspector General of the Department of Education (DOE) to annually inspect or audit at least five percent of the total number of gifts from a foreign source that were disclosed by, or gift agreements received from, institutions of higher education during the previous year.

The purpose of this audit was to determine the level of compliance with the statutory reporting requirements with respect to the foreign gifts and gift agreements reported during the 2023-24 disclosure period. Our review determined that seven of the ten IHEs that filed at least one gift disclosure during the review period filed their disclosures in a timely manner. We identified three institutions that failed to report certain gifts by the statutory deadlines as each submitted amended reports adding gifts previously not reported or correcting gift amounts previously reported incorrectly after the reporting deadline. We reviewed a sample of gifts reported by the IHEs and determined that five of the ten IHEs in our sample filed a fully compliant gift disclosure. One IHE was excluded from further review as the reported gift did not meet the minimum dollar threshold for statutory reporting. We determined that the four remaining IHEs in the sample either failed to file the requisite copy of the gift agreement or submitted an incomplete gift agreement. Two IHEs were able to provide complete copies of the gift agreement upon request and achieve full compliance, but two others remained partially compliant as they did not submit a fully compliant gift agreement for review. These findings are further detailed in the audit results section of this report.

Scope, Objectives, and Methodology

The scope of our review included foreign gifts and foreign gift agreements reported by IHEs for the January 31, 2024, and July 31, 2024, reporting periods. The objective of this engagement was to determine if IHEs reported foreign gift disclosures in compliance with the requirements outlined in section 1010.25, F.S. The engagement included a review of at least five percent of the total number of foreign gifts and foreign gift agreements totaling \$50,000 or more reported during the previous year. To accomplish our objectives, we reviewed applicable laws, rules, and regulations; interviewed appropriate staff; and reviewed a sample of foreign gifts reported to the State Board of Education and all related supporting documentation.

The methodology of our review included:

1. Selecting at least a five percent sample of gifts reported by institutions of higher education to determine if the gifts were reported in accordance with Section 1010.25, F.S., and
2. Reviewing all supporting documentation for the sample of foreign gifts and foreign gift agreements disclosed by IHEs to determine if the reported gifts contain the following reporting requirements in accordance with section 1010.25(3), F.S.:
 - a. The amount of the gift and the date it was received;
 - b. The contract start and end date if the gift is a contract;
 - c. The name of the foreign source and, if not a foreign government, the country of citizenship, if known, and the country of principal residence or domicile of the foreign source; and
 - d. A copy of the gift agreement between the foreign source and the institution of higher education, signed by the foreign source and the chief administrative officer of the institution of higher education or their respective designees. This gift agreement documentation must:
 - i. include a detailed description of the purpose for which the gift will be used;
 - ii. include the identification of the persons for whom the gift is explicitly intended to benefit; and
 - iii. include any applicable conditions, requirements, restrictions, or terms made a part of the gift regarding the control of curricula, faculty, student admissions, student fees, or contingencies placed upon the institution of higher education to take a specific public position or to award an honorary degree.

Background

The Florida Legislature passed House Bill 7017, related to foreign influence, during the 2021 Legislative Session. This act requires increased disclosure of foreign support for public entities; examination of vendors and grant applicants with foreign connections; and examination of foreign applicants for research positions, travel to foreign countries, and undertakings of employees working within research institutions. All provisions in House Bill 7017 took effect July 1, 2021.

This report relates specifically to section 1010.25, F.S., and only those foreign gifts reported by a Florida College System (FCS) institution, an independent nonprofit college or university that is located in and chartered by the state and grants baccalaureate or higher degrees, and any other institution that has a physical presence in the state and is required to report foreign gifts or contracts under federal law. Beginning July 1, 2022, section 1010.25(3)(d)(2), F.S., requires the Inspector General of the Department of Education to annually inspect or audit at least five percent of the total number of gifts disclosed by or gift agreement received from the above noted institutions of higher education during the previous fiscal year.

All reporting IHEs must disclose information about the source, value, timing, purpose, and conditions or restrictions of their foreign gift(s). Section 1010.25, F.S. states the following pertinent definitions:

- “Gift” means any contract, gift, grant, endowment, award, or donation of money or property of any kind, or any combination thereof, including a conditional or an unconditional pledge of such contract, gift, grant, endowment, award, or donation”; and
- “Contract” means any agreement for the acquisition by purchase, lease, or barter of property or services by the foreign source, for the direct benefit or use of either of the parties, and any purchase, lease, or barter of property or services from a foreign country of concern as defined in section 286.101(1)(b).”

Institutions of higher education must report qualified foreign gifts two times each year. Foreign gifts received between July 1st and December 31st are reported by January 31st the following year. Foreign gifts received between January 1st and June 30th are reported by July 31st of the same year. Staff within the Division of Florida Colleges created and distributed a Foreign Gift & Donation Disclosure Form along with an instructional email memorandum stating what information shall be submitted at reporting deadlines to ensure compliance with the new statute. For the fiscal year 2023-2024 reporting period, DOE received a total of 141 reported foreign gifts for a total value of \$43,909,664.56. One of the twenty-eight FCS institutions (Valencia College) and nine of the thirty Independent Colleges¹ and Universities of Florida (ICUF) institutions (Beacon College, Eckerd College, Embry-Riddle Aeronautical University, Florida Institute of Technology, Florida Memorial University, Palm Beach Atlantic University, Nova Southeastern University, University of Tampa, and University of Miami) reported foreign gift disclosures. No Commission for Independent Education (CIE) institutions reported a qualifying foreign gift. The foreign gifts reported included contracts for goods and services, clinical research trials, awards, pledges, and student sponsorships.

Name of College	Reported Gifts for FY 2023-24	Total Value
Beacon College	1	\$ 150,000.00
Eckard College	2	\$ 257,035.88
Embry-Riddle Aeronautical University	5	\$ 4,407,158.70
Florida Institute of Technology	17	\$ 12,116,783.24
Florida Memorial University	2	\$ 108,750.00
Nova Southeastern University	40	\$ 5,551,032.81
University of Tampa	4	\$ 461,441.00
University of Miami	63	\$ 20,628,665.33
Palm Beach Atlantic University	5	\$ 20,290.00
Valencia College	2	\$ 208,507.60
TOTAL	141	\$ 43,909,664.56

¹ As of July 2024, Herzing University joined the Independent Colleges and Universities of Florida (ICUF), bringing the total number of member institutions to 31. However, Hodges University is no longer part of ICUF as of September 2024, so the total decreased back to 30 IHEs.

Gifts from Foreign Countries of Concern

Section 286.101(1)(b) F.S., defines foreign country of concern as, “the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity under significant control of such foreign country of concern.”

Of the 141 gifts reported by IHEs for fiscal year 2023–2024, we identified one gift originating from a foreign country of concern. The University of Miami received this gift from the People’s Republic of China via a contract with China Petrochemical Technology Company Limited (Sinopec) in Beijing, China, for research within the Industrial Associates Program of the university’s Comparative Sedimentology Laboratory, specifically the Center for Carbonate Research. The contract, which began on April 9, 2021, provided \$55,000 annually for 2021, 2022, and 2023, expiring on December 31, 2023. Supporting documentation provided includes the dates the funds were received by the institution, applicable terms and conditions, identified beneficiaries, and signatures from both the foreign source and the institution’s designated representative. The University of Miami reported this gift in the 2021-2022 fiscal year and again this fiscal year, but they did not report the gift in the 2022-23 fiscal year’s disclosure.

Audit Results

Timeliness Requirement

We reviewed all 141 foreign gifts and foreign gift agreements to determine if the gift disclosures complied with section 1010.25(2) F.S., which requires a Florida College System institution and independent nonprofit colleges or universities to submit a report to the State Board of Education listing all gifts received directly or indirectly from a foreign source with a value of \$50,000 or more during the fiscal year semiannually on each January 31, and July 31. If a foreign source provides more than one gift directly or indirectly to an institution of higher education (IHE) in a single fiscal year and the total value of those gifts is \$50,000 or more all gifts received from that foreign source must be reported. Except for the amended gift submissions outlined below, the IHEs reported all foreign gifts in a timely manner as required by s. 1010.25(2) F.S.

Of the 141 gifts reported, Nova Southeastern University (NOVA) initially submitted eleven gifts during the July reporting period but later filed an amended report disclosing 29 additional gifts. Of these, 16 gift disclosures had been omitted from prior reporting periods and 13 pertained to the current reporting periods of January 31, 2024, and July 31, 2024. NOVA discovered that they had inadvertently omitted the 29 gifts from their previous reports, prompting the submission of their supplemental amendment to the State Board of Education on November 22, 2024. NOVA management further explained that the payments were disclosed out of an abundance of caution due to ambiguity within the statute, a practice that has been followed since the statute took effect. The 29 gifts reported on the November 22, 2024, amended report were not reported in compliance with statutory reporting requirements. NOVA has since followed up with staff within the appropriate University offices to provide clarification on their reporting responsibilities under Florida’s foreign gift reporting statutes to maintain compliance moving forward.

The Florida Institute of Technology (FIT) initially reported 24 gifts for tuition payments within the statutory timeframe. On July 31, 2024, FIT submitted an amended report removing eight gifts from the original submission, amending two previously reported gifts, and adding one previously unreported gift. Details of the three new or amended gifts are as follows.

- One gift from Kenya, totaling \$57,622, was initially omitted from FIT’s January 24, 2024, submission but was later included in the amended submission on July 31, 2024. FIT clarified, “Payments from JAAV Cargo were originally misattributed to the student’s personal resources. Upon review, we determined these payments should be classified as corporate entity payments and reported them accordingly in the amended submission”. FIT was able to provide proof of payment and signed supporting documentation for the foreign gift. This gift was omitted from the January 24, 2024, submission that corresponded to the receipt of the gift; therefore, it is not in compliance with the statutory requirement for timely reporting.

Additionally, FIT attempted to correct the reported amounts for two gifts that were initially submitted on January 24, 2024.

- A gift from the United Arab Emirates was initially submitted on January 24, 2024, for \$54,374.00 but was amended on July 31, 2024, to \$79,596.00. Upon reviewing the initial submission, no supporting documentation was provided to verify either amount. FIT management explained that they identified additional payments for the student’s tuition, which were initially mischaracterized, and confirmed that these payments were made by Mitsumi Distribution. The July amended submission included the two additional payment dates not included in their initial submission. FIT was able to provide supporting documentation and proof of payment to support the corrected amount of \$79,596. However, as these additional payments were not reported in the corresponding January submission, this gift was not in compliance with the statutory reporting requirement.
- Similarly, a gift from Taiwan, Republic of China (ROC), was initially submitted for \$629,200.00 and later amended to \$717,200.00. Our review determined the documentation provided did not support either amount. FIT management identified an \$88,000 duplicate entry in the amended report and confirmed the correct total as \$629,200. They also provided proof of payment, which aligned with the contract information included in their initial submission. As the originally reported amount proved to be correct and timely submitted, we determined that FIT reported this gift in compliance with the statutory reporting requirement.

Embry-Riddle Aeronautical University initially submitted a timely report for a gift of \$1,545,831.00 from the Government of Brazil’s Airspace Control Department. The contract began on July 10, 2020, and ended on February 10, 2025. On January 31, 2025, the university submitted an amended contract amount of \$3,704,641.70. During a subsequent interview, the university clarified they received \$881,826.13 of the total contract amount in fiscal year 2023-2024². The amended submission dated January 31, 2025, was submitted after the deadline and

² Embry-Riddle received \$483,836.98 in January 2024 and \$397,989.15 in July 2024.

the reported amount did not accurately reflect the funds received during the audit period, leading to noncompliance with statutory reporting requirements.

Information Requirements

Section 1010.25(3)(a-c) F.S., requires reporting IHEs to provide the amount of the foreign gift and the date it was received; the contract start and end date if the gift is a contract; and the name of the foreign source and, if not a foreign government, the country of citizenship, if known, and the country of principal residence or domicile of the foreign source. Section 1010.25(3)(d) additionally requires the IHEs to include a “copy of a gift agreement between the foreign source and the institution of higher education, signed by the foreign source and the chief administrative officer of the institution of higher education, or their respective designees, which must include a detailed description of the purpose for which the gift will be used by the institution of higher education, the identification of the persons for whom the gift is explicitly intended to benefit, and any applicable conditions, requirements, restrictions, or terms made a part of the gift regarding the control of curricula, faculty, student admissions, student fees, or contingencies placed upon the institution of higher education to take a specific public position or to award an honorary degree.”

We reviewed 10 of 141 (7%) foreign gifts and foreign gift agreements to determine if the gift disclosures complied with the above statutory requirements. Palm Beach Atlantic University was initially included in our sample selection; however, their reported gifts fell below the \$50,000 statutory reporting threshold so they were not subject to further review. Of the remaining nine sampled foreign gift disclosures, our review determined that Nova Southeastern University, Eckard College, Embry-Riddle Aeronautical University, Valencia College, and Florida Institute of Technology submitted fully compliant gift agreements at their initial submission.

Our review of the remaining four institutions revealed the following:

- Florida Memorial University failed to provide a copy of the gift agreement with their submission as required in statute.
- Beacon College’s submission initially had a missing signature from the respective college designee;
- The University of Tampa’s submission was missing signatures from both the foreign source and the respective college designee; and
- The University of Miami did not initially submit a copy of the gift agreement or pledge with its submission.

During the review, the OIG contacted the IHEs that either failed to submit a gift agreement or submitted a gift agreement missing required information and requested copies of the gift agreements demonstrating all information required in the statute. As a result of this effort:

- The University of Miami provided a copy of the gift pledge, ensuring full compliance with the statute;
- Beacon College submitted a signature from the Vice President of Advancement and Strategy, their respective college designee, becoming fully compliant following the implementation of new college practices and procedures;

- The University of Tampa remained in partial compliance due to missing signatures from both the foreign source and the chief administrative officer or their respective designee. The University of Tampa indicated that they implemented corrective actions to prevent similar oversights moving forward; and
- Florida Memorial University remained partially compliant as they were unable to provide any additional documentation.

The table below shows the breakdown of compliance by IHE:

Name of IHE	Gifts Reviewed	Fully Compliant During Initial Submission	Fully Compliant Documentation Submitted During Review
Beacon College	1	No	Yes
Eckard College	1	Yes	Yes
Embry-Riddle Aeronautical University	1	Yes	Yes
Florida Institute of Technology	1	Yes	Yes
Florida Memorial University	1	No	No
Nova Southeastern University	1	Yes	Yes
University of Tampa	1	No	No
University of Miami	1	No	Yes
Palm Beach Atlantic University ³	1	N/A	N/A
Valencia College	1	Yes	Yes

Management Responses

Three of the ten IHEs listed above provided a response to the report's findings. Please see attached management response correspondence from Embry Riddle Aeronautical University (Attachment A), University of Miami (Attachment B), and Florida Institute of Technology (Attachment C). Embry-Riddle Aeronautical University agreed with the OIG's finding that it initially reported a \$1.5 million contract from Brazil's Airspace Control Department for FY 2023-24, but later submitted an amended amount of \$3.7 million, with \$881,826.13 received during the fiscal year. The amended report was submitted after the deadline. The university committed to only reporting foreign gifts or contracts totaling \$50,000 or more received within the fiscal year going forward. The University of Miami (UM) claimed full compliance with the statute in their response explaining that, although the draft report noted that UM did not initially submit a gift agreement, UM had already provided this document with its January 31, 2022, submission. The January 31, 2024, submission involved a subsequent installment of the same gift, so only documentation for that payment was submitted. Since the gift agreement was already on file, UM did not resubmit it. Florida Institute of Technology (FIT) addressed two specific gift disclosures and outlined corrective actions taken following OIG guidance. FIT clarified that, upon a comprehensive review for the amended report, it determined that two previously submitted payments from JAAV Cargo and the Mitsumi Distribution were made by corporate entities rather than an individual student. The amended report was updated to

³ Palm Beach Atlantic was excluded from further review as the reported gift did not meet the minimum dollar threshold for statutory reporting.

accurately reflect this correction. FIT also acknowledged an \$88,000 payment from China Airlines had been omitted but later determined it was a duplicate entry in the amended report. The correct total, \$629,200, had been accurately reported in the original submission, and FIT confirmed compliance with the statutory reporting requirements.

Closing Comments

The Office of Inspector General would like to recognize and acknowledge the Offices and staff of the Florida College System and the institutions for their assistance during this review. Our fieldwork was facilitated by the cooperation and assistance extended by all personnel involved.

To promote accountability, integrity, and efficiency in state government, the OIG completes audits and reviews of agency programs, activities, and functions. Our audit was conducted under the authority of section 20.055, F.S., and in accordance with the Global Internal Auditing Standards, published by the Institute of Internal Auditors, and Principles and Standards for Offices of Inspector General, published by the Association of Inspectors General. The audit was conducted by Ayah Mahdy and supervised by Bradley Rich, Audit Director.

Please address inquiries regarding this report to the OIG's Audit Director by telephone at 850-245-0403. Copies of final reports may be viewed and downloaded via the internet at <https://www.fldoe.org/about-us/office-of-the-inspector-general/audit-reporting-products.shtml>. Copies may also be requested by telephone at 850-245- 0403, by fax at 850-245-9419, and in person or by mail at the Department of Education, Office of the Inspector General, 325 West Gaines Street, Suite 1201, Tallahassee, FL 32399.

EMBRY-RIDDLE Aeronautical University

Office of the Senior Vice President and Chief Financial Officer

Randall B. Howard, Ph.D.

May 9, 2025

Mr. Bradley Rich, MS
Audit Director
Office of the Inspector General
325 West Gaines Street, Suite 1201
Tallahassee, Florida 32399
Office: 850-245-0403
Direct: 850-245-9221


Re: Report C-2425DOE-006 – Review of Foreign Influence

Embry-Riddle Aeronautical University concurs with the Florida Department of Education, Office of Inspector General's finding that, for the fiscal year 2023-24 disclosure period, the University initially submitted a report for a gift (contract) of \$1,545,831.00 from the Government of Brazil's Airspace Control Department. The contract began on July 10, 2020, and ended on February 10, 2025. On January 31, 2025, the University submitted an amended contract amount of \$3,704,641.70 of which \$881,826.13 was received in fiscal year 2023-24. The amended submission dated January 31, 2025, was submitted after the deadline.

In future reporting, the University will only report gifts (contracts) received directly or indirectly from a foreign source in which the aggregate payment received during the fiscal year is \$50,000 or more, irrespective of the overall contractual amount.

Thank you for your report and the opportunity to continue improving our processes.

Sincerely,



Randall B. Howard, Ph.D.
Senior Vice President and CFO





RE: OIG Draft Report of Preliminary and Tentative Issues - Review of Foreign Influence

From Perez, Nelson Edward Sr. <nelsonperez@miami.edu>

Date Mon 4/28/2025 10:46 AM

To Rich, Bradley <Bradley.Rich@fldoe.org>

Cc Mahdy, Ayah <Ayah.Mahdy@fldoe.org>

Dear Rich Bradly,

Please find below the University of Miami's response to be included in the final report.

The University of Miami ("UM") provides this response to confirm its complete compliance with the statute. In the draft report, OIG notes that UM "did not initially submit a copy of the gift agreement or pledge with its submission." UM, however, had previously submitted a copy of this gift agreement along with its 1/31/2022 submission, as well as all applicable documentation for the first installment payment and when the gift agreement was signed. The amount received in the recent audit period (1/31/2024) represented the next subsequent installment payment on the same gift agreement, for which a copy of the gift agreement had been provided in UM's 1/31/2022 submission. Since UM had already supplied the Department of Education with a copy of the referenced gift agreement in the 1/31/2022 reporting period, UM only supplied the documentation for the 2nd installment payment received in the 1/31/2024 submission (and not a copy of the gift agreement that had already been previously provided). In short, as confirmed in the draft report, UM is, and has been, in "full compliance with the statute."

Best regards,

Nelson E. Perez, JD, CCEP
Executive Director
Office of University Compliance Services
University of Miami
Phone: (305) 284-2924
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Email: nelsonperez@miami.edu





Office of the President

Attachment # C

May 2, 2025

Bradley Rich, MS
Audit Director
Office of the Inspector General
325 West Gaines Street, Suite 1201
Tallahassee FL 32399

Re: OIG Review of Foreign Influence Report # C-2425DOE-006 April 2025

The Florida Institute of Technology (FIT) does not accept cash or cash like gifts from foreign governments or their agents and adheres to all regulations pertaining to institutional research and tech transfer activities (i.e., ITAR). FIT follows legal guidance for reporting requirements in federal law (as defined in 20 U.S.C. § 1011f administered by the U.S. Department of Education).

The Florida Institute of Technology respectfully submits these comments regarding the audit report. Section 1010.25, F.S. requires universities to report contracts over \$50,000. We note that there are differing interpretations regarding the reportability of tuition and fees paid by a student from personal or family resources.

In light of information and guidance provided by the OIG subsequent to the audit in 2024, Florida Tech undertook a full review of our data and submitted an amended report for the July 1 to December 31, 2023 period which was originally submitted to the state on January 31, 2024, prior to the results of last year's audit and the information received. To provide as much clarity as possible, Florida Tech amended this report to be consistent with the requirements and guidelines of the OIG, as we now understand them.

Specific Exceptions from the Draft OIG Report:

Exception Noted: *"One gift from Kenya, totaling \$57,622, was initially omitted from FIT's January 24, 2024, submission but was later included in the amended submission on July 31, 2024. FIT clarified, "Payments*

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from JAAV Cargo were originally misattributed to the student's personal resources. Upon review, we determined these payments should be classified as corporate entity payments and reported them accordingly in the amended submission". FIT was able to provide proof of payment and signed supporting documentation for the foreign gift. This gift was omitted from the January 24, 2024, submission that corresponded to the receipt of the gift; therefore, it is not in compliance with the statutory requirement for timely reporting."

Response: As stated in the clarification above, in our comprehensive review of all data for the amended report, it was determined that these payments originated with a corporate entity and not the individual student. The amended report was updated to correctly reflect this.

Exception Noted: *"A gift from the United Arab Emirates was initially submitted on January 24, 2024, for \$54,374.00 but was amended on July 31, 2024, to \$79,596.00. Upon reviewing the initial submission, no supporting documentation was provided to verify either amount. FIT management explained that they identified additional payments for the student's tuition, which were initially mischaracterized, and confirmed that these payments were made by Mitsumi Distribution. The July amended submission included the two additional payment dates not included in their initial submission. FIT was able to provide supporting documentation and proof of payment to support the corrected amount of \$79,596. However, as these additional payments were not reported in the corresponding January submission, this gift was not in compliance with the statutory reporting requirement."*

Response: As noted by the OIG, in our comprehensive review of all data for the amended report, it was determined that these payments originated with a corporate entity and not the individual student. The amended report was updated to correctly reflect this.

Exception Noted: *"Similarly, a gift from Taiwan, Republic of China (ROC), was initially submitted for \$629,200.00 and later amended to \$717,200.00. Our review determined the documentation provided did not support either amount. FIT management identified an \$88,000*

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duplicate entry in the amended report and confirmed the correct total as \$629,200. They also provided proof of payment, which aligned with the contract information included in their initial submission. As the originally reported amount proved to be correct and timely submitted, we determined that FIT reported this gift in compliance with the statutory reporting requirement."

Response: In preparing the amended report, we located an \$88,000 payment received from China Airlines that appeared to have not been included in the original report. This was an error and as the OIG noted, Florida Tech initially reported the payment in compliance with the requirement.

Thank you for the opportunity to respond to the draft audit and for the help and guidance provided by the OIG in this process. The Florida Institute of Technology is committed to transparent and open reporting in all matters.

Sincerely,

A handwritten signature in black ink, appearing to be "JW Nicklow", written over a horizontal line.

Dr. John W. Nicklow
President and CEO
Florida Institute of Technology

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