Middle Tennessee State University
Institutional Compliance Plan

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Middle Tennesse State University Institutional Compliance Plan

1.0 PROGRAM GOALS

The Institutional Compliance Plan (Plan) of Middle Tennessee State University (MTSU, University, or Institution) seeks to promote the University's mission, strategic goals, and community standards of conduct in all operational, academic, and advancement activities and functions. The Plan additionally seeks to support the Institution's efforts to assure compliance with all applicable state, federal, local, and accreditation regulations, laws, rules, standards, and obligations.

The following are the ways this Plan will serve as guidance to achieve the promotion and support of enterprise-wide compliance activities:

- Continuing education of MTSU Board of Trustees (Trustees) and Executive Officers regarding their fiduciary responsibility of annual review of the Plan.

- Continued establishment and review of policies and procedures related to University operations, academic performance, and ethics requirements.

- Training and education on policies and procedures to ensure understanding and adherence.

- Annual compliance and risk assessment reviews, or more frequently as needed, to ensure compliance with state, federal, and local obligations.

- Maintenance of existing methods of confidentially reporting suspected fraud, waste, and abuse, including violations of MTSU policies, and the creation of additional confidential reporting methods to assure prompt investigation of all credible reports.

- Regular and systematic communication of MTSU compliance policies and procedures to the campus community.

- Dissemination and application of appropriate investigatory and disciplinary measures to address and/or to correct instances of noncompliance with University policies and procedures.

2.0 COMMITMENT TO MTSU

2.1 Code of Ethics and Conflict of Interests. The Plan is presented in relationship to the formal commitment to institutional compliance and ethics activities by the Institution's Executive leadership, Board of Trustees (Trustees), Faculty, and staff. The Plan incorporates the tenets of the following MTSU Policies and Statements:

- Preventing Fraud, Waste, and Abuse, Policy 71
- Ethics and Code of Conduct, Policy 10Conflict of Interests, Policy 12
- Conflict of Interests for Externally Funded Projects, Policy 404
- Outside Employment, Extra Compensation, and Dual Services Agreement, Policy 814
- MTSU Board of Trustees Code of Ethics
- Statement of Community Standards of Civil Behavior
- Statement of Community Standards and Expectations
- Information Technology Resources, Policy 910
- Tobacco-Free Campus, Policy 750
- Use of Campus Property and Facilities Scheduling, Policy 100
- Alcoholic Beverages, Policy 755

Regarding student conduct, including student employees, the Plan incorporates tenets of the following, additional, MTSU Policies:

- Student Conduct, Policy 540
- Academic Misconduct, Policy 312
- Misconduct in Scholarly Activities and Researchy, Policy 211
- Residential Life and Housing Rules, Policy 541

2.2 Knowledge of Content. The Executive Management Team, Vice Provosts, Deans, Directors, and Department Chairs acknowledge their responsibility to be aware and knowledgeable of the Plan's contents and operation, and to exercise reasonable oversight regarding the Plan's implementation.

3.0 INTENDED BENEFITS

Adoption of the Plan by the Executive Management Team, Vice-Provosts, Deans, Directors, Department Chairs, and Faculty formalizes an intent to promote the compliance and risk management activities of the University while striving to continuously improve upon the Institution's fiscal management, operations, student success metrics, diversity, and campus culture (sensitivity and awareness). The Plan is designed to achieve the following additional, intended benefits:

- Prevention and/or avoidance of actual, residual, or inherent risks to MTSU at the earliest possible stages of risk identification.

- Correction of unlawful and unethical behavior.
- Continued demonstration of MTSU's commitment to its mission, purpose, and community standards.
- Encouragement of a culture of institutional compliance.

4.0 PROGRAM OVERSIGHT

4.1 The Plan's implementation and effectiveness shall be evaluated by the University's President; Vice President for Business and Finance; and the Audit and Compliance Committee of the Board of Trustees.

4.2 The implementation and effectiveness of the Enterprise Compliance and Risk Management Committee ("Institutional Compliance Committee") shall be supervised by the Assistant Vice President for Compliance and Enterprise Risk Management.

4.3 Office of Compliance and Enterprise Risk Management shall be supervised by the Vice President for Business and Finance and the Audit and Compliance Committee of the Board of Trustees.

5.0 POLICIES

The policies referenced in the Plan reflect MTSU's commitment to ethics, institutional compliance, and operational efficiency. In alignment with the Plan, the Office of Compliance and Enterprise Risk Management shall:

- Make the Plan readily available to the campus community both in hard copy in the Office of Business and Finance, and electronically on the Office of Compliance and Enterprise Risk Management webpage.
- As needed, collaborate with the Office of Audit and Consulting Services; the Office of University Counsel; and divisional Executive Management team members to annually review existing policies and to develop new policies in furtherance of MTSU's mission, strategic goals, community standards, and institutional compliance activities.

6.0 TRAINING AND EDUCATION

6.1 Compliance Training. Training and education are key elements of an effective compliance program. To support and strengthen MTSU's culture of institutional compliance, MTSU employees, Faculty, and staff are encouraged to:

- Review the training presentations available on the website for the Office of Compliance and Enterprise Risk Management (CAREM) listed under the tab "Compliance Support."

- Sign into, and complete, the interactive Ethics training on the CAREM website.

- Complete all required interactive training related to Title IX, Title VI, and Sexual Assault Prevention from the Office of Institutional Equity and Compliance.

In-person training and educational presentations and activities regarding compliance and risk management topics also will be held during an annual compliance event in recognition of National Compliance and Ethics week for which all MTSU employees will be encouraged to attend.

6.2 Annual Survey. The Office of Compliance and Enterprise Risk Management will implement an annual compliance and risk management survey to obtain feedback from MTSU employees regarding their awareness of compliance and risk assessment resources, support, and education. Employees additionally will be asked about their general knowledge of how to report suspected violations of MTSU policies, as well as their use of the MTSU Fraud Hotline. The annual survey will evaluate the effectiveness of the Plan's function and implementation, as well as identify compliance areas that can be strengthened.

7.0 RISK ASSESSMENT

The Office of Compliance and Enterprise Risk Management shall manage coordination of all annual risk assessment reporting to the State of Tennesse utilizing applicable State Risk Assessment Forms (RAFs), as well as review such RAFs prior to external submission. Annual risk assessment heat maps and consultative assessment reports also will be conducted in compliance with Green Book COSO Principles for Executive Management review to determine: (a) enhancements to existing risk controls; (b) development of new risk protocols; (c) elimination and/or mitigation of prior, known risks; and (d) the likelihood of risk re-occurrence.

8.0 RISK MONITORING

The Assistant Vice President for Compliance and Enterprise Risk Management, in consultation and collaboration with Audit and Consulting Services, Human Resources, and the Office of University Counsel, shall conduct compliance and risk management reviews designed to minimize regulatory risks associated with MTSU's operations and accreditation. Such compliance reviews shall be conducted on an "as needed" basis and can include unscheduled reviews based on operational need, specific requests, or academic accreditation activities. Internal Audits, as well as investigations of Fraud, Waste, and Abuse shall be conducted by Audit and Consulting Services. Internal Audit results will be shared with the Vice President for

Business and Finance, the Office of University Counsel, the President, and the Audit and Compliance Committee of the MTSU Board of Trustees, as well as appropriate levels of management.

9.0 RESOURCES

The following resources are available to MTSU faculty, staff, and administrators to help the campus community utilize resources more efficiently:

- **For Regulatory Compliance, Ethics, and/or Risk Management Concerns:**
  Office of Compliance and Risk Management
  1301 East Main Street
  Cope Administration Building
  Room 119
  Murfreesboro, TN 37132
  Office: (615) 494-8812
  carem@mtsu.edu

- **For MTSU Fraud, Waste, and Abuse Concerns:**
  Audit and Consulting Services
  1301 East Main Street
  Murfreesboro, TN 37132
  Office: (615) 898-2914
  reportfraud@mtsu.edu

- **State Hotline to Report Fraud, Waste, and Abuse:**
  Tennessee Comptroller's Hotline
  (800) 232-5454
  Comptroller.tn.gov/hotline

- **For Legal Concerns, Legal Questions, or Litigation:**
  Office of University Counsel
  1301 E. Main Street
  Cope Administration Building
  Room 209
  Murfreesboro, TN 37132
  Office: (615) 898-2025
  sherry.preston@mtsu.edu

- **For Human Resources Questions, Concerns, or Issues:**
  Office of Human Resources
  2269 Middle Tennessee Boulevard
  204 Sam H. Ingram Building

Murfreesboro, TN 37132-0001
Office: (615)-898-2929

- **For Title IX, Diversity, Accessibility, and Sexual Assault Concerns:**
  Office of Institutional Equity and Compliance
  1301 E. Main Street
  Cope Administration Building
  Room 116
  Murfreesboro, TN 37132
  Office: (615) 898-2185
  iec@mtsu.edu

- **For Campus Safety and Security Concerns:**
  University Police
  1412 E. Main Street
  Murfreesboro, TN 37132
  Office: (615) 898-2424
  dispatch@mtsu.edu
  For Emergencies: 911

- **For Environmental, Health, and Safety Concerns:**
  Facilities Services
  Holmes Maintenance Building
  Murfreesboro, TN 37132
  (615) 898-2392, for EHS
  (615) 898-2414, for Facilities and Maintenance
  facilities.services@mtsu.edu

- **For Student Academic Integrity Concerns:**
  Office of University Provost
  Office of the Vice Provost for Faculty Affairs
  Michel Baily, Director of Student Academic Ethics
  Cope Admnistration Building
  Room 111
  Murfreesboro, TN 37132
  Office: (615) 898-2533

- **For Athletics or NCAA Compliance:**
  Athletics Compliance Office
  Daryl Simpson, Associate Athletics Director
  Office: (615) 898-5491

- **For Veterans Affairs Services, Needs, or Questions:**
  Charlie and Hazel Daniels Veterans and Military Family Center
  1301 East Main Street
  P.O. Box 74
  Keathley University Center
  Room 124
  Murfreesboro, Tennessee 37132
  Office: 615-904-8347

- **For Data Breaches and/or Information Technology Resources:**
  Division of Information Technology
  Cope Administration Building
  Room 217
  Murfreesboro, TN 37132
  Office: (615) 898-5570

- **For European Union General Data Protection Questions or Concerns:**
  dpo@mtsu.edu

Investigations may be conducted by any of the above offices in collaboration and compliance with other University departments and/or external local, state, or federal agencies based on the subject matter.

10.0 OPEN COMMUNICATION

Open and honest communication is another essential element of an effective institutional compliance program. Open communication additionally enhances the University's ability to identify compliance issues and to respond in a timely manner. The Plan is designed to foster and encourage open communication in the following ways:

- The MTSU Institutional Compliance Committee shall have a structure that encourages open communication and discussion regarding compliance, and/or risk management issues and concerns.

- Trustees, the University President, Vice Presidents, and other Executive Cabinet members shall be responsible for fostering and encouraging open communication without fear of retaliation.

- The Office of Audit and Consulting Services and the Office of Compliance and Enterprise Risk Management shall encourage the use of the Fraud, Waste, and Abuse Hotline. MTSU Policy prohibits retaliation against anyone who, in good faith, reports a potential or suspected violation of the Institution's Policies or

Community Standards. Retaliation also is prohibited under the Tennessee Annotated Code (T.C.A.).

The following is information regarding the State of Tennessee's anti-retaliation regulation, as well as applicable University Policy.

- T.C.A. § 8-50-116.
- Section IV(B), Policy 71 – Preventing and Reporting Fraud, Waste, and Abuse.

- The Assistant Vice President of Compliance and Enterprise Risk Management will brief the Institutional Compliance Committee on potential institutional compliance and risk management issues, as appropriate.

Retaliation against employees who report incidents of threats, violence, or intimidating conduct is prohibited. Any employee bringing a complaint or assisting in the investigation of such a complaint will not be adversely affected in his/her terms and conditions of employment, discriminated against, or discharged because of the complaint in compliance with MTSU Policy 710 – Violence on Campus, Section VI, *Non-Retaliation*.

11.0 INVESTIGATIONS AND CORRECTIVE ACTION

Investigations of compliance and/or ethics violations may arise at the direction of Human Resources, the Office of University Counsel, Audit and Consulting Services, the Vice President for Business and Finance, and/or the President's Office, or the President's designee, in alignment with Policy 10 – Ethics and Code of Conduct. All MTSU employees are expected to cooperate with any investigation of an alleged violation of University Policy, the goals of this Plan, the MTSU Ethics and Code of Conduct, or any related institutional Policies.

Any allegation meriting corrective action shall be determined by Human Resources and the Office of University Counsel (for staff), or by the Provost/Chief Academic Officer (for faculty). Such corrective action may include a performance improvement plan, suspension, and/or termination, or additional investigation by external regulatory or law enforcement agencies, based on the findings of such investigation.

The final authority regarding the corrective action determination from any alleged violation of University Policy resides with the University President.

12.0 ENFORCEMENT

Enforcement of any institutional Policy, Employee Handbook, University Statement of Community Conduct or Values, or Code of Conduct is outlined within each policy. Employees who violate a University Policy, Handbook, Code of Conduct and/or the University's Community Values may be subject to disciplinary action including, and up to, termination.

Employees should refer to the specific University Policy for details regarding the individual(s) and/or departments who have enforcement authority.

For questions regarding the Middle Tennessee State University Institutional Compliance Plan, please contact:

Office of Compliance and Enterprise Risk Management
Attn: Assistant Vice President for Compliance and ERM
Middle Tennessee State University
1301 E. Main Street, CAB 119
Murfreesboro, TN 37128
Phone: (615) 494-8812
carem@mtsu.edu