

16.01.01.R0.01 **University Ethics and Compliance Programs**



Revised November 6, 2023
Next Scheduled Review: November 6, 2028

Procedure Summary

East Texas A&M University (the University) is committed to upholding the highest standard of ethical conduct and compliance with the legal obligations of the university. In support of these efforts, the University Ethics and Compliance Office has been established to promote compliance with applicable federal, state, system policies and regulations, and university rules and procedures.

This procedure outlines the roles and responsibilities of the University Ethics and Compliance Office.

Procedures and Responsibilities

1 GENERAL

In accordance with System Regulation *16.01.01 System Ethics and Compliance*, the University Ethics and Compliance Office has been established to encourage and promote ethical conduct and oversee compliance within the University.

2 ROLE OF THE UNIVERSITY ETHICS AND COMPLIANCE OFFICE (UECO)

The University Ethics and Compliance Office will provide subject-matter expertise and administrative support services in the following areas:

2.1 Annual Compliance Plan Development, Implementation, and Submission

2.2 Compliance Plan Quarterly and Mitigation Report Facilitation and Submission

2.3 University Rule and Procedure Processing

2.4 Compliance Calendar Monitoring

2.5 Hotline Intake, Facilitation, and Mitigation Process

2.6 Ethics and Compliance Education and Training

2.7 Discovery and Production Requests

2.8 Civil Rights and Title IX Program

2.9 Programs for Minors

2.10 Clery Act Compliance

3 APPOINTMENT OF THE CHIEF ETHICS AND COMPLIANCE OFFICER (CECO)

In accordance with System Regulation *16.01.01*, the President shall appoint the Chief Ethics and Compliance Officer. The CECO shall report to the President and have direct and regular access to the System Ethics and Compliance Officer (SECO).

4 APPOINTMENT AND ROLE OF THE UNIVERSITY ETHICS COMPLIANCE COMMITTEE

4.1 The President will appoint a University Ethics and Compliance Committee (UECC) chaired by the CECO that will meet quarterly with the purpose of maintaining a compliance plan to be approved by the President and the SECO, in accordance with System Regulation *16.01.01*. The plan shall include the university's approach to addressing risks, identifying emerging risks, and mitigating risks.

4.2 The Executive Ethics and Compliance Committee (EECC) is responsible for executive level oversight of the risks identified by the UECC.

5 CHIEF ETHICS AND COMPLIANCE OFFICER REPORTING OBLIGATIONS

The CECO shall promptly report any suspected compliance violation to the President and SECO in accordance with system regulation *16.01.01*. If violations are discovered or reported, the CECO, in coordination with the SECO, will conduct a compliance program investigation, or monitor the investigation conducted by an appropriate university entity, and as appropriate, make written findings and recommendations to the President and SECO.

6 AUTHORITY AND SCOPE OF THE UNIVERSITY COMPLIANCE OFFICE

The CECO and staff of the UECO are authorized to:

6.1 Have unrestricted access to all functions, records, information, property and personnel of the university to carry out the assigned duties identified in federal, state, system and/or university mandates.

6.2 Obtain the necessary assistance of personnel within the University, as well as other specialized services from outside the organization, to assist in piloting compliance objectives.

6.3 Information collected by the UECO staff in relation to this procedure is held confidential in accordance with TEC § 51.971.

7 REPORTING ACTUAL OR SUSPECTED NON-COMPLIANCE

- 7.1 There are multiple channels for making an inquiry or a report of actual or suspected non-compliance (a “Report”). An inquiry or Report may be directed to any of the following:

The employee’s immediate supervisor;
Anyone in the employee’s administrative channel;
Any member of the executive leadership team;
Any member of the UECO; or
The Risk, Fraud and Misconduct Hotline (the “Hotline”).

If an employee makes a Report to a manager or department head, he/she is expected to immediately forward the Report to the UECO so that the UECO may ensure its appropriate resolution.

- 7.2 If a person who makes an inquiry or Report asks to remain anonymous, the UECO will, to the extent possible, honor the request. However, the UECO will advise the person (i) that the request for anonymity could hinder or even prevent an investigation (if one is warranted), and (ii) total anonymity cannot be guaranteed. The UECO also cannot assure anonymity if that person identifies himself/herself to others or provides information in the inquiry or Report that is likely to identify him/her.
- 7.3 The System Internal Audit Department has established the Hotline, a telephone and web resource, to assist with guidance or for making a Report. The Hotline may be contacted by calling (888) 501-3850. The Hotline is available anytime night or day. Translation services are also available. An online Report may be made to the Hotline at: <https://secure.ethicspoint.com/domain/media/en/gui/19681/index.html>. Callers to the Hotline will be asked to provide details of the incident or issue in the Report. Callers will be asked to disclose their identity. Callers may decline to provide their identity, and the Report will still be accepted. Reports to the Hotline are considered seriously and handled confidentially.

8 INVESTIGATIONS BY THE UNIVERSITY ETHICS AND COMPLIANCE OFFICE

- 8.1 An investigation has multiple objectives:

To determine the accurate facts surrounding the alleged misconduct;
To establish accountability by determining who was involved in the alleged misconduct;
To determine the root causes of any proven violations so that internal controls and processes may be improved;
To document the basis for disciplinary actions, where appropriate; and
To show that proper inquiries were made concerning the Report.

The scope of an investigation and the steps taken are tailored to the nature of the Report and the needs of the particular situation. Investigations are conducted objectively, professionally and efficiently. They are also completed in a timely manner.

- 8.2 When a Report is received, the UECO makes a preliminary assessment to determine whether an investigation is warranted. The UECO will initiate an investigation if there is a reasonable basis to believe that misconduct may have occurred. If an investigation is not warranted, the UECO may refer the Report to management or another appropriate department for handling. The process by which the UECO assesses a Report to determine its appropriate resolution is specified in University Procedure *10.02.01.R0.01 Hotline Report Intake, Facilitation, and Mitigation Process*.
- 8.3 The UECO discloses information regarding an investigation only on a need-to-know basis, as necessary to complete the investigation, to identify possible improvements to policies, procedures, training, and internal controls, or to comply with applicable policies, laws or regulations.
- 8.4 Students, employees and contractors are required to cooperate with an investigation, unless applicable law or regulation provides otherwise. A student, employee or contractor must make himself/herself available to the investigator in a timely manner, be fully forthcoming, and provide complete, accurate and truthful information (including tangible items such as documents).
- 8.5 Any form of retaliation, intimidation or disciplinary action against anyone who makes a Report in good faith or participates in an investigation is prohibited, even if the investigation concludes that no misconduct occurred. Anyone engaging in retaliation or intimidation in violation of this requirement is subject to disciplinary action.
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Related Statutes, Policies, or Requirements

Federal Sentencing Guidelines Chapter 8 – Part B2- Effective Compliance and Ethics Program

[Texas Education Code Section 51.971, *Compliance Program*](#)

[System Policy 16.01, *System Ethics and Compliance Program*](#)

[System Regulation 16.01.01, *System Ethics and Compliance Program*](#)

[System Policy 10.02, *Fraud Prevention*](#)

[System Regulation 10.02.01, *Fraud Prevention*](#)

[System Policy 07.01, *Ethics*](#)

[University Procedure 01.01.01.R0.02 *Development and Maintenance of University Rules and Procedures*](#)

[University Procedure 10.02.01.R0.01 *Hotline Intake, Facilitation, and Mitigation Process*](#)

Definitions

Ethics and Compliance Program – a process to assess and ensure compliance by the officers and employees of the system or a member with applicable laws, rules, regulations and policies, including matters of ethics and standards of conduct; financial reporting; internal accounting controls; or auditing. *See* Tex. Educ. Code § 51.971(a) (1).

Revision History

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Contact Office

University Ethics and Compliance Office
903.886.5998