

University of New England

**Institutional Compliance Plan and
Codes of Conduct**

I. Mission, Introduction and Purpose

The University of New England is an independent, entrepreneurial institution committed to academic excellence and the enhancement of the quality of life for the people, organizations, and communities it serves. The purpose of the University is to prepare students for meaningful and rewarding careers, lifelong learning, and enlightened lives. The University fosters critical inquiry through a student-centered, academic environment rich in research, scholarship, creative activity, and service while providing opportunities for acquiring and applying knowledge in selected clinical, professional, and community settings. The University of New England's reputation and its leadership role depends upon the integrity of its employees, the quality of its programs and the methods which it uses to achieve its mission.

In the execution of their daily responsibilities, University of New England employees are inherently responsible for conducting their affairs in compliance with federal, state and local statutes and regulations. It is expected that University officials, administrators, faculty, staff, employees and associated contractors will conduct University business ethically and with appropriate lawful conduct as required by regulatory agencies and by Codes of Conduct standards established by the University of New England. In spirit, this plan underscores a commitment to an institutional integrity program that requires all UNE employees to act fairly, ethically and lawfully in all matters of daily business.

This UNE Institutional Compliance Plan and Codes of Conduct document has been developed to facilitate informed and effective execution of compliance actions by all employees. Therefore, it has been crafted as a comprehensive central compliance resource for key administrators, department heads and supervisors as well as front-line employees. Employees may also have to reference other compliance and procedural documents that apply to their particular departmental or work responsibilities (i.e. Hazardous Materials Policy Manual, Institutional Review Board Human Subject Research Policies, etc.). Failure to observe the provisions and requirements of this Compliance Plan and the UNE Codes of Conduct may result in serious disciplinary consequences for any employee. Intentional disregard or even unintentional neglect of requirements may result in sanctions, suspension, dismissal and/or criminal charges.

The UNE Institutional Compliance Plan and Codes of Conduct shall be constantly evaluated, modified as needed and updated to reflect current statutes and regulations and their official interpretations. Therefore, employees and administrators must attend to, read and understand all notifications of updates of this document.

It is UNE's intent to develop explicit and clear procedures that will allow employees, students or members of the community to identify, report and correct any perceived or actual incidents, actions or other events that might result in violations of statutes, regulations or institutional non-compliance in any manner. Any individual member of the UNE community, or the surrounding local community, should be able express any concerns or observations about matters of institutional compliance, to a University compliance officer, supervisor or administrator with the confidence and knowledge that his or her concerns will be addressed immediately.

For specific details regarding methods of reporting please refer to section V. Reporting of Suspected or Observed Non-compliance

II. Overview of Codes of Ethics and Standards of Conduct for UNE Employees

The Employee Codes of Conduct is a summary of the institutional compliance expectations of UNE officers and employees. This summary will be distributed to all UNE employees, students and the public, through leaflets, web and public posting. It will serve as a readily available quick reference regarding UNE's institutional compliance standards.

It is required that every UNE employee read and acknowledge understanding of the codes of conduct outlined in this document. It is the responsibility of UNE administrators, supervisors and compliance officers to provide employees with training and support that allows employees to meet these standards.

III. Key Compliance Personnel

It is the intent of the University to have a compliance plan and procedures and processes that are functional, accessible, understood and adhered to by all employees. Key individuals have been identified as being responsible for providing leadership and monitoring of the UNE Institutional Compliance Plan. It will be the responsibilities of these individuals and the committees on which they serve to ensure that all UNE employees have sufficient information, training and resources to comply with laws, regulations and policies as well as effective processes with which they may solve ethical dilemmas.

Primary leadership for the UNE Institutional Compliance Plan will be the responsibility of the following key personnel:

- **Audit Committee of the Board of Trustees**
- **University President**
- **Chief Compliance Officer**

- **Internal Auditor**
- **Chief Information Security Officer**
- **Executive Compliance Committee**
- **Compliance Officers Committee**

Audit Committee of the Board of Trustees

The Audit Committee of the University of New England's Board of Trustees shall oversee all matters of institutional compliance. The Audit Committee will receive tri-annual reports regarding matters of institutional compliance from the UNE Chief Compliance Officer, executive members of University administration, and from department heads or compliance officers dealing with "front-line" issues involving university compliance with any regulatory matters. It is the policy of the Audit Committee to allow members of the Compliance Officers Committee direct reporting access whenever requested or needed by any of those individuals. UNE supervisory policies or informal supervisory reporting relationships should not inhibit or deter members of the Compliance Officers Committee from having individual reporting access to meetings of the Audit Committee.

Chief Compliance Officer (CCO)

The Chief Compliance Officer will report directly to the President and, where appropriate, to the Board of Trustees. The Chief Compliance Officer will be responsible for tracking of compliance audit reports, reporting summaries of compliance matters to the Audit Committee of the Board of Trustees, chairing meetings of key compliance committees and councils, and promoting the development, implementation, assessment and modification of this Institutional Compliance Plan and Codes of Conduct. The Chief Compliance Officer will also assume the following responsibilities:

- Provide coordinating administrative leadership to the collective efforts of UNE Compliance Officers
- Represent the President as appointed in UNE compliance matters
- Provide summary reports of pertinent UNE compliance issues to the UNE President and Board of Trustees' Audit Committee
- Call and conduct regular meetings of a UNE Executive Compliance Committee and the Compliance Officer Council
- Provide leadership and coordination in the development and implementation of a University-wide Institutional Compliance Plan and Codes of Conduct
- Assist in the planning and implementation of UNE staff and faculty training in UNE compliance matters
- Develop and implement a University hot-line compliance reporting mechanism (toll-free number) that assures confidentiality, or freedom/protection from reprisal/retribution, to detect and respond appropriately to University compliance risks. Monitor all calls coming into the hotline. Develop appropriate and effective plans of action to address all hotline reports of possible or factual non-compliance that will correct such action and prevent re-occurrence
- Interact with all levels of management throughout the University regarding compliance matters including maintenance of regular, published, accessible office hours and promptly reply to messages relating to UNE compliance matters

- Maintain library, directory and compendium of resource materials necessary for effective execution of above duties and as an available resource for the President and members of executive administration
- Identify and participate in appropriate continuing education relevant to the duties and responsibilities of this position
- Other duties as assigned by UNE President

Internal Auditor

The Internal Auditor will report directly to the President and, where appropriate, to the Board of Trustees. The Internal Auditor assists the President, UNE management and the Board of Trustees in identifying, avoiding and, where necessary, mitigating risks.

Responsibilities include the following:

- Develop an audit plan utilizing risk analysis to evaluate the top risk areas and conduct financial, compliance, operational, ITS system and system development and implementation reviews
- Review the reliability and integrity of management, financial and operating information
- Review the systems established to ensure compliance with policies, regulations, procedures and laws
- Review the means of safeguarding the assets of the UNE
- Appraise the economy and efficiency with which resources are employed
- Review operations or programs to determine whether results and outcomes consistent with established objectives and goals (performance measures) are being achieved
- Participate in the design of technology information systems; and
- Provide advisory and training services for UNE components as required or requested to ensure fiscal and administrative integrity of the UNE

Chief Information Security Officer (CISO)

The Chief Information Security Officer will report directly to the President of the University and will have the following responsibilities:

- Provide leadership in the development and implementation of institutional information and technology security policies and procedures
- Maintain and oversee policies that address administrative security, personnel information security, physical safeguards of information, technical security and transmission security
- Maintain security procedures that contain plans for emergency and disaster contingency, security incident protocols, testing of procedures, reporting mechanisms and clear sanctions/consequences for violations of policies
- Ensure compliance through appropriate training programs
- Oversee third-party agreements and operations with contractors and service providers to ensure their compliance information security protocols of UNE.

- Conduct information security compliance audits, reporting results of audits to the Audit Committee of the Board of Trustees, the President, Chief Compliance Officer, and Executive Compliance Committee
- Other duties as appointed

Executive Compliance Committee (ECC)

The Executive Compliance Committee shall be composed of the following members:

- Chief Compliance Officer
- Internal Auditor
- Chief Information Security Officer
- Vice President for Business and Finance
- Vice President for Academic Affairs
- Vice President for University Relations
- Vice President of University Health Services, Dean, College of Osteopathic Medicine
- Dean, College of Arts and Sciences
- Dean, College of Health Professions
- Dean, Student Affairs

The Chief Compliance Officer shall chair meetings of the Executive Compliance Committee. The Chief Compliance Officer will track compliance/audit reports throughout the University and submit reports on an as-needed basis to the ECC, that summarize current UNE compliance programs and issues. The UNE President may attend any meeting of this Committee as needed or desired.

The responsibilities of the Executive Compliance Committee are as follows:

- To implement and monitor active and ongoing compliance programs in each of their respective units
- To meet at the request of President or the Chief Compliance Officer
- To review and approve compliance reports from the Compliance Officer Council.
- To serve as an advisory committee for the Chief Compliance Officer and the UNE President in the monitoring and the oversight of the University’s institutional compliance programs and conduct codes
- To assume administrative oversight over all matters of institutional integrity and compliance
- To advocate for budgetary support for all compliance functions

UNE Compliance Officer Council (COC)

All UNE department heads that have broad administrative responsibility for supervising employee implementation of regulatory compliance functions, shall be members of this Council. The Council will be chaired by the Chief Compliance Officer,. The Council will meet on a monthly, or as-needed basis.Current projected membership would include:

Title	Regulatory responsibilities
Chief Compliance Officer	Oversight of all compliance and codes of conduct policies and programs
Chief Information Security Officer	Oversight of all information and technology security matters
Associate Vice President of Human Resources	AA, EEO, Regulatory reporting and compliance for all employment matters to federal and state agencies
Director of Environmental Health and Safety	OSHA, DEP, EPA, Environmental Management Systems institutional policies, reports, employee training
Chair, Institutional Review Board	Chair of UNE Institutional Review Board on Human Subject Research
Associate Comptroller	Oversight of internal auditing as it relates to financial corporate compliance and integrity policies and procedures
Associate Director of University Health Services	UNE Health Services institutional compliance
HIPAA Privacy Officer	HIPAA institutional policies and programs
Director of Safety and Security	Oversee campus physical security and institutional crime reporting
Director Office of Sponsored research	Develop and oversee compliance with grant policies and procedures
DEA, OSI, IACUC Representatives	Oversee compliance with Drug Enforcement Agency licensing, Institutional Animal Use, & Federal Office of Scientific Integrity regulations
Other members as assigned by President or CCO	

The responsibilities of the UNE Compliance Officer Council include:

- To serve as an advisory and steering committee to the Chief Compliance Officer for all matters regarding tracking and reporting of University compliance reports and assessment and modification of the University’s institutional compliance plan, policies and procedures
- To collaboratively develop effective and efficient modes of employee training, and documentation of such training regarding matters of compliance, integrity and conduct
- To participate in regular assessment of institutional exposure to regulatory non-compliance and to assist the Chief Compliance Officer in planning for actions and/or programs that will directly address and reduce the probability of non-compliant episodes

In addition to participating in Council meetings and activities, each member of the Compliance Council will meet individually with the Chief Compliance Officer on an as-needed basis to:

- Inform the Chief Compliance Officer regarding matters of institutional compliance within their respective units and responsibilities
- Seek support of the Chief Compliance Officer regarding compliance issues within their respective units
- Involve the Chief Compliance Officer in all investigations of non-compliant issues or employee reports of non-compliance
- Address reports of non-compliance received by the Chief Compliance Officer through the University's hot line and/or confidential reporting mechanism

IV. Employee Education and Training

The University of New England is committed to provide education and training regarding individual and group regulatory responsibilities to all employees or to select groups of employees when appropriate. The University is also obligated to and is committed to track and demonstrate that all employees have been informed of their obligation to abide by this compliance plan and conduct codes.

V. Reporting of Suspected or Observed Non-Compliance

All UNE employees or students are expected and encouraged to report suspected or observed actions or incidents that are thought to be evidence of University non-compliance with federal, state or municipal statutes or regulations, or evidence of actions that are contrary to responsible institutional integrity or to be violations of policies and expectations of this Compliance Plan and Conduct Codes. Employees may choose to report such observations:

- to their immediate supervisor
- to their senior administrator
- directly to a University compliance officer
- to the UNE Chief Compliance Officer
- to the confidential hotline reporting service that would assure them of complete anonymity

Any individual may call or schedule an appointment to speak directly to the University Chief Compliance Officer, (University extension 2149) to report an observation or concern about institutional non-compliance, suspected illegal activity, fraud or regulatory abuse/neglect.

To allow for private communication of such reports, UNE has established a **Compliance Hotline, 866 587-6636** that will be monitored on a daily basis by the Chief Compliance Officer. Through use of the hotline number, any individual may report concerns about compliance privately in a manner that will allow the individual to call from home or a non-work location. When/if legally appropriate, callers identities will remain

confidential. Regardless, callers who make a good faith report to the Compliance Hotline can do so without fear of retaliation or reprisal. Proper disciplinary action, including possible dismissal, shall be taken against anyone who retaliates against a person who reports a legitimate concern to the Hotline.

All calls to the hotline will be investigated immediately by the Chief Compliance Officer in conjunction with other university compliance officials as deemed appropriate. A log of hotline calls and resulting investigation and resolution will be maintained by the Chief Compliance Officer and made available to the President and Audit Committee of the Board of trustees as needed.

The UNE toll free, **HOTLINE reporting number, 866 587-6636**, will be heavily advertised throughout the University community through public announcement and prominent display of informational posters in all University buildings.

VI. Disciplinary Action

The University of New England will impose appropriate disciplinary action or consequence upon employees who have been found to have acted in a manner resulting in non-compliance with the UNE Institutional Compliance Plan and Codes of Conduct, or who are in non-compliance with any other institutional compliance policy or procedure. Disciplinary action will be determined by the relevant senior administrator in consultation with the Director of Human Resources. Serious violations will require consultation with the Chief Compliance Officer, who may in turn consult with the Executive Compliance Committee and the University President.

VII. Assessment and Revision of UNE Institutional Compliance Plan and Codes of Conduct

In its regular meetings the Compliance Officers Committee (COC) shall conduct regular discussion of and review of this Plan's applicability and effectiveness toward promoting informed and active compliance behaviors on the part of all UNE officials, administrators and employees. Substantive (non-editorial) modifications and improvements to the plan and codes will be drafted by the COC and forwarded through report to the Executive Compliance Committee (ECC). The ECC will review suggested changes and either return to the COC for amendment or approve with recommendation to the Chief Compliance Officer and University President.

Proposals for substantive changes to UNE Institutional Compliance Plan and Codes of Conduct will be submitted to the Audit Committee of the Board of Trustees for review and approval.

If regulatory agencies modify compliance requirements through legislative or other legal initiatives, the Audit Committee of the Board of Trustees or the University President may instruct the Chief Compliance Officer to draft appropriate modifications of the

Compliance Plan and Codes of Conduct for their consideration. Before final Board and Presidential approval, the ECC and COC groups would review the drafted, suggested modifications and submit commentary or recommendations for amendment.

Acknowledgement:

The University of New England would like to acknowledge the leadership and assistance of compliance colleagues at the University of North Texas Health Science Center, Fort Worth Texas, in particular Dr. Greg McQueen, who provided invaluable guidance and consultation in the development of this plan.

Employee Codes of Conduct University of New England

INTRODUCTION:

The University of New England (UNE) establishes standards of conduct for all employees, based on a commitment to compliance by the University's senior administration, and its departments. These standards of conduct convey UNE's commitment to comply with all federal and state standards, with an additional emphasis on preventing fraud and abuse.

All UNE administration, faculty, medical staff, employees, are expected to:

- Conduct UNE business in good faith and with integrity and honesty;
- Strive to maintain a working knowledge of all current laws, rules and regulations related to his/her job responsibilities, and to conduct business in strict compliance with them;
- Observe non-disclosure of and protect against disclosure of confidential and/or proprietary information gained by reason of his/her official position, and not to engage in any activity or otherwise use such information for his/her personal gain/benefit both during and subsequent to the employment relationship, including taking appropriate steps to protect such information from unauthorized use or disclosure, further including, but not limited to, disclosure to family, friends or acquaintances;
- Not engage in any activities that discriminate against persons on the basis of race, color, national origin, gender, sex, age, religion, disability, veteran status, sexual orientation or any other basis prohibited by statute. This includes, but is not limited to activities in student admissions, student housing, employment, financial aid, University Health Services, and educational services;
- Not have any direct or indirect interest, financial or otherwise, that is in conflict with the proper discharge of his/her official duties;
- Not conduct any business, in his/her official capacity, with any business entity of which employee is an officer, agent, or member, or in which the employee or a member of his or her immediate family owns a substantial interest;
- Not make personal investments which could reasonably be expected to create a substantial conflict between the employee's private interest and the interest of the University or any of its divisions;
- Not pursue outside business and professional opportunities that compete with the interests of the University of New England. Employees have a responsibility to bring these opportunities to the University's attention;

- Not accept other employment or compensation which could reasonably be expected to impair the employee's performance of or his/her independence of judgment in the performance of the employee's duties for the University;
- Disclose all potential conflicts of interest to the employee's immediate supervisor or the Chief Compliance Officer;
- Not intentionally or knowingly misapply or misappropriate any asset, property, or "thing of value" belonging to the University;
- Not accept, solicit or agree to accept or solicit any gift, favor, service or entertainment that might reasonably tend to influence the employee in the discharge of his/her official duties or that the employee knows or should know is being offered with the intent to influence his/her official conduct;
- Not solicit, accept, or agree to accept or solicit any benefit for having exercised his/her official powers or performed his/her official duties in favor of another;
- Not accept, solicit or agree to accept or solicit any gift, favor, service or entertainment from or to a public official. Various laws strictly control the giving of gifts to and the entertainment of public officials. The illegal or improper giving of gifts or entertaining can result in fines, imprisonment or both for the employee as well as the official;
- Not intentionally make false or misleading statements in any UNE document;
- Promptly notify the UNE Chief Compliance Officer and/or any relevant UNE Compliance Officer of any inquiries for information from any local, state, or federal government agency regarding compliance with mandated laws or regulations
- Report, within a reasonable time, suspected violations or questionable conduct that may violate applicable federal, state or local laws, or UNE policies or procedures. Reporting may be done through established reporting channels, to the UNE Chief Compliance Officer, or through the **UNE Toll Free Compliance Hotline 866 587-6636**;
- Not engage in retaliation or any form of harassment directed against an employee or faculty member who reports a wrongdoing or possible wrongdoing;
- Promptly notify the UNE Chief Compliance Officer and/or any relevant UNE Compliance Officer of any inquiries for information from any local, state, or federal government agency regarding compliance with mandated laws or regulations;
- Cooperate fully, subject to the direction of the University's assigned legal counsel, with all authorized inquiries or investigations related to any suspected violation of the UNE Compliance Plan or Codes of Conduct, or any applicable federal, state, or local laws;
- Collect only those amounts to which the UNE is entitled for any type of reimbursement and promptly refund amounts billed and/or collected in error;
- Adhere to all required practices regarding expenses and reimbursement when engaged in travel on official business of the institution;
- Adhere to any and all policies not stated here, but set forth in the current Compliance Plans of individual units, Codes of Conduct established in the UNE Faculty Handbook, Personnel Handbook, and/or Student Handbook, and or guidelines from the Office of the Inspector General (where applicable).

- Avoid or report any conflict of interest with their responsibilities to UNE. Employees are encouraged to participate in outside activities that benefit the community and to exercise their political and civil rights. The University supports involvement in other non-profit activities. However, employees should not participate in outside activities, including outside directorships and fiduciary appointments, which create or are likely to be perceived as creating a conflict of interest with their responsibilities to the University of New England. Outside directorships are only appropriate when the organization has no relation to the University or when its policies ensure nonparticipation of the employee in business decisions regarding its relationship with the University.