



VCU

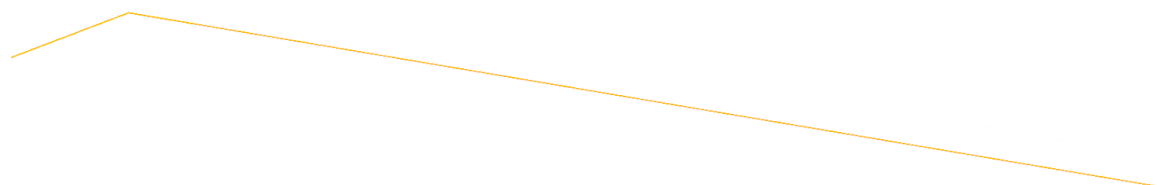
Integrity and Compliance Board of Visitors Annual Report

2021



Table of Contents

Introduction and the Year-in-Review	1
Reported Concerns Analytics and Benchmarks	2
Ongoing Monitoring & Assessing Compliance Risks	8
Regulatory Reporting Monitoring	8
International Activities	9
Conflict of Interest and Commitment & Annual Compliance Training	10
Universitywide Policies	10
Virginia's Freedom of Information Act (FOIA)	11
Effectiveness Statement	13
Appendix A	14
Definitions for Report Outcome Classification	14
Appendix B	15
Severity Criteria	15
Appendix C	16
Descriptions for Interest Disclosure Types	16
Appendix D	18
Prior FY Initiatives Progress Report	18



Introduction

Welcome to the Annual Report of VCU's Integrity and Compliance Efforts for fiscal year (FY) 2021. Since the creation of this report in 2012, the goal has been to provide information to the Board and broader university community related to the impact of VCU's Ethics and Compliance Program.

This report is not all-inclusive, but highlights the activities of our program, which are modeled after Chapter 8 of the US Department of Justice's *Federal Sentencing Guidelines* and supported by regulatory drivers and industry best practices. Our integrity and compliance activities are geared toward maintaining a community prepared to live our values and, when necessary, identify, call out or report suspected wrongdoing and appropriately address misconduct when substantiated.

VCU's ethics and compliance program is the collective effort of the various schools and business units exercising due diligence in order to prevent and detect misconduct. Compliance is not primarily about policing a behavior. Rather, it is about understanding which requirements apply to our actions or decisions, making sure we meet or exceed those requirements, and being guided by our mission and ethical standards.

The Integrity and Compliance Office (ICO) oversees the ethics and compliance program by providing guidance, support, awareness and communications.

The **Elements** of **Effective Ethics and Compliance Programs**



Standards and Procedures



Oversight



Incentives and Discipline



Training and Education



Reporting Mechanisms



Monitoring and Auditing



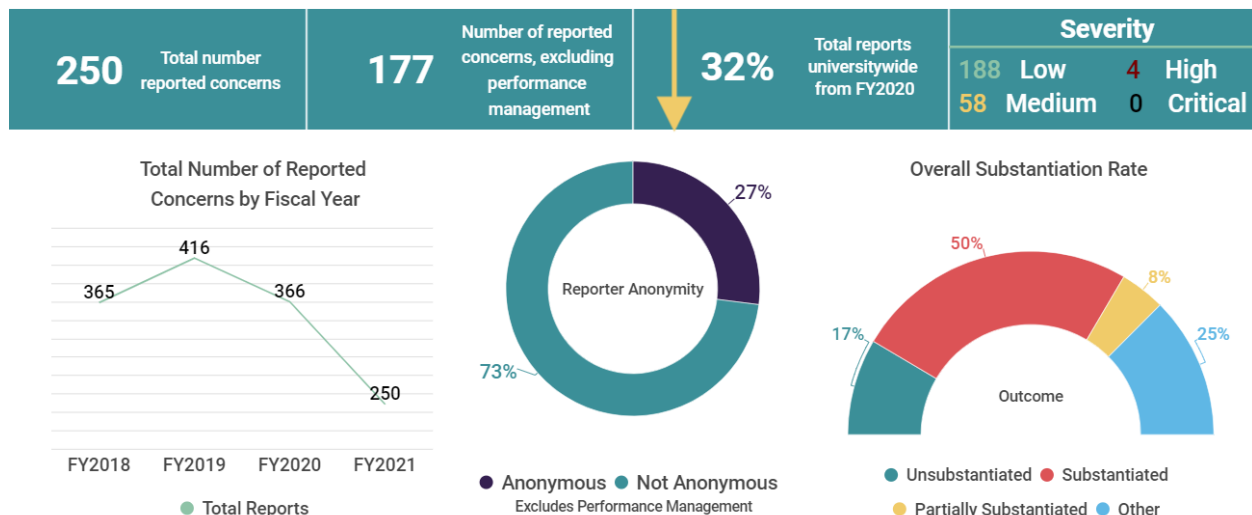
**Incident Response and
Continuous Improvement**

Reported Concerns Analytics & Benchmarks

Reported concerns represent allegations of misconduct or performance management matters raised by individuals and captured in a central tracking system. The ICO manages and monitors reported concerns to ensure documentation is adequate, that all matters are closed timely and that there is consistency in how the university disciplines for substantiated misconduct.

The central tracking system also provides an opportunity to analyze trends, compare VCU to benchmarks and implement policies and training to address areas of concern. This section of the annual report discusses the analysis results inclusive of all reported concerns for FY 2021. Our analysis also evaluated data exclusive of employee performance management concerns to assess whether those concerns skew metrics related to allegations of misconduct, such as sexual misconduct, misuse of resources, behavior concerns, etc.

Universitywide Reported Concerns - Employee Behavior

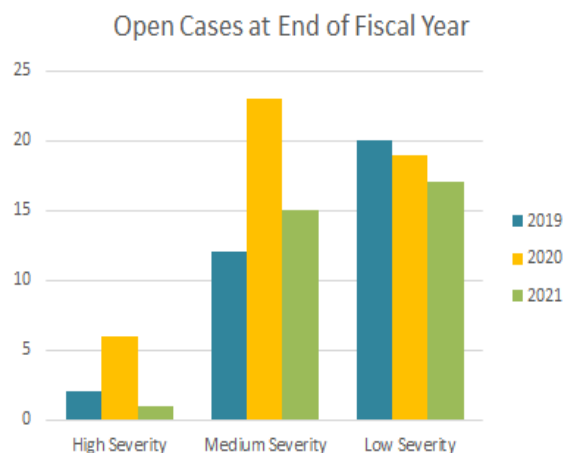


A few notables from the FY 2021 analysis include:

- 250 reported concerns received consistent treatment and severity ratings.
 - More often than not, reports were made directly to the appropriate office having expert staff charged with addressing the matter.
 - Matters raised through the Helpline were re-routed within one business day almost 100% of the time.

- For the second year, all substantiated allegations were responded to with some form of discipline and all discipline was documented in the central tracking system.
- The substantiation rate for reported concerns fell to 50% and to 58% when including partially substantiated outcomes. Even with this decline, VCU continues to exceed global benchmarks for substantiation rates. Exceeding substantiation rate benchmarks may indicate that employees are well informed about university expectations and when they speak up about expectations potentially not being met, they are mostly correct.
- The anonymity rate when reporting misconduct remains consistently low compared to industry peers but elevated by VCU standards. The rate of anonymous reporting has increased over the last two fiscal years and exceeds 20% for the first time since FY 2016.
 - FY 2021 rate increased to 22%, from 16% in FY 2020 and a low of 10% in FY 2019.
 - Anonymity rates of 22% for all reports, and 27% when excluding performance management issues.

The impact of COVID-19 makes drawing conclusions based on data analysis challenging due to its disruption to historical patterns and practices of misconduct. As noted in the 2020 annual report, the COVID-19 disruption marked an interesting trend nationwide in the reporting of concerns. At VCU, there was a significant reporting decrease of 32% in FY 2021. The Navex *Global 2021 Incident Management Benchmark Report* noted the first ever decrease in their annual volume benchmark and attributed “*this reversal [most likely] to the mass transition to working from home, which made many forms of non-web/hotline reporting (such as open door conversations) considerably more difficult.*” Additionally, a majority of VCU’s reports result from in-person interaction that conflicts with the university’s expectations of professional conduct. With a mainly remote workforce in FY 2021, the reporting decrease was expected.



This year the university’s ethics and compliance partners and the VCU Helpline received and managed 250 reports compared to 366 reports in FY 2020. Duration, or time to reach a conclusion or outcome, decreased across all units.

At the close of this year, 30 cases remained open, a decrease of 38% from 48 open cases in the prior year. The decrease in open cases may be attributable to lower report volumes, more low severity reports (75% low severity reports in FY 2021 versus 64% in FY 2020), along with streamlined communication between central offices.

While there was a decrease of 16 in the total number of reports made directly to Audit and Compliance Services (ACS), the percentage of all reports made to ACS increased to 28%, from 23% in FY 2020. This may be the quantitative result of decreased in-person communication due to a mostly remote workforce for all of FY 2021, as described in the Navex Global report; and, as such, employees were more comfortable reporting their concerns to an independent office.

Additionally, the rate of anonymous reports increased in FY 2021:

- to 22% from 16% in FY 2020
- to 27% from 21% in FY 2020 for reports excluding performance management

Global benchmark surveys remained consistent for rates of anonymous reporting. Because of the impact of COVID-19 and a mostly remote workforce, drawing conclusions on the cause of a continued rise in rates of anonymous reporting at VCU are challenging. Historically, industry analysis has pointed to decreased trust in the environment when anonymity rates rise, but more data is needed to assess the culture at VCU to determine the root cause.

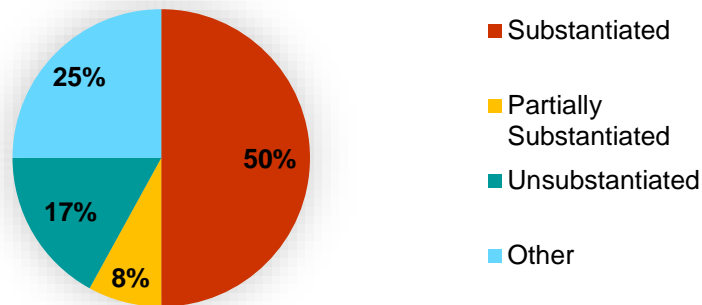
Breakdown of Reports to All Trusted Advisors Based on Independence

Fiscal Year	FY2018	FY2019	FY2020	FY2021
Reports to Independent Option – <i>ICO</i>	62	84	79	61
Reports to Independent Option – <i>Internal Audit</i>	11	6	6	8
Reports to Management Option – <i>Compliance Partners</i>	292	326	281	183
Total Reports	365	416	366	250
% Reported to <i>Audit and Compliance Services – as the only structurally independent option</i>	20%	22%	23%	28%

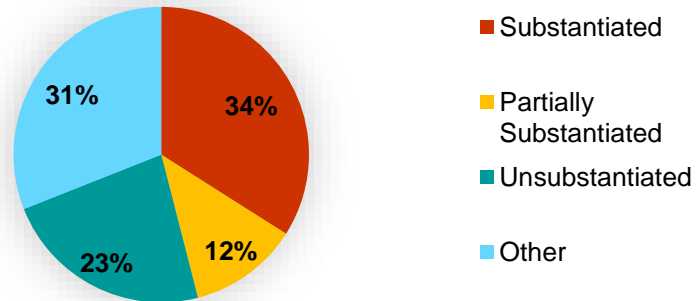
The substantiation rate (see Appendix A for definition), for all reports, remained consistent at 58% from 61% in the prior year. The rate equates to 46% when excluding performance management issues and more closely aligns with current national benchmarks (see table on page 7). Substantiation rates exceeding global and education industry benchmarks may indicate “*positive program communication and investigative efforts, and that organizations are continuing to receive high quality, actionable reports.*”¹

¹ Penman, Carrie: 2021 Incident Management Benchmark Report Navex Global

Substantiation Rate FY21 All Reported Concerns



Substantiation Rate FY 2021 Excluding Performance Management



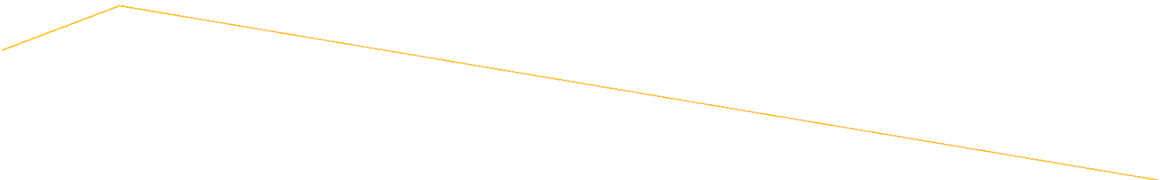
Reports classified as Human Resources (HR)-related continue to represent the largest volume of reported concerns at 56%, with a 67% substantiation rate. The percentage of reports reflects a slight decrease from FY 2020 when HR-related reports comprised 63% of all reports with a 62% substantiation rate. The decrease in the proportion of HR-related reports is likely due to an increase in reports unrelated to the university (typically related to VCU Health System activities and employees), which comprised 8% of all reports in FY 2021 as compared to 2% in FY 2020. Global benchmarks also observed a decrease in the proportion of reports that were HR-related, as discussed later in this report

The HR-related substantiation rate decrease likely reflects the university's overall substantiation rate decrease. When performance management reports are excluded, 42% of reports are HR-related and 28% are Equity-related with substantiation rates of 46% and 27%, respectively.



Allegations classified as equity-related topics saw an increase in substantiation rate to 27% FY 2021 from 10% in FY 2020, but still consistent with the university benchmark of 25%. With large fluctuations in substantiation rates - from 42% in FY 2018 to 10% in FY 2020, establishing a reliable benchmark is challenging. Nonetheless, additional training is planned for FY 2022 to educate faculty and employees on the *Preventing and Responding to Discrimination*, *Title IX Sexual Harassment*, and interim *Sex-based Misconduct* policies.

The university, again as in prior years, positively exceeded global ethics and compliance industry benchmarks for per capita reports of concern as shown in the chart on page 7. This demonstrates a university environment that supports a speak-up culture and provides increased visibility of issues and events in order to identify patterns and practices of unethical conduct. Although per capita reports decreased in FY 2021 to 2.4 from 3.1 in FY 2020 report, volumes continued to exceed the benchmark for global businesses of 1.3. The ICO will continue to monitor case volumes as the university returns to an on-campus working environment to assess the impacts of COVID-19 on report volumes.

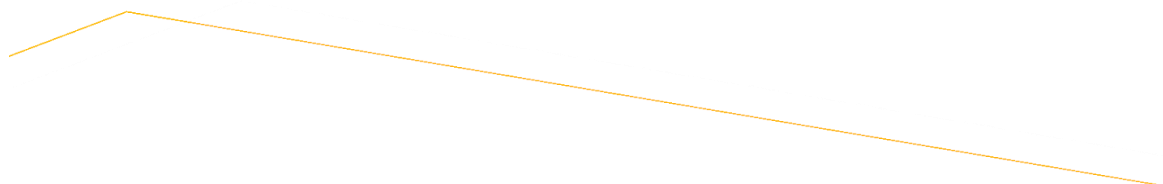


Metric	2021 Navex Global Survey	FY 2021 Convercent Benchmark	VCU Internal Benchmark	FY 2021 Data (All/Excludes Performance Management)
Cases per 100 employees	1.3(median)	Not available	3.02	2.40 (all)
Anonymous Reports	58%	55%	13%	22%/27%
Direct Contact vs Helpline Reports	48%	23%	80%	76%/68%
Substantiation Rate	43%	36%	62%	58%/48%
Most Common Allegation Type	HR – 63%	Not available	HR – 67%	HR – 56%/42%
Concerns of Retaliation	.90%	Not available	4%	5%/6%

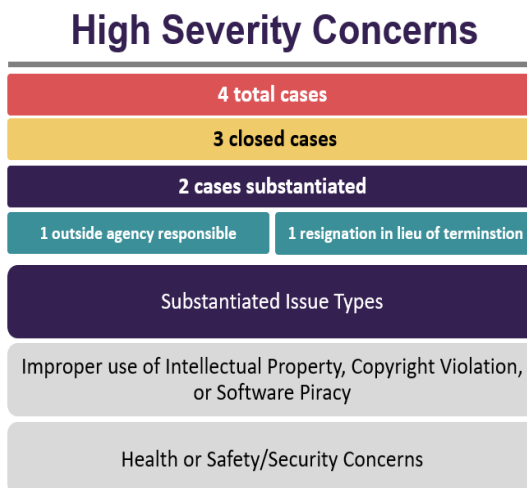
***Benchmarking Note:** Metrics collected are presented in comparison with a university benchmark for the respective metric; calculated using the average of all available data from the preceding three FY cycles not including the year of this report. Metrics are also compared to available industry benchmarks in two ways: 1.) data collected and analyzed annually by Navex Global's *2021 Risk and Compliance Incident Management Benchmark Report* and 2.) benchmark data supplied by VCU's ethics and compliance platform vendor, Convercent, using an education industry peer group.

In FY 2020, the ICO implemented standardized severity rating criteria (Appendix B) for consistent classification of reported concerns and associated analysis. Overall, the severity level decreased in FY 2021 with 25% of reports rating as medium/high/critical (32% when excluding performance management) as compared to FY 2020 with 36% of reports rating as medium/high/critical (45% when excluding performance management). The ICO will monitor this metric and establish a benchmark moving forward as we accumulate more years of data.

In FY 2021, 4 reports were rated as high severity and none rated as critical, demonstrating a decrease from FY 2020 where 13 reports were rated as high severity and one report rated as critical (50% substantiation rate). This may be an additional metric affected significantly by the remote work environment and remain an area to watch throughout FY 2022.



An analysis of the 4 high severity reports for FY 2021 revealed two substantiated cases (67% substantiation rate) with one case in progress at the close of the fiscal year. All matters were addressed with documented disciplinary action designed to prevent recurrence of misconduct.



Ongoing Monitoring & Assessing Compliance Risks

Regulatory Reporting Monitoring

Despite COVID-19's disruptions, full compliance with required federal reporting to external authorities was again maintained without issue. On a quarterly basis, compliance risk owners at the senior leadership level self-attest to continued timely, accurate and complete reporting throughout the year.

Much of the regulatory reporting work this year focused on further developing the university's ability to identify regulatory commitments, both federal and state, and to indicate both internally and to the public what office or unit is responsible for those regulatory compliance activities. The ICO determined that while federal regulatory commitments were widely known, more work was required to identify the compliance and reporting requirements of the Commonwealth. Over the course of the past year, the ICO assigned, with the help of our compliance partners, risk owners to those regulations. The next phase of this project will be to confirm with our partners the responsible party for each regulation. This process will also include engaging divisional leadership so that senior leaders are aware of the regulatory responsibilities that fall within their divisions.

In this section of last year's Annual Report, we wrote about initiatives designed to notify and prevent non-compliance with newly passed state laws. This past General Assembly session was an active one. Our process of collaborating with both legal counsel and government relations to

ensure timely notifications of offices with new regulatory requirements proved successful. The ICO is in the process of partnering with several university divisions on implementing policy revisions, new reporting processes, and data revisions to comply with new laws passed by the legislature and signed by the Governor.

With a new administration in place in Washington DC, and gubernatorial elections upcoming in Virginia, the ICO will continue to monitor the ever-changing regulatory environment and, when necessary, engage our compliance partners in addressing any new risks or regulatory changes.

Lastly, compliance with § 23.1-401.1 of the Code of Virginia, *Constitutionally protected speech; policies, materials, and reports*, requires the posting and filing of an annual report as well as meeting notifications and postings for filed lawsuits. This year, like last year, required notice of one filed lawsuit alleging violations of protected speech to be provided to certain state legislators and the Governor and to be posted at www.freespeech.vcu.edu in accordance with the Code's compliance requirements. This case relates to School of the Arts, Qatar Campus, activities.



International Activities

The federal government's interest in international affairs related to universities nationwide continues. In January 2020 the Provost and Vice President of Research and Innovation convened a working group of compliance partners that undertook efforts focused on undue foreign influence. The specific topics examined by this working group were heavily based on the Association for Public and Land-Grant Universities' May 19, 2020, *Actions to Address Security Concerns about Security Threats and Undue Foreign Government Influence on Campus* and the Council on Governmental Organizations' January 14, 2020, *Framework for Review of Individual Global Engagements in Academic Research*.

In the Fall of 2020, the working group reported its recommendations to assist VCU in maintaining a strong position for compliance effectiveness and enforcement regardless of the level of scrutiny from any given federal administration at any time. In the Spring of 2021, the Provost and Vice President of Research and Innovation accepted the working group's recommendations and authorized them to proceed with strategies and engagements to implement their recommendations.

Conflict of Interest and Commitment & Annual Compliance Training

The ICO collaborated with the School of Education to pilot the use of a centralized electronic conflicts of interest disclosure questionnaire for all of its faculty and staff. While those in a position of trust at VCU have historically completed the questionnaire, it has benefits that extend to all business areas within the university by contributing to a workplace free from unmitigated conflict, bias or improper influence. It also offers visibility of those disclosures to leaders that manage faculty and staff.

The pilot's success has led to continued initiatives in FY 2022 to expand the pilot to other schools and departments. In preparation for a future campus wide rollout, the ICO worked this past year to create disclosure training for employees as well as disclosure review training for managers.

Operational units assessing highly specific disclosures for conflict management are Athletics and Research. The Athletics NCAA-required processes have been reconciled into the universitywide electronic solution for centralized coordination and independent oversight of required reporting. Research-specific practices have been intact and operational by research expertise for more than a decade.

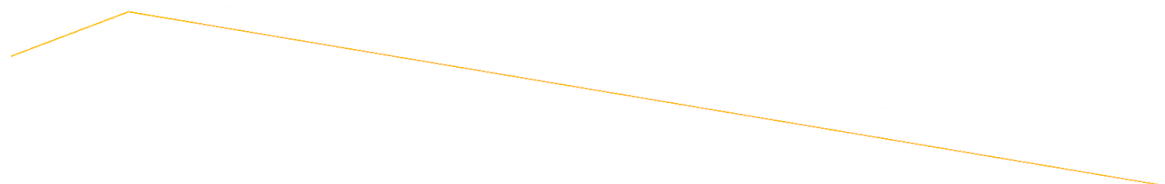
This past fiscal year, matters were as expected with no atypical occurrences or notable changes for both operational units.

Universitywide Policies

Despite the challenges presented by the COVID-19 pandemic, the policy program continued its role in engaging and supporting the university community in the policy development, review, and approval process. The ICO is increasingly proactive in seeking out policy partners to begin the policy review process, contacting policy owners six months before a policy's review due date and maintaining that contact up to the due date and beyond if necessary. This resulted in a record number of policies that were created, reviewed, or retired in FY 2021.

Although currently 34% of all policies remain out of date, this is a 6% improvement over last year. It is important to make two distinctions regarding this statistic:

- It includes outdated policies that are currently in the review/revision process.
- One division is responsible for over half of the outdated policies. Staff and leadership from both the Integrity & Compliance Office and Audit & Compliance Services are actively engaging that division in discussions regarding policy revisions and possible policy consolidation.





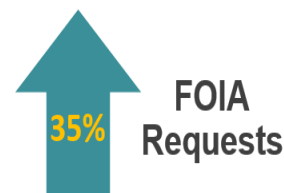
While our policy development process is designed to be deliberative, we also have the capacity to be nimble and to quickly respond to changing circumstances both at VCU and in the regulatory context. During the past year, we partnered with the Division of Student Affairs and Equity & Access Services to make critical updates to key policies impacting, in the Student Affairs context, alcohol and other drugs, and in the Equity and Access Services context, disability accommodations for all constituencies of the university. These interim policies will be in effect for a year, allowing the final draft policies to go through the shared governance process in order to become permanent.

To help our university partners as well as our staff better understand the correlation between policy and risk the ICO developed a rubric to assess the risk levels of university policies. This rubric takes into account, among other factors: whether the policy is mandated by an outside source such as the federal or state government or the university's accreditors, whether the policy supports the university's strategic priorities, and whether a policy is overdue for revision. Based on these factors and others, the policy is assigned a risk score. Currently 13% of policies fall into the high-risk category and 30% fall into the medium-risk category. The rest represent low or no risk.

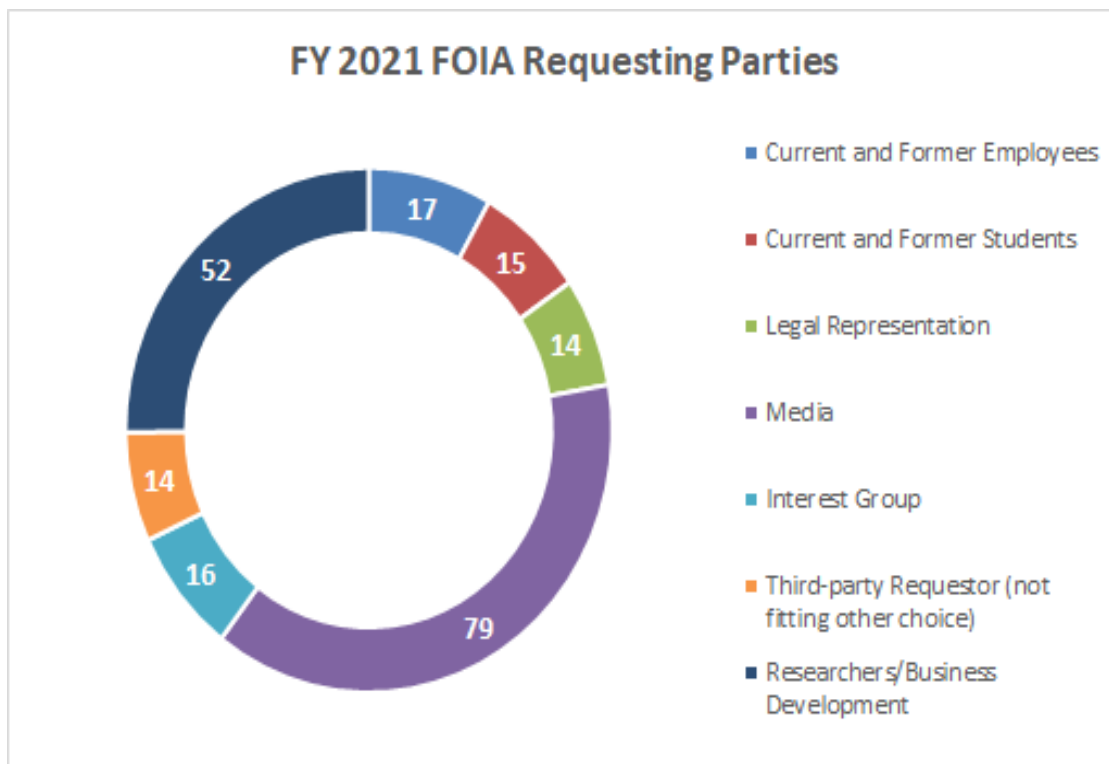
Virginia's Freedom of Information Act (FOIA)

Over the last few years, implementing FOIA training has resulted in a more educated population with better-coordinated institutional responses. As a public state agency, VCU has five days to respond to all FOIA requests. Responses have reached a maturity point wherein disclosing necessary information with minimal redactions helps fortify VCU's commitment to transparency in all dealings

This year saw an 35% increase in requests, most likely attributable to interest in VCU's COVID-19 response, including decisions concerning employee and student public safety measures, course offerings, distribution of HEERF funds and other financial



assistance and required testing of student athletes. Additionally, there was significant local and national interest in information on fraternity and sorority life.

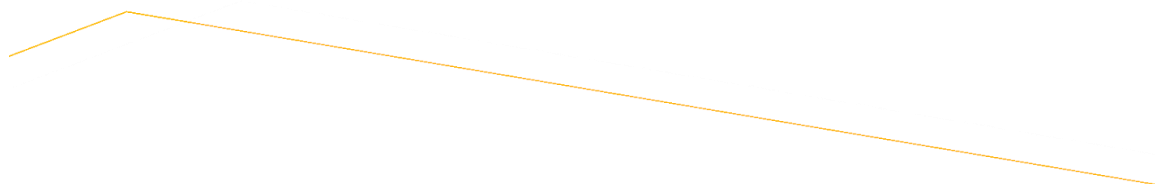


FY 2021 saw a 30% increase in the number of requests from media, continuing a trend from FY 2019 and FY 2020. Main topics of interest were substantial, both in terms of their complexity and the public's interest in how VCU engages with or impacts the community in Richmond and beyond.

Topics included:

- Student debt collection practices
- COVID-19 plans/operational decisions
- Student death and subsequent requests related to incidents of hazing
- Costs of COVID testing for men's and women's basketball teams
- Copies of coaches' employment and men's basketball game contracts

Continued interest is anticipated in the following areas for FY 2022: the university's COVID response; fraternity and sorority life; and, increased use of FOIA by the media.



Effectiveness Statement

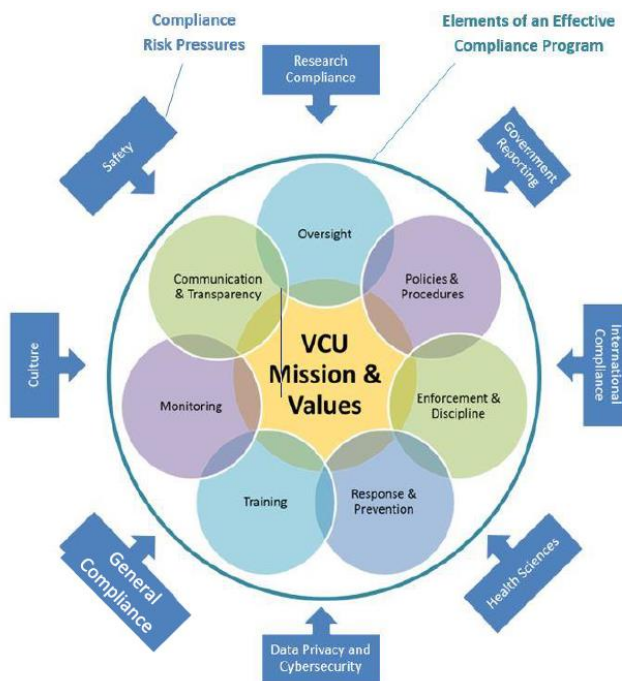
The goal of VCU's compliance program is to demonstrate effectiveness in order to receive favorable interactions or a reduction in culpability score for VCU should misconduct be found. Overall, the program continues to operate from a position of strength in:

- supporting the creation and maintenance of clear expectations;
- supplying reporting mechanisms to identify perceived or actual misconduct;
- identifying risks through regular meetings with compliance partners;
- ensuring resources are dedicated to assist with appropriate responses to misconduct with an aim to prevent recurrence when identified; and,
- reporting to leadership and the Board of Visitors on matters of concern.

Additionally, the network of trusted advisors, known as compliance partners, and the continued commitment by Compliance Advisory Committee members adds to the strength of VCU's compliance effectiveness.

The role of management to enforce expectations and set a tone of high integrity in all operations remains critical because these efforts support VCU in upholding the public's trust. Industry benchmarks continue to identify that change increases pressure that can manifest into misconduct. Regular reminders and messaging from leaders, the ICO, and managers about our values and Code of Conduct continue to be among our best defenses to reduce the likelihood of misconduct.

Apart from the challenges organizations of similar scope and complexity experience, (generally relating to communication, documentation and accountability in roles and responsibilities) no newly discovered patterns or practices of systemic misconduct have been identified this fiscal year. However, further progress of ethics and compliance initiatives designed to further mature our program continue to be impacted by resource constraints resulting from staff turnover and competing priorities in other areas, such as VCU's COVID-19 response.



Appendix A

Definitions for Report Outcome Classification

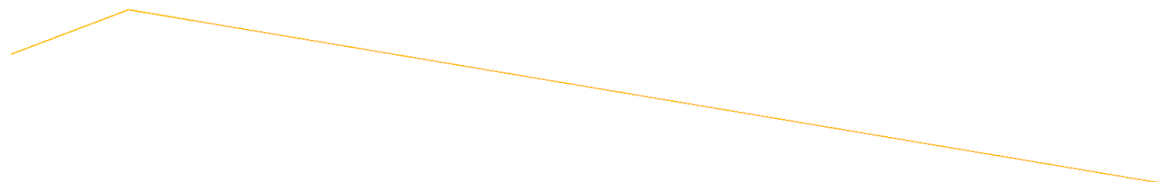
A report is classified as **Substantiated** when, after inquiry or investigation, violations of expectations, policy, regulation, or law are found. When this occurs, the ICO is available to consult in the development of a corrective action plan for appropriate parties.

A report is classified as **Partially Substantiated** when, after inquiry or investigation, a violation of expectations, policy, regulation, or law is found but other allegations—or elements of an allegation—contained in the report were unsubstantiated. When this occurs, the ICO is available to consult in the development of a corrective action plan for appropriate parties.

A report is classified as **Unsubstantiated** when, after inquiry or investigation, no violations of expectations, policy, regulation, or law exist.

Reports that contain general questions rather than concerns or specific allegations; are not related to current VCU employees or during employment with VCU; or include allegations later withdrawn by the reporter and ICO determines that no further investigation is necessary are classified as **Other**.

Reports that contain insufficient information to proceed with additional inquiry or investigation are classified as **Not Enough Information**.



Appendix B

Severity Criteria

Criteria used to classify the severity of misconduct allegations (referred to throughout as “reported concerns”)



Appendix C

Descriptions for Interest Disclosure Types

Athletically-Related Outside Income and Benefits: Includes income and benefits from sources outside the institution; the use, directly or by implications, or the institution's name or logo in the endorsement of commercial products or services for personal gain; or outside compensation or gratuities from athletic shoe, apparel or equipment manufacturers in exchange for use of such merchandise during practice or competition.

Gifts or Services Given or Donated: VCU employee (either personally or in their professional capacity at VCU) gave a gift that might reasonably be perceived as influencing or having the potential of influencing workplace decisions/actions. This includes any entity that conducts business or wishes to conduct business with the university, students/postdocs or employees. This does not include rewards or prizes for random drawings. Gifts and entertainment include anything of monetary value, such as discounts, travel expenses, loans, cash, services, transportation, tickets and gift certificates/cards, which have an individual market value of \$20 or more or a cumulative market value of \$100 or more over a 12 month period.

Gifts or Services Received: VCU employee accepted gift(s) in their personal or professional capacity that might reasonably be regarded as influencing or having the potential of influencing decision/actions at VCU. This includes any entity that conducts business or wishes to conduct business with the university, job candidate, students or representative of a student (e.g., parent, guardian, etc.). This does not include rewards or prizes for random drawings. Gifts and entertainment include anything of monetary value, such as meals, discounts, travel expenses, lodging, loans, cash, services, transportation, tickets and gift certificates/cards - which have an individual market value of \$20 or more or a cumulative market value of \$100 or more over a 12 month period.

Outside Activity: VCU employee is an employee, owner, director, officer, partner, contractor to, or agent of any other organization/entity outside of VCU. This also includes serving on a board of directors, advisory board, trade association or industry group, and arrangements to provide outside services (e.g., consulting and paid speaking engagements). Subcategories: second job; side business; freelance work/consulting; service activity; other.

Outside Financial Interest: VCU employee has a financial interest with any entity that conducts business with VCU or could possibly be perceived as influencing their university decisions. This includes direct financial interests not previously disclosed as an Outside Activity such as ownership, real estate/property, intellectual property/royalties, stocks/bonds, or equity (regardless

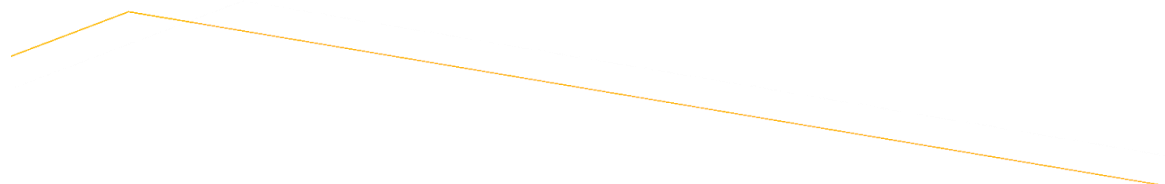
of business value), and indirect financial interests such as reciprocal relationships or arrangements.

Personal Services: VCU employee has utilized university employees or students/postdocs to perform any personal services for them, whether paid or unpaid (e.g., house/pet sitting, yard work, etc.)

Potential Conflicts of Interest – Immediate Family: VCU employee has someone in their immediate family involved in activities, or has relationships that could possibly be perceived as a conflict of interest with respect to VCU. Immediate family member means spouse or domestic partner, parent, child, sibling, aunt/uncle, niece/nephew, grandparent or grandchild. For example, they work for, or are associated with an organization that does business with the university; they have a relationship with a board member or senior leader at VCU or someone in your reporting chain.

Relationship within our organization: VCU employee has a personal, family, social, or business relationship with a student/postdoc or other VCU employee with whom they have oversight of – or perceived influence over – their employment or academic activities. Examples of employment activities include performance evaluations, salary decisions, promotion, work assignments, etc. Academic activities include admissions, grades, coursework, registration/overrides, etc.

Other Potential Conflicts of Interest: VCU employee is involved in any other activity that could possibly be perceived to influence their university decisions or detract from their university responsibilities. Consider the various activities and interests that they, their family members and close friends are involved in, and whether they could be reasonably viewed by others to unfairly influence your decision-making in the workplace. If in doubt, this disclosure process can provide an objective review to identify competing interests and guidance on how to properly manage any identified conflicts. If the situation is not a conflict of interest or commitment, this disclosure can help remove the potential perception of wrongdoing. Remember, actual or perceived conflicts of interests and commitments have the potential to undermine our credibility and the trust of others. Having a conflict is not necessarily wrong or bad, but not disclosing the situation can result in wrongdoing or the perception of wrongdoing.



Appendix D

Prior FY Initiatives Progress Report

Maintenance of VCU's Ethics and Compliance Program is substantively driven by the Federal Sentencing Commission's Sentencing Guidelines, Chapter 8, which provide for the basic and necessary minimum elements of an effective Ethics and Compliance Program; it is also driven by our own mission and values reflected in our Code of Conduct and university policies; sound business sense; risk acceptance and the needs of the organization. Continually playing an integral role in setting and upholding accountability within VCU's culture and overall risk mitigation processes, the resulting initiatives were set for FY21 in May of 2020 and this report provides a final status update **as of June 30, 2021**.

Initiatives herein are designed to reduce potential wrongdoing, increase the likelihood that when wrongdoing does occur it will be made known to management and increase the likelihood that VCU will responsibly handle suspected and substantiated wrongdoing, thus preserving the public's trust and the integrity and reputation of a responsible university.

Selected projects reflect a balancing of capacity, prioritization and where a devotion of additional resources is necessary to address, or continue, assurance of compliance requirements; ethical behaviors; and overall institutional integrity. Most of the topics below traverse multiple years due to the scope and size of the efforts. Year over year progress is demonstrated with a stoplight coloring indicator and any obstacles to these plans are shared with the Audit, Integrity and Compliance Committee of the Board of Visitors as the university's governing authority.

Note: These activities reflect known data points and information established from the collaborative relationships our ethics and compliance partners and other key stakeholders. Those items marked ongoing or holding, are a direct result of a vacancy absorbed turned into a universitywide hiring freeze or the adjustments required as a direct effect from the COVID-19 disruption.



Green: Complete or to be complete within FY

Yellow: Significant progress continues but not complete within FY

Red: No progress of significance or on hold due to unexpected circumstances

FY 2021 Initiatives:

Continue providing the BOV and Senior Leadership (as applicable) timely reports of successes; efficiencies; challenges; obstacles; and violations of ethics and compliance matters. Consider formal resolutions for program requirements and organizational need.

More specifically focused on:

Effectiveness Review of Ethics and Compliance Program

- Maintain progression and updates to response plan from Ethisphere's findings and recommendations – includes cooperation and collaboration with compliance partners and key stakeholders
- Complete self-assessment and results comparison with the national Ethics and Compliance Initiative cohort and industry leading practices

Integrity and Compliance Office Reporting to BOV Audit, Integrity and Compliance Committee

- Bolster issues and events reporting with enhanced analytics insights and benchmarking from central case management platform; solicit and incorporate stakeholder input; establish frequency of reports
- Finalize program insights reports and the dashboard's format - includes ethics and compliance metrics informing maturity ratings; solicit input; and establish risk appetite – working toward standardized quarterly or biennial reporting

COI Program Enhancement - Enhancements are needed regarding policy approval, consistent use of electronic solution for disclosures and management plans; in particular, compliance with more than 10 federal regulations, accreditation standards, and best practices in organizational governance, risk, and ethics and compliance industries. Utilization of an enhanced process of interest reporting contributes to both the Board and the departmental charter compliance by providing required assurances to the Audit, Integrity and Compliance Committee of the BOV.

- Fully implement policy and software solution for disclosing interests and managing conflicts
- Creation and execution of training to topic, policy requirements, electronic system and role
 - School and unit level employees reviewing, clearing and mitigating conflicts
 - Institutional Ethics and Compliance Committee Members
- Continue guidance responding to disclosures and proactive avoidance inquiries or response to disclosed institutional conflicts and conflicts of commitment - includes role based training
- Continue as Commonwealth's liaison for mandated state disclosures and training

Employee Ethics and Compliance Training and Accountability

- Execute training to broader audience and oversee functional or operational compliance program plan development by applicable compliance partners
- Provide risk identification and assessment training to applicable compliance partners
 - Establish accountability process for assessment results and integration into ERM
- Integrate ethics related actions and other positive ethics incentives into performance evaluations
- Execute annual employee compliance training – includes reflexive content based on initial assessment of knowledge base accompanied by role and duration of employment
- Develop and conduct role-based training for managers: Anti-retaliation
- Continue in person participation in new employee orientations and new chair training / development; online content delivery; and other custom requests to individual units

Gap and Risk Assessment Activities & Response

- Continue oversight of case handling for all reported concerns for efficient, consistent and coordinated institution response
- Continue quarterly oversight monitoring for timely compliance reporting through responsible parties outlined in Compliance Calendar: Federal Regulatory Reporting Requirements
- Support unique compliance needs in the university's areas of international activity, health care activity; and other elevated risks - reinforced with policy creation and revision
- Formalize internal workplace investigation standards through policy approval
- Identify risk owners for enhancing third party programs (volunteers, visiting scholars, vendors, etc...) - explore decentralized risk and accountability model and centralization feasibility for identification; screening; tracking and reporting
- Reconstitute Compliance Advisory Committee and begin Senior Leadership Level Committee to review and respond to advanced ethics and compliance metrics geared toward effectiveness and risk ownership, management and intelligence based on established maturity model ratings

Government Relations Non-Routine Visits

- Continue independent oversight and support to university community in preparation for, and in response to, regulator inquiries, reviews and investigations

Policy Program – for all universitywide policies

- Create methodology to measure and manage effectiveness of existing policies
- Recommend and oversee policy development to address identified risks
- Continue universitywide quarterly updates: seminal policy changes, reminders and tips for compliance

- Continue gap assessment based on size, scope and complexity of university, and industry trends and standards
- Continue support in policy creation, drafting, revision and required governance processes

Continued Participation and Resource Support and Guidance to various ethics and compliance- oriented groups and committees

- National Prominence - Contributing member for think tank partnership with Ethisphere to create Higher Ed cohort data comparisons of plans; and contributing member in national university compliance leaders group
- State Prominence – Ethics and compliance work in Higher Education cohorts: contributing member to state-specific cohort; founding member for public school-specific cohort
- Continue serving as the second line of defense support to all operations units with VCU
- Work toward being utilized as a strategic business partner
- Participation and leadership provided to over 15 universitywide committees and taskforces
- Active memberships and participation with external groups – Society of Corporate Compliance and Ethics – Higher Education Section and General Section; Ethics and Compliance Initiative; Association of College and University Policy Administrators
- The commitment to internal staff development remains as well as support for maintaining current industry certifications
- Internal workplace investigations
 - Oversight of alleged misconduct reports / non-compliance Issues
 - Conduct investigations when suspected patterns or practices of misconduct, non-compliance, or unduly sensitive issues arise
- State Regulatory Coordinator (liaison to Commonwealth for VCU)
- Agency Coordinator for Conflict of Interest Disclosures to the Commonwealth

