



Item: AC: A-2

AUDIT AND COMPLIANCE COMMITTEE

Tuesday, June 4, 2019

SUBJECT: COMPLIANCE AND ETHICS WORK PLAN (FY 2019-20)

PROPOSED COMMITTEE ACTION

Recommend approval of the Compliance and Ethics Work Plan (FY 2019-20).

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). 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 FY2019-20 annual report on the effectiveness of its Program.

IMPLEMENTATION PLAN/DATE

FY 2019-20.

FISCAL IMPLICATIONS

N/A

Supporting Documentation: Compliance and Ethics Work Plan (FY2019-20)

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**FLORIDA ATLANTIC UNIVERSITY
COMPLIANCE AND ETHICS WORK PLAN
FY 2019-20**

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 elements and activities to be conducted during the 2019-20 Fiscal Year. 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 CEP element. 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 2019-20 annual report.

A. Executive Oversight	
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.	Compliance office reports regularly to the BOT Audit & Compliance Committee and confers with the BOT Audit & Compliance Committee Chair as needed
	Compliance office chairs bi-monthly or quarterly meetings of the University Compliance and Ethics Committee (comprised of Departmental /Divisional Compliance and Operational Leaders)
	Compliance office chairs University Policies and Procedures Committee
	Compliance office chairs the HIPAA Task Force
	Compliance office participates on the Pre-Collegiate Programs Advisory Group

	Compliance office participates on the IT Compliance Committee
	Equity, Inclusion and Compliance (Title VI, VII & IX, ADA) and Athletics Compliance report directly to the CCEO.
	Provide oversight on new legislative and BOG compliance requirements, including new financial processes and reporting requirements

B. Standards of Conduct	
It is the expectation of all employees to perform their duties and responsibilities with integrity and accountability to the highest ethical standards.	Update Regulation 5.010 University Ethics
	Develop FAU Code of Conduct
	Evaluate establishing a third-party ethics reporting hotline
	Develop conflicts of interest hub/resources

C. Regulations and Policies	
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.	Provide guidance on policy development and interpretation
	Continue work on GDPR compliance
	Harmonize definitions in EIC-related policies and regulations and code of conduct
	Review HIPAA mobile device security and scope of @health.fau.edu requirements
	Update and enhance Athletics Compliance Website for University, NCAA and Conference rules and policies
	Provide oversight to potential rule changes on the FTC’s Safeguards Rule re expanded information security requirements for “customer information”

D. Effective Lines of Communication	
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.	Maintain, update and promote the Compliance and Ethics Website
	Streamline Title IX and other reporting areas
	Coordinate timely responses to regulatory and other external agencies
	Coordinate communications with new Inspector General

E. Education and Training	
Compliance and ethics training is a foundational element of an effective compliance program.	Extend ethics training to all employees
	Provide in-person ethics training to the BOT
	Increase breadth of Title IX training
	Provide training on reporting mechanisms, including whistleblower protection
	Explore one stop training hub for all FAU required and recommended trainings

F. Audit and Monitoring	
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 IT Data Risk Assessment(s)
	Review COM clinical billing practices and policies
	Coordinate with University Risk Manager on areas for improvement and/or of concern
	Athletics financial aid audit
	Athletics Title IX audit & survey
	Department of Management Services audit

G. Enforcement and Discipline	
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).
	Promote awareness of new and amended University policies
	Work with HR and legal on review and updates to Regulation 5.012 Employee Standards and Disciplinary Procedures

H. Response and Prevention	
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.	Provide recommendations for timely responses and corrective actions (in research misconduct and other areas).
	Expand the scope of our export control officer beyond research (to provide university-wide compliance oversight)
	Explore best practices for data protection (non-HIPAA) and website accessibility
	Monitor emerging compliance issues and provide recommendations for corrective and/or preventative action