Coordinated Compliance, Policy, and Ethics Program

Annual update May 2017 – April 2018

University of North Carolina Wilmington
Office of General Counsel
Jim Koebel – Assistant General Counsel for Compliance
Executive Summary
This report summarizes compliance-related activities conducted since the last annual update in April 2017.

Compliance Activities and Initiatives

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In-Progress Projects

- "Compliance 101" training
- Tax-exempt bond compliance

Policy Review and Creation

Completed Reviews

- Conflict of Interest or Commitment
- Missing Residential Student Notification
- Emergency Notification, Response, and Evacuation Procedures
- Crime Reporting
- Student Gender-Based/Sexual Misconduct
- Code of Student Life: expression-related activity
- Institutional Review Board Policy

New Policies

- Crime Reporting, Timely Warning, and Emergency Response Procedures

In-Progress Reviews

- Protocol for Establishing Policies and Procedure
- Disability Accommodations for Students
- Improper Relationships
- Workplace Violence
- Identity Theft Prevention Program
- Protection of Minors

Planned Policies

- Data Management
- Disability Accommodations for Staff
- Section 504/ADA Coordination and Student Grievances
- Unmanned Aerial Vehicles (Drones)
- Social Media & Media Access Guidelines

Ethics

- Departmental presentations of Conflict of Interest and Commitment requirements

Other

- HIPAA assessment
- Campus trainings & attendance at national compliance conference
- National & regional presentations
Compliance Program Pillars

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**Compliance**

“Compliance” includes myriad legal and operational obligations. The compliance function of the Program primarily encompasses legal obligations with a reporting or filing deadline, but also addresses day-to-day legal standards.

**Completed Projects**

- Compliance website
  
  A compliance website, housed within the Office of General Counsel site, has been launched. The website describes each of the Program’s pillars (compliance, policies, and ethics) and contains compliance-related resources, such as a compliance calendar, information on policy development, and how to report ethical concerns.

- Athletics investigations
  
  In conjunction with Athletics, reviewed and updated investigatory procedures for compliance and best practices.

**Ongoing Projects & Initiatives**

- Compliance calendar
  
  Housed on the compliance website, a campus-wide compliance calendar lists filing and reporting deadlines as well as programmatic compliance owners (for example, the Director of Title IX and Clery Compliance is responsible for posting the Annual Security Report by October 1). The calendar is intended to ensure transparency and clarity with respect to various compliance obligations. The centralized maintenance of an up-to-date compliance inventory will facilitate the University’s encouragement of legal compliance. A preliminary calendar has been posted to the compliance website, with additional data to be added as an ongoing project.

- Compliance reporting
  
  A system to report compliance projects, needs, and trainings is being piloted. The reporting system is reflective of best practices and is intended to facilitate communication with the Assistant General Counsel for Compliance and prioritization of projects.

- Compliance Committee
The Committee continues to meet several times per year. Current membership includes representatives from Human Resources, Information Technology Services, Athletics, Environmental Health & Safety, Office of Title IX & Clery Compliance, Office of Research Integrity, and the Office of e-Learning. Specific compliance goals/projects with Committee members may originate during meetings.

- University committee/workgroup service
  - ADA/Section 504 Committee
  - Athletics Title IX Review Board
  - Clery Committee
  - Climate Committee (Subcommittee 10)
  - Data Governance Committee
  - Drone Committee
  - Health Insurance Portability and Accountability Act (HIPAA) Committee
  - Information Technology Advisory Committee (ITAC)
  - Institutional Research Board (IRB)
  - Institutional Animal Care and Use Committee (IACUC)
  - IRM Committee
  - Red Flags Rule Committee
  - SACS Re-Accreditation Workgroup
  - Title IX Advisory Committee

In-Progress Projects

- “Compliance 101” training
  Brief subject matter trainings that highlight university policy and procedures are being developed to provide to new and existing employees. The trainings will complement existing New Employee Orientation programming.

- Tax-exempt bond compliance
  Lead by Controller’s Office and SPARC, implement internal controls to comply with Connect NC Bond terms.

Policy

*Policies address issues with university-wide impact, can ensure compliance with external standards, and create internal mechanisms for achieving operational goals. The policy function of the Program focuses on the ongoing review and updating of existing policies, as well as the creation of policies to respond to new legal requirements and/or emerging higher education issues.*
Completed Reviews

- **03.230 Conflict of Interest or Commitment**
  In conjunction with the Research Compliance Manager, reviewed, clarified, and revised in accordance with System policies.

- **04.140 Missing Residential Student Notification**
  In conjunction with University Police, Housing & Residence Life, and Office of Title IX and Clery Compliance, reviewed processes and for Clery Act compliance.

- **05.504 Emergency Notification, Response, and Evacuation Procedures**
  In conjunction with University Police, Office of Title IX and Clery Compliance, EH&S, and University Relations, reviewed processes and for Clery Act Compliance, and clarified roles of university stakeholders. These policies were combined to create new policy 05.505 Crime Reporting, Timely Warning, and Emergency Response Procedures.

- **05.502 Crime Reporting**

- **04.130 Student Gender-Based/Sexual Misconduct Policy**
  Annual review for best practices and compliance.

- **Code of Student Life: Expression-Related Activity**
  In conjunction with multiple units within the Office of Student Affairs, reviewed for procedures and best practices.

- **03.380 Institutional Review Board Policy**
  In conjunction with the Research Compliance Manager, revised to ensure compliance with recently updated regulations, and to create “standard operating procedure” documents.

New Policies

- **05.505 Crime Reporting, Timely Warning, and Emergency Response Procedures**
  Combined and replaced former policies 05.504 and 05.502.

In-Progress Reviews/Revisions

- **02.100 Protocol for Establishing Policies and Procedure**
  Planned revision of Policy 02.100, Protocol for Establishing Policies and Procedures. The separation of the procedural aspect of policy creation from Policy 02.100 will allow the University to incorporate revisions and best practices more readily into a procedure document without having to make further changes to the Policy. The University will continue to utilize this method in future policies to ensure that policies are not rendered out-of-date.
by mere changes in business processes. A pre-determined timeline, tracking method, and identification of stakeholders from whom feedback is required will help to ensure the timely administration of the policy process. Newly issued and revised policies will carry a three-year expiration to ensure regular review.

- **04.190 Disability Accommodations for Students**
  In conjunction with Director of Disability Resource Center and ADA/504 Coordinator & Committee, review existing processes and grievance procedures.

- **02.220 Improper Relationships Between Students and Employees**
  In conjunction with HR, review for compliance and clarify university stance.

- **08.540 Workplace Violence Policy and Protocol**
  In conjunction with Threat Assessment Team, review for compliance and update per revised State policy.

- **01.230 Identity Theft Prevention Program (Red Flags Rule)**
  In conjunction with Business Affairs and Red Flags Committee, review for procedures and best practices.

- **02.250 Protection of Minors Policy**
  In conjunction with IRM, conduct a campus-wide review and assessment.

**Planned Policies**

- **0_.___ Data Management**
  Lead by Office of the Provost & Data Governance Committee, implement data classification standards and roles for ensuring data protection.

- **0_.___ Disability Accommodations for Staff**
  In conjunction with Human Resources, create new policy to address accommodation request procedures, standards, and grievance processes.

- **0_.___ Section 504/ADA Coordination and Student Grievances**
  In conjunction with ADA/504 Coordinator, establish policy to reflect new role and for federal compliance.

- **0_.___ Unmanned Aerial Vehicles (Drones)**
  In conjunction with SPARC, create new policy to address parameters for obtaining and flying UAVs; develop processes for risk management (*e.g.*, insurance requirements, liability
waivers); address use of drones by various constituencies (e.g., faculty, student organizations, third parties).

- Social Media Guidelines
- Media Access Guidelines

In conjunction with Office of University Relations, create guidelines to ensure consistent and appropriate application of media standards.

**Ethics**

*UNCW’s existing commitment to an ethical workplace culture is embodied in Policy 02.310, Ethics.* Ethical conduct includes legal compliance in addition to abiding by professional standards and codes of conduct, and applies to all members of the university community in all of its academic and administrative operations. The ethics function of the Program seeks to ensure: (i) reporting processes are available and made known, (ii) subject-specific policies contain appropriate ethical standards, and (iii) accountability exists.

No ethics-related issues have been reported within the Compliance program from May 2017 – to April 2018.

In conjunction with the Research Compliance Manager, UNCW’s Conflict of Interest or Commitment policy (03.230) and procedures have been reviewed, clarified, and revised, and are awaiting finalization. The Associate Provost for Research, Research Compliance Manager, and AGC for Compliance have delivered departmental trainings/presentations on COI reporting requirements and processes and continue to do so.

**Other**

- **HIPAA Assessment**

  Reviewing consultant proposals for assessment of campus HIPAA controls, activities, and opportunities.

- **Trainings**

  Attended 3-day NACUA conference on higher education compliance. Delivered annual LEAD UNCW module by Office of General Counsel. Delivered FERPA training to Student Accounts.

- **National & Regional Presentations**

  “Collaborative Policy Development” presentations with Disability Resource Center Director. Student misconduct records process webinar (Society of Corporate Compliance and Ethics).