



Item: AC-A-1

Audit & Compliance Committee
Tuesday, August 21, 2018

SUBJECT: APPROVAL OF THE APPOINTMENT OF ELIZABETH RUBIN AS CHIEF COMPLIANCE AND ETHICS OFFICER.

PROPOSED COMMITTEE ACTION

Request approval for the appointment of Elizabeth Rubin to the position of Associate Vice President, Compliance with a working title of Chief Compliance and Ethics Officer.

BACKGROUND INFORMATION

According to Florida Atlantic University's Board of Trustees Audit and Compliance Committee Charter, the committee shall in consultation with the President, approve the appointment, compensation, reassignment, replacement or dismissal of the University's Chief Compliance and Ethics Officer.

IMPLEMENTATION PLAN/DATE

Ms. Rubin currently holds the title of Interim, CCO and will assume the role permanently upon approval of the Board.

FISCAL IMPLICATIONS

Annual salary compensation of \$175,000 per year plus benefits.

Supporting Documentation: Chief Compliance and Ethics Officer position description

Submitted by:

Stacy Volnick, Vice President Administrative Affairs

David Kian, Vice President Legal Affairs and General Counsel

Florida Atlantic University
Position Description

Associate Vice President
Working Title – Chief Compliance & Ethics Officer

Reports directly to the President with administrative reporting to the Vice President for Administrative Affairs. The position ensures that University officials, management, and employees are in compliance with applicable laws and the rules, requirements, and regulations of applicable state and federal governing and regulatory agencies; that University policies and procedures are being followed; and that behavior in the organization meets standards of conduct.

The responsibilities of the Compliance Officer are:

- Develop and direct the University's compliance function.
- Provide leadership, oversight, and expert advice to ensure appropriate development, interpretation, and implementation of the University's policies and regulations pertaining to compliance.
- Establish, review, or revise policies and procedures to encourage ethical conduct and compliance with laws and regulations.
- Engage in monitoring activities or risk assessments to prevent and detect misconduct or violations of institutional policies or applicable laws and regulations.
- Develop communication to promote compliance with FAU's policies and procedures.
- Develop or implement compliance training or awareness programs.
- Develop or provide compliance and ethics training to the FAU Board of Trustees, the President and the Executive Leadership Team, and employees to assist the University community members with understanding compliance issues and infusing an ethical framework into the fabric of the University.
- Establish and maintain a mechanism for individuals to report potential violations of University policies, laws, or regulations without fear of retaliation.
- Ensure that managers or supervisors responsible for compliance functions within the University, (such as athletics, the designated covered components (for purposes of the HIPAA regulations), environmental health and safety, finance, procurement, financial aid, and research) coordinate and communicate program matters of substantial import with the Chief Compliance Officer.
- Directly supervise the NCAA (Athletics) Compliance unit.
- Directly supervise the Office of Equity, Inclusion and Compliance.
- Oversee the processing of internal complaints and refer concerns to an appropriate University office for review and disposition (such as General Counsel, Internal Audit or Human Resources).
- Respond to detected offenses, assist the University in developing corrective action plans, and report findings to appropriate administration officials.
- Bring all compliance-related matters of substantial import and all credible evidence of misconduct, including criminal conduct, to the attention of the President and the Chair of the Audit and Compliance Committee of FAU's Board of Trustees, as well as the Board of Governors' Inspector General, as applicable.

- Prepare an annual report for approval by the President, Chair of the Audit and Compliance Committee, and the FAU Board of Trustees regarding activities, accomplishments and the effectiveness of the compliance and ethics program, and provide a copy of the approved annual report to the Board of Governors.
- Ensure that an initial external review of the compliance and ethics program is conducted to determine its effectiveness no later than November 2021 and that a subsequent external review is conducted at least once in each successive five-year period.
- Perform other activities consistent with this Charter, as deemed necessary by the President or Chair of the Audit and Compliance Committee of the FAU Board of Trustees.
- May serve as chair of appropriate university committees, and represents the President or Vice President as appropriate on matters of compliance.

Educational/Experience Requirements: Master's degree in an appropriate area of specialization and seven years of appropriate experience; or a bachelor's degree in an appropriate area of specialization and nine years of appropriate experience.