Compliance at UT Tyler

Faculty Senate
January 20, 2022

How Compliance and Legal Differ

- Before a Matter Arises:
  - Prevent and Detect

- During the Matter:
  - Defend the actions of the University

- After a Matter/Issue:
  - Review and Correct
What is “compliance?”

• Legal definition
  • United States Sentencing Guidelines
  • Chapter 8, Part B, Section 2 (§8B2.1)
  • *Effective Compliance and Ethics Program*

• Practical definition
  • Prevent, find, and fix compliance issues

Why (as Context) + 
What + How = “Compliance”

The Genius of the “And”
**WHY: Laws and Regulations Protect...**

- Reputation
- Buildings
- Lawsuits
- Safety
- Data Loss
- Financial Losses
- Loss of Life

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**WHAT: Compliance Content**
## Compliance Content – Summary

- **Compliance Areas**
  - 36 Federal
  - 38 State

- **Compliance Summaries**
  - 282 Federal
  - 266 State

## Compliance Content – Federal Examples

<table>
<thead>
<tr>
<th>ADA</th>
<th>Clery Act</th>
<th>TEACH ACT</th>
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<td>HEOA</td>
<td>VAWA</td>
<td>Fair Housing Act</td>
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<td>FCRA</td>
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<td>ACA</td>
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<td>FICA</td>
<td>Davis-Bacon Act</td>
<td>FMLA</td>
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<td>Sherman Antitrust Act</td>
<td>E-Verify</td>
<td>Title IX</td>
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<td>UBIT</td>
<td>HIPAA</td>
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<tr>
<td>EADA</td>
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<td>INA</td>
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<td>EPCRA</td>
<td>Lanham Act</td>
<td>SEVIS</td>
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</table>
Compliance Content – State Examples

Open Meetings Act
Common Calendar
Transfer of Credit
Core Curriculum
Texas Success Initiative
Firefighter Exemption
Texas Youth Camps Safety
Appropriations Act

Texas Dangerous Drugs Act
Texas Clean Air Act
Texas Pharmacy Act
Eminent Domain
Antiquities Code of Texas
Texas Homeland Security
Texas Public Information Act
TAC 202
Key Compliance Leaders – Main Campus

- Gracy Buentello,
  - HR, Culture, and Diversity (Title VI, VII, IX)
- Blake Bumbard
  - Title IX Coordinator
- Ken Leonard
  - Internet Accessibility (ADA)
- MK Kahrhoff
  - Student Accessibility and Resources (ADA)

- James Bonnette
  - Athletics/NCAA
- Gisele Abron
  - FERPA Privacy
- Anna Kurdowska
  - Research Compliance/Export Controls
- Ashleigh Dinkins
  - Minor/Youth Protection
Main Campus - Compliance Leadership Group Reps - Provost’s Area

<table>
<thead>
<tr>
<th>Name</th>
<th>Status</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kouider Mokhtari</td>
<td>Standing</td>
<td>Associate Provost for Research and Associate Dean of the Graduate School</td>
</tr>
<tr>
<td>Anna Kurdowska</td>
<td>Standing</td>
<td>Associate VPR &amp; Research Compliance Officer</td>
</tr>
<tr>
<td>Lou Ann Berman</td>
<td>Standing</td>
<td>Associate Provost for Assessment and Institutional Effectiveness</td>
</tr>
<tr>
<td>Rebecca McKay Johnson</td>
<td>Standing</td>
<td>Executive Director, Library</td>
</tr>
<tr>
<td>Jo Simmons</td>
<td>Standing</td>
<td>Superintendent, University Academy</td>
</tr>
<tr>
<td>Sarah Bowdin, Interim</td>
<td>Standing</td>
<td>Director, Longview Campus</td>
</tr>
<tr>
<td>Dixie Rose</td>
<td>Standing</td>
<td>Administrative Services Officer, Palestine Campus</td>
</tr>
<tr>
<td>Andres Garcia or designee</td>
<td>Standing</td>
<td>Director, Houston Campus</td>
</tr>
<tr>
<td>Colleen Swain</td>
<td>Standing</td>
<td>Associate Provost, Undergraduate and Online Education</td>
</tr>
</tbody>
</table>

HOW: The Legal Bit

[A] compliance and ethics program shall be reasonably designed, implemented, and enforced so that the program is generally effective in preventing and detecting criminal conduct.

--USSG §8B2.1 (emphasis added)
Compliance Activities at UT Tyler

1. Identify Requirements/Assess Risk
2. Establish/Modify Compliance Organization
4. Communicate Standards, Policies, and Procedures
5. Implement, Promote, and Enforce
6. Monitor, Audit, and Report
7. Continuous Improvement
8. Leadership/Corporate Culture

Compliance Activities: The Picture Version

Laws Regulations Regulators

1. Identify Requirements/Assess Risk
2. Continuously Improve
3. Monitor, Audit, Report
4. Implement, Promote, Enforce
5. Communications
6. Standards, Policies, Procedures
7. Leadership & Campus Culture
8. Compliance Organization (Personnel)
9. Laws Regulations Regulators

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What + How = “Compliance”

Why (as Context) + What + How = “Compliance”

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www.uttyler.edu/president/

“University Committees” (pp. 13-14)

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www.uttyler.edu/compliance

Questions?

The University of Texas at
TYLER