

Introduction

In April 1998, The Board of Regents of The University of Texas System approved an *Action Plan to Ensure Institutional Compliance*. In accordance with the *Action Plan*, The University of Texas at Dallas (UTD) has implemented an Institutional Compliance Program. The Institutional Compliance Program is intended to demonstrate in the clearest possible terms the absolute commitment of The University of Texas at Dallas to the highest standards of ethics and compliance with all applicable laws, policies, rules and regulations. Information on UTD's Institutional Compliance Program is available on the Web at the following location:

<http://www.utdallas.edu/BusinessAffairs/ComplianceProgram1.html>. The following are key elements of the University's compliance program.

- ✧ The appointment of a UTD Compliance Officer
- ✧ The appointment of a Compliance Committee which meets quarterly
- ✧ A continuous and proactive compliance function which reports to the Compliance Officer
- ✧ The allocation of sufficient resources to fund compliance activities (including information resources, training, and monitoring activities) that reduce compliance risk to a reasonably low level
- ✧ The requirement that the Institutional Compliance Committee report these activities to the UT System Compliance Office quarterly
- ✧ A General Compliance Training Program for UTD employees
- ✧ A Compliance Hotline for confidential reporting of incidents of non-compliance

Compliance Organization and Oversight

Compliance Officer

The Senior Vice President for Business Affairs has been appointed by the President to serve as UTD's Compliance Officer.

Institutional Compliance Committee

The [Institutional Compliance Committee](#) is comprised of the same members as the Audit Committee and, at a minimum, contains the members of the President's Cabinet. The Institutional Compliance Committee meets quarterly to assess the Institutional Compliance Program and review incidents of non-compliance. When non-compliance is reported, the Institutional Compliance Committee reviews the incident, determines what action should be taken, and follows up on a quarterly basis to ensure that resolution takes place in a timely manner.

Institutional Compliance Subcommittee

The [Institutional Compliance Subcommittee](#) is comprised of representatives from departments across campus. This subcommittee meets quarterly to review the Institutional Compliance Program and to recommend changes to the list of high-risk areas requiring proactive monitoring. The responsible person for each high-risk area reports quarterly regarding any incidents of non-compliance that have occurred during the quarter. The current composition of the Subcommittee includes the Compliance Officer and representatives from the following areas:

- ✧ Academic Senate
- ✧ Athletics
- ✧ Business Affairs
- ✧ Callier Center Patient Billing
- ✧ Development Office
- ✧ Environmental Health & Safety
- ✧ Financial Aid
- ✧ Human Resources
- ✧ Information Resources
- ✧ Internal Audit
- ✧ Office of the President
- ✧ Office of the Provost
- ✧ Office of Research Administration and Sponsored Projects
- ✧ Payroll
- ✧ Physical Plant
- ✧ Police
- ✧ Student Records & Registration
- ✧ Student Life
- ✧ Tax Compliance

The Institutional Compliance Committee believes that an ongoing compliance effort with this structure significantly enhances compliance on the campus. In addition, the performance of the Compliance Officer is evaluated annually by the Institutional Compliance Committee, and The Institutional Compliance Committee conducts a self-assessment of its performance annually.

Compliance Responsibility and Accountability

It is important that all employees understand the clear distinction between responsibility for compliance with laws, regulations, policies and procedures and accountability for compliance with laws, regulations, policies and procedures. The various levels of responsibility and accountability are outlined below.

- ✧ The institutional compliance officer is responsible and will be held accountable for a risk-based process that builds compliance consciousness into daily business processes, monitors the effectiveness of those processes and communicates instances of non-compliance to appropriate administrative officers for corrective, restorative and/or disciplinary action.
- ✧ **Responsibility for actual compliance with laws, regulations, policies, and procedures rests with each individual employee.**
- ✧ Accountability rests primarily with the department head of each operating unit.
- ✧ The President is responsible and will be held accountable for the sufficiency of resources allocated to compliance activities and the appropriateness of corrective and disciplinary action taken in the event of non-compliance.
- ✧ The Internal Audit Department is responsible and will be accountable for independently evaluating the design and effectiveness of the compliance function on both an annual and ongoing basis and for making recommendations for improvements to the Compliance Officer and the Institutional Compliance Committee.

Risk Assessment Process

Identification of Risk Universe

Institutional Compliance Subcommittee members initially identified the major compliance issues associated with their area of responsibility. Since all functional areas are represented on the Subcommittee, the risks identified cover the entire University.

Subcommittee members prepared a detailed evaluation of each compliance issue identified in their area. This evaluation includes:

- ✧ Topic
- ✧ Statute or policy
- ✧ Purpose
- ✧ Applicability
- ✧ Requirements
- ✧ Penalty for non-compliance
- ✧ Minimum compliance action
- ✧ Contact person
- ✧ Responsible area

The evaluations were reviewed by members of the Institutional Compliance Subcommittee who identified the high-risk, high impact areas that need to be monitored and reported to the Institutional Compliance Committee on a quarterly basis.

The assessment of high-risk areas is an ongoing process. Each quarter Institutional Compliance Subcommittee members propose new high-risk areas as well as recommend the removal of high-risk areas which have come under control. The assessments of high-risk areas are reviewed and approved by the Institutional Compliance Committee each quarter.

Risk Assessment Form

In order to assess the risk associated with various laws, regulations and policies, the Institutional Compliance Subcommittee utilized a risk assessment form to identify the following:

- ✧ Law, Procedure, or Policy
- ✧ Risk and Exposure
- ✧ Potential Impact of Non-compliance
- ✧ Probability of Non-compliance
- ✧ Position Responsible for Monitoring

The Institutional Compliance Subcommittee assesses major compliance issues and evaluates their level of risk on an ongoing basis.

Monitoring of High-Risk Areas

The Institutional Compliance Committee has identified a functional position that is responsible for monitoring each of the high-risk areas. A monitoring plan has been prepared for each high-risk area. High-risk areas are monitored on an on-going basis as indicated in the monitoring plan. Incidents of non-compliance and/or areas of concern are reported to the Institutional Compliance Committee quarterly. In addition, monitoring and training efforts for high-risk areas are reported

to UT System quarterly. Periodic audits of high-risk areas are performed to ensure that monitoring is taking place as indicated in the monitoring plan.

Standards of Conduct Guide

The **Standards of Conduct Guide** is distributed to all University employees. The Guide is a means of ensuring that all employees understand the University's commitment to the highest standards of ethics and the importance of complying with applicable laws, policies, rules and regulations. The Guide provides basic information regarding some of the laws and regulations that apply to all employees and sites references that will assist employees in learning more about the various regulations with which they must comply.

Any employee who violates UTD standards of conduct is subject to disciplinary action. The specific discipline administered will depend on the nature and severity of the violation, as well as the consequences to the institution.

General Compliance Training

The University is responsible for training its employees regarding laws, rules, and policies with which they must comply. The General Compliance Training Program serves this purpose. General compliance training is available to University employees via a web-based training program called **The Training Post**. All benefit-eligible employees (employed 50% time or more) are required to take general compliance training every year. General compliance training refers to training on issues that apply to all employees, regardless of their position at the University. The following is a list of general compliance training modules:

- ✱ Introduction to UTD Institutional Compliance Program
- ✱ Contacts with the Media, and with Government Agencies with Regard to Government Investigations
- ✱ Confidential Information, Accuracy of Records, and Retention and Disposal of Records
- ✱ Fraud, Errors, and Omissions – Outside Employment and Financial Interests
- ✱ Sexual Harassment and Misconduct, and Drug-free Workplace
- ✱ Equal Employment Opportunities, Overtime Compensation, Exempt and Non-exempt Time-keeping, and Family Medical Leave Act
- ✱ Use of State Property: Computers: Security and Use, and Internet Policy
- ✱ Copyright and Intellectual Property
- ✱ Contacts and Agreements, and Purchasing
- ✱ Workplace Health and Safety, and Injury Prevention
- ✱ Political Activities and Contributions, Gifts and Gratuities
- ✱ Effectively Controlling Risk
- ✱ Compliance Review

Employees are generally not required to complete all of the training modules every year. Department Heads and Deans determine what general compliance training modules their employees will be required to take in any particular year. In addition, training on specific, job-related topics may be required of certain employees depending on their position and the type of work they perform. The following is a list of job-specific compliance training modules:

- ☀ Hazard Communication Act
- ☀ Human Subjects in Research
- ☀ Form I-9: Verifying Work Eligibility
- ☀ Purchasing Card: Cardholder Training
- ☀ Purchasing Card: Account Reviewer Training

Confidential Reporting/Compliance Hotline

The Compliance Hotline provides a confidential way for employees to obtain information about compliance issues and report instances of suspected non-compliance outside the normal chain of command in a manner that preserves confidentiality and assures non-retaliation. Employees should use the hotline when they are not satisfied with their supervisors' response to a compliance issue, or if they fear retaliation by their supervisors. Under normal circumstances, however, compliance issues should be addressed through normal administrative channels. For more information on the Compliance Hotline, click here: [Compliance Hotline Procedures](#)

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