Item: AC: A-1

AUDIT AND COMPLIANCE COMMITTEE
Tuesday, June 2, 2020

SUBJECT: **COMPLIANCE AND ETHICS WORK PLAN (FY 2020-21)**

PROPOSED COMMITTEE ACTION
Recommend approval of the Compliance and Ethics Work Plan (FY 2020-21).

BACKGROUND INFORMATION
Florida Board of Governors (BOG) Regulation 4.003 requires each state university to implement a university-wide compliance and ethics program and to report at least annually on the effectiveness of its program. On October 2, 2018, this Board approved FAU's Compliance and Ethics Program (Program). In connection with Program implementation, and also as required by BOG Regulation 4.003, FAU has developed a Compliance and Ethics Work Plan (Work Plan) for Fiscal Year 2020-21. The Work Plan includes both ongoing activities of the FAU Compliance Office and its compliance partners, as well as specific task-based items, as appropriate and applicable for each Program element. The Work Plan shall provide a blueprint for FAU's FY2020-21 annual report on the effectiveness of its Program. Significant themes or highlights for the 2020-21 work plan are conflicts of interest, foreign influence, data privacy, United States Department of Education (USDOE) regulations, and pandemic response policies and procedures.

IMPLEMENTATION PLAN/DATE
Fiscal Year 2020-21

FISCAL IMPLICATIONS
N/A

Supporting Documentation: Compliance and Ethics Work Plan (FY2020-21)

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FLORIDA ATLANTIC UNIVERSITY
COMPLIANCE AND ETHICS WORK PLAN
FY 2020-21

FAU's Compliance Office provides oversight of compliance-related activities including the oversight and implementation of FAU's Compliance and Ethics Program (CEP). The office is led by FAU's Chief Compliance and Ethics Officer (CCEO), The mission of Florida Atlantic University's CEP is to assist the university in achieving its financial, operational and strategic goals (as set forth in FAU's Strategic Plan for the Race to Excellence, 2015-2025) while promoting compliance with all institutional policies as well as federal and state laws and regulations. FAU's mission, vision, and values speak to a level of employee engagement which extends beyond simple compliance; FAU's commitment, supported by the CEP, is to the highest standards of integrity, accountability, and ethical conduct.

FAU's CEP creates a structural foundation to prevent and detect violations of law and assist FAU in encouraging ethical conduct and compliance with all applicable laws and regulations. The program also proactively identifies and assesses risk to the University and strives to mitigate those risks through appropriate controls, governance processes, as well as developing or implementing training and awareness for the University community. The goal is to make compliance and ethical behavior relevant to each and every employee by establishing a tone for ethical decision-making and accountability in all University business operations and reinforcing FAU's commitment to integrity and "doing the right thing."

The following work plan presents the CEP components and activities to be conducted during the 2020-21 Fiscal Year. Items included in the FY20-21 work plan that were also included in the FY19-20 work plan but were not fully completed are indicated in *italics*. Most of the activities in the Executive Oversight component of the work plan are ongoing activities, while the majority of remaining CEP components include specific task-based items. FAU is required by Board of Governors Regulation 4.003 to report at least annually on the effectiveness of the CEP. This work plan will provide a blueprint for the FY 2020-21 annual report.

Significant themes or highlights for the 2020-21 work plan are conflicts of interest, foreign influence, data privacy, United States Department of Education (USDOE) regulations, and pandemic response policies and procedures.

A. Executive Oversight		
Component Summary	*Work Plan*	*Lead Office(s)*
Oversight and direction for the CEP sets the overall tone for accountability, sound risk management, ethical behavior, and compliance with laws and regulations. The compliance office serves as a central point and resource for coordination, collaboration, and oversight of activities and initiatives to promote and encourage a culture of compliance and ethical behavior. Most of initiatives in this component are ongoing activities.	Chief Compliance & Ethics Officer (CCEO) reports regularly to the BOT Audit & Compliance Committee, confers with the BOT Audit & Compliance Committee Chair as needed, and prepares an annual work plan and annual report	Compliance
	Compliance office chairs the University Compliance and Ethics Committee (comprised of Departmental/Divisional Compliance and Operational Leaders)	Compliance
	Compliance office chairs the University Policies and Procedures Committee	Compliance
	Compliance office chairs the HIPAA Task Force	Compliance
	Compliance office is a member of the Pre-Collegiate Programs Advisory Group	Compliance
	Compliance office is a member of the Office of Information Technology (OIT) Compliance Committee	Information Technology
	Compliance office is a member of the Institutional Athletics Committee (IAC) and the IAC Institutional Controls subcommittee	Athletics Academic Affairs
	Equity, Inclusion and Compliance (Title VI, VII & IX, ADA) and Athletics Compliance report directly to the CCEO	Compliance
	Compliance office provides oversight on new or revised legislative, BOG, and other regulatory compliance authorities, including new those pertaining to foreign influence and conflicts of interest, athletics name, image and likeness, and state authorization regulations	Compliance

B. Standards of Conduct		
Component Summary	*Work Plan*	*Lead Office(s)*
It is the expectation of all employees to perform their duties and responsibilities with integrity and accountability to the highest ethical standards.	*Complete the new Standards of Conduct and update to Regulation 5.010 University Ethics*	Compliance
	Finalize review of a third-party ethics reporting hotline	Compliance
	Review status of interns at FAU	Compliance
	Review, update and enhance conflicts of interest policies, procedures and resources (with particular concentration on foreign influence issues and the creation of a process for the sponsored research exemption)	Compliance

C. Regulations and Policies		
Component Summary	*Work Plan*	*Lead Office(s)*
University regulations and policies are necessary to: (i) to meet compliance and/or regulatory requirements, (ii) promote or enhance risk reduction, ethical conduct, and mitigation efforts, and (iii) set standards, processes, and expectations.	Review, update and enhance the policy development guidelines and process	Compliance
	Review and update HIPAA policies, including the addition of the Communication Sciences and Disorders Clinic as a covered component	Compliance
	Review scholarship policies regarding classification preferences (i.e., gender, race, religion, ethnicity)	Compliance Advancement
	Complete an international safety & security policy	Administrative Affairs
	Develop a formal public records policy	Communications
	Create and/or enhance OIT policies on computing device management and sensitive data protection and control	Information Technology
	Update the University discrimination/ADA policy	Equity, Inclusion & Compliance
	Update regulations and policies to comport with new USDOE Title IX regulations re sexual harassment	Equity, Inclusion & Compliance
	Update the Provost's memorandum on distance learning to comport with new USDOE state authorization regulations	Academic Affairs Compliance

D. Effective Lines of Communication		
Component Summary	*Work Plan*	*Lead Office(s)*
Open lines of communication are critical to early detection and identification of issues. Continued use of communications tools helps foster an environment of open, honest, and effective communications.	*Create a conflict of interest resource website*	Compliance
	Enhance internal communications on conflict of interest disclosures	Compliance
	Streamline and enhance communications for internal complaints	Equity, Inclusion & Compliance
	Develop and communicate an integrated approach to minimizing the impact of risks and threats affecting the security, safety, and health of persons engaging in University-sponsored or supported activities or programs globally	Administrative Affairs
	Coordinate communications with new Inspector General	Compliance

E. Education and Training

Component Summary	Work Plan	Lead Office(s)
Compliance and ethics training is a foundational element of an effective compliance program.	Provide training on conflict of interest disclosures	Compliance
	Add athletics compliance training to new employee orientation	Athletics
	Update Student Health Services training to align with AAAHC standards	Student Health
	Enhance resource base for faculty on foreign influence issues	Research Integrity
	Develop a training program focused on wildlife researchers to improve oversight of non-traditional animal models	Research Integrity
	Deploy targeted refresher courses for our security awareness program	Information Technology

F. Audit and Monitoring

Component Summary	Work Plan	Lead Office(s)
Regular, rigorous review of University programs and operations allows issues to be identified early and remedied quickly. Continuous assessment is critical to ensuring an efficient, effective, and compliant work environment.	Continue data risk assessment(s) and enhancements to security event collection capabilities and review procedures	Information Technology
	Review clinical billing practices and policies	Compliance College of Medicine College of Nursing
	Coordinate with Emergency Management and EH&S to evaluate pandemic-specific processes and policies	Compliance Emergency Mgt EH&S
	Complete athletics recruiting audit	Athletics
	Monitor ADA compliance in websites, graduation, and Workday	Equity, Inclusion & Compliance
	Develop an IACUC quality assurance program	Research Integrity
	Continue Department of Financial Services risk management audit (multi-year)	EH&S

G. Enforcement and Discipline

Component Summary	Work Plan	Lead Office(s)
Incentives for employees to engage in conduct in accordance with laws, rules, and policies, and, conversely, appropriate disciplinary measures when employees engage in conduct which is non-compliant.	*Develop compliance and ethics incentives (potentially through service awards)*	Compliance
	Promote awareness of new and amended University policies (on-going)	Compliance
	Implement measures and accountability to enhance conflict of interest disclosures	Compliance

H. Response and Prevention

Component Summary	Work Plan	Lead Office(s)
Ensure reasonable steps are taken to respond to complaints, especially complaints of compliance violations and/or unethical conduct. Corrective action helps prevent similar issues from occurring in the future.	Streamline and enhance internal EIC complaint process	Equity, Inclusion & Compliance
	Create website for state authorization regulations re state licensure requirements	Academic Affairs Compliance
	Review protocols for telehealth services	Compliance
	Investigate new technologies to enhance control and monitor the flow of university data	Information Technology
	Conduct root cause analysis of misconduct issues for proactive preventative measures and earlier detection	Compliance