

16.01.01 System Ethics and Compliance

Approved May 8, 2012
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Regulation Statement

Each member of The Texas A&M University System (system) shall be responsible for establishing an organizational culture that encourages ethical conduct and compliance with its legal obligations. Each member shall be responsible for complying with all applicable federal and state laws. Each member shall be responsible for meeting and complying with any reporting requirements required by law.

Reason for Regulation

This regulation is required to ensure that all members set up an infrastructure to systematically identify and address risks so that faculty and staff are aware of their ethical and compliance responsibilities.

Procedures and Responsibilities

1. SHARED SERVICES

The system and its members shall seek to share resources (subject matter experts, training, etc.) and best practices to facilitate compliance across the system. In consultation with the System Ethics and Compliance Committee (Committee), the system ethics and compliance officer (SECO) shall work with the member chief executive officers (CEO) or designees to design and implement effective compliance (to include compliance plans) that maximizes cost-sharing and best practice opportunities (including, but not limited to, the development of system-wide subject matter expertise, training and education) for compliance services by and between members and across the system.

2. APPOINTMENT OF COMPLIANCE OFFICER AND COMMITTEE

2.1 Each member shall appoint a compliance officer (CO). If other than the CEO, the designee shall have direct and regular access to the CEO. With the assistance of the CEO and the member's Committee, the CO shall act to implement the compliance plan. Each member CO shall also provide a report to the SECO concerning compliance activity and processes prior to each regularly scheduled board meeting.

- 2.2 Each member shall appoint a compliance committee chaired by the CEO or designated CO. The purpose of the committee will be to develop a compliance plan concerning each member's operations. The compliance plan will address how the member systematically addresses risk, identifies emerging risk and will monitor the effective mitigation of that risk. This plan will be approved by the CEO and the SECO. The compliance committee shall meet quarterly to address mitigation of risk, to provide appropriate resources for compliance and to ensure appropriate action for noncompliance issues brought to its attention.

3. REPORTING OBLIGATIONS

- 3.1 Each member shall be responsible for complying with all applicable federal or state reporting requirements. The reporting obligations set forth below are to fulfill the purposes of this regulation, to enable the system and each member to do a risk assessment to determine if additional resources should be allocated and to assist the member to respond as needed. These requirements do not replace, change or modify these applicable reporting requirements or any other action required of a member under federal or state laws or regulations.
- 3.2 The CO shall report to the SECO compliance processes put into effect under the compliance plan for the SECO's review.
- 3.3 The CO shall promptly report to the CEO and SECO any suspected compliance violation that has caused or poses an imminent risk of injury or harm to persons, property or the surrounding community, or reputational harm, as soon as possible after discovering or receiving the report of the suspected violation. In coordination with the SECO, the CO will (a) conduct a compliance program investigation, or (b) monitor the investigation conducted by an appropriate member entity of the suspected violation(s) and, as appropriate, make written findings and recommendations to the member's CEO or designee and SECO.

Related Statutes, Policies, or Requirements

[System Policy 16.01, System Ethics and Compliance Program](#)

[Tex. Educ. Code § 51.971, Compliance Program](#)

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