



## **USF System Compliance & Ethics Program Charter**

This Charter identifies the purpose, authority, and responsibilities of the University of South Florida System Compliance & Ethics Program.

### **I. Purpose**

The USF System Compliance & Ethics Program (the "Program") is responsible for the coordination and management of all USF System compliance and ethics activities. The Program provides assurance to the USF System Board of Trustees that such activities are reasonably designed, implemented, enforced, and effective in preventing and detecting violations of law, regulations and policies, as well as violations of ethical principles of conduct. The mission of the Program is to create, support, and promote a system-wide culture of compliance, ethics, and accountability as required by Chapter 8, Part B, Section 2(b) of the Federal Sentencing Guidelines and Florida Board of Governors Regulation 4.003.

### **II. Authority and Governance**

The USF System Compliance & Ethics Program reports functionally to the Board of Trustees Audit and Compliance Committee and administratively to the USF System President and the Chief Operating Officer. This reporting relationship ensures the Program's independence and assures adequate consideration of the Program's compliance and ethics recommendations. The Chief Compliance Officer ("CCO") has primary responsibility for managing and coordinating the Program. The CCO and Program staff have organizational independence and objectivity to perform their responsibilities free from influence.

The Program has full and unrestricted access to all USF System functions, including its direct support organizations and practice plans, activities, records, property, information systems, and personnel, including those records or activities exempt from the Public Records laws, needed to fulfill its responsibilities.

The Program is responsible for ensuring confidential records obtained in the course of its activities are adequately secured and are not disclosed without established authority.

### **III. Responsibilities**

The USF System Compliance and Ethics Program is responsible for fulfilling the requirements of an effective compliance program as outlined by Chapter 8, Part B, Section 2(b) of the Federal Sentencing Guidelines and Board of Governors Regulation 4.003. The CCO and staff shall:

- Develop and implement a Program Plan. This plan and any subsequent changes shall be approved by the Board of Trustees and a copy provided to the Board of Governors.

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- Provide training to USF System employees and Board of Trustees' members regarding their responsibility and accountability for ethical conduct and compliance with applicable laws, regulations, rules, policies, and procedures.
- Facilitate an external review of the Program's design and effectiveness at least once every five (5) years. The first external review shall be initiated within five (5) years from the effective date of BOG Regulation 4.003. The review and any recommendations for improvement will be provided to the Board of Trustees and USF System President. The assessment shall be approved by the Board of Trustees with a copy provided to the Board of Governors.
- Administer and promote an anonymous "hotline" for individuals to report potential or actual misconduct and violations of university policy, regulations, or law, and ensure that no individual faces retaliation for reporting a potential or actual violation when such report is made in good faith.
- Support and communicate the USF System's policies on reporting misconduct and protection from retaliation, including the escalation of alleged misconduct, including criminal conduct, when there are reasonable grounds to believe such conduct has occurred.
- Communicate routinely to the Board of Trustees and USF System President regarding Program activities and provide an annual report on the effectiveness of the Program. Any program plan revisions, based on the CCO's annual report, shall be approved by the Board of Trustees. A copy of the annual report and any program plan revisions shall be provided to the Board of Governors.
- Assist the USF System in its responsibility to use reasonable efforts to exclude within the university and its affiliated organizations individuals whom it knew or should have known through the exercise of due diligence to have engaged in conduct inconsistent with an effective Program.
- Facilitate the designation of compliance officers for various program areas throughout the USF System, as either direct reports or accountable reports to the CCO. Such designations will be based on an assessment of risk in any particular program or area. If so designated, the individual shall coordinate and communicate with the CCO on matters relating to the Program.
- Promote and enforce the Program, in consultation with the Board of Trustees and USF System President, consistently through appropriate incentives and disciplinary measures to encourage a culture of compliance and ethics. Failures in compliance or ethics shall be addressed through appropriate measures, including education or disciplinary action.
- Initiate, conduct, supervise, coordinate, or refer to other appropriate offices such inquiries, investigations, or reviews deemed appropriate in accordance with university regulations and policies, state law, and/or federal regulations.

To ensure that the USF System Compliance and Ethics Program has the capabilities to perform the responsibilities and duties described herein, the CCO will:

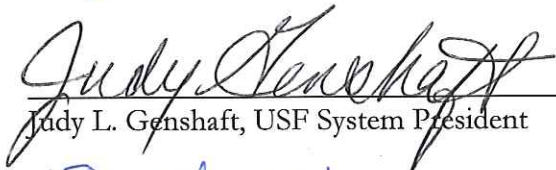
- Maintain a professional staff with sufficient size, knowledge, skills, and experience to ensure an effective Program;
- Utilize approved third-party resources as appropriate to supplement the Program's efforts;
- Communicate routinely with the Board of Trustees and USF System President regarding Program activities and perform assessments of the Program with changes and improvements where necessary.

#### IV. Charter Review and Approval

The Board of Trustees-approved Program Charter shall be reviewed at least every three (3) years for consistency with applicable Board of Governors and USF System regulations, professional standards, and best practices. A copy of the approved charter and any subsequent changes shall be provided to the Board of Governors.

  
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Brian D. Lamb, Chair, Board of Trustees

Approved on: 3/9/17

  
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Judy L. Genshaft, USF System President

Approved on: 3/10/2017

  
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Jeffrey A. Muir, Chief Compliance Officer

Approved on: 3/9/17