



Ethics and Compliance Program

May 23, 2017
Updated August 10, 2021

Available on UCCS' Compliance Website

Introduction

The Ethics and Compliance Program of the University of Colorado Colorado Springs (“UCCS”) supports UCCS’s fulfillment of its mission as described in State law¹ and the achievement of its vision and strategic plan goals as described in the [UCCS 2030 Strategic Plan](#) (“Strategic Plan”). The Ethics and Compliance Program is designed to reflect UCCS’ [Mission, Vision, and Values of Excellence](#), particularly the value of integrity, described as follows:

We value integrity and expect ethical behavior from each member of the campus community in all interactions. We build an environment where we treat each other with respect and appreciate each other’s contributions.

The UCCS Ethics and Compliance Program is based on principles adopted by the Board of Regents of the University of Colorado that express the Board’s expectations of demonstrated ethical conduct and a commitment to compliance. According to Article .1, Part D, *Laws of the Regents Article 8, Part B*, “makes members of the university community responsible for understanding and upholding the highest standards of legal and ethical conduct.” Among the Board’s “[Responsible Conduct](#)” for the University is the following:

- Responsible Conduct
- Respect for Others
- Conflicts of Interest
- Research and Academic Integrity
- Stewardship of University Property
- Contributing to a Safe Workplace
- Privacy and Confidentiality
- Open and Effective Communication
- Reporting Suspected Misconduct (Whistleblower Policy)

The UCCS Ethics and Compliance Program includes standards, programs, research and education supporting the creation and maintenance of an ethical culture, standards of ethical conduct, and ethical decision-making practices. The Program describes UCCS’ ethics and compliance organizational structure, reporting resources, education and training, risk identification, assessment and management, auditing and monitoring, enforcement approach, and commitment to respond to misconduct and to take preventative actions.

The Ethics and Compliance Program helps UCCS faculty and staff understand and comply with applicable laws, rules, and regulations and avoid the potential disruptive effect of noncompliance. It supports the maintenance of a fair, respectful, and ethical environment at UCCS; assists UCCS employees in avoiding conflicts between the performance of their

¹ C.R.S. §23-20-101(c) provides: The Colorado Springs campus of the University of Colorado shall be a comprehensive baccalaureate and specialized graduate university with selective admission standards. The Colorado Springs campus shall offer liberal arts and sciences, business, engineering, health sciences, and teacher preparation undergraduate degree programs and a selected number of master’s and doctoral degree programs.

work responsibilities and their personal interests; promotes the responsible stewardship of UCCS resources; and supports the prevention, detection, sanction, and correction of violations of law, regulations, and university policy.

Section I. Governance and Executive Leadership

At the governance level, the Board of Regents promulgates Regent laws and policies that provide an ethical framework for the conduct of University of Colorado employees. In addition to the guiding principles described in the introduction, the Board has adopted a policy containing a set of nine [principles of ethical behavior](#). These principles of ethical behavior cover such topics as; responsible conduct, respect for others, conflicts of interest, research and academic integrity, stewardship of University property, privacy and confidentiality and reporting suspected misconduct. The first of the Board’s nine principles provides:

University of Colorado employees are expected to conduct themselves ethically, and in compliance with all applicable laws, regulations, and university policies. University employees are expected to practice and model ethical and responsible behavior in all aspects of their work. Expected conduct includes conducting fair and principled business transactions; acting in good faith; being personally accountable for individual actions; conscientiously fulfilling obligations towards others; and communicating ethical standards of conduct through instruction and example.

At the executive level, the UCCS Chancellor states expectations that UCCS will maintain an ethical culture and that UCCS constituents will conduct themselves in accordance with the Board’s nine principles of ethical behavior. The Chancellor’s actions are expected to exemplify ethical conduct and a commitment to the value of integrity. The Chancellor demonstrates responsible stewardship of UCCS resources and requires that UCCS employees similarly demonstrate responsible stewardship. The vice chancellors and deans also conduct themselves in a manner that exemplifies ethical conduct, responsible stewardship of university resources, and a commitment to the value of integrity. They support the maintenance of ethical culture at UCCS by their statements and act as liaisons with the broader Campus community on compliance-related matters.

Section II. Standards of Conduct

UCCS requires an ethical workforce in order to meet its mission. The University has adopted a [Code of Conduct](#), approved by the University president as Administrative Policy Statement 2027, which implements the Board’s laws and policies concerning ethical conduct. According to its introduction, the code of conduct is intended to: “(i) implement Article 1 of the *Laws of the Regents* and Regent Policy 1.C; (ii) further define the expectations for university employees; and (iii) provide guidance on the resources available to guide ethical behavior.” This code identifies those University policies that implement

the Board's principles of ethical behavior but is not intended as a comprehensive collection of all policies that relate to these Principles. The code makes it clear that each employee is responsible for knowing and complying with all policies related to that employee's performance of responsibilities.

Section III. Ethics and Compliance Program Responsibilities

Every member of the UCCS community has some responsibility for the day-to-day implementation of the Ethics and Compliance Program. While all members of the UCCS community, including faculty, staff, students, and volunteers, contribute to the effectiveness of the Ethics and Compliance Program and are responsible for its successful implementation, the individuals and committees described below have specific responsibilities for the Program. This organizational structure reflects the decentralized nature of ethics and compliance responsibilities throughout UCCS but also identifies those positions with primary responsibility and accountability for implementation of the Ethics and Compliance Program.

A. Executive-Level Responsibilities

1. Chancellor

The Chancellor regularly communicates the expectations that UCCS will maintain an ethical culture and that Campus constituents will conduct themselves in accordance with Regent Policy 8: Conduct of Members of the University Community. The Chancellor implements the Ethics and Compliance Program by: appointing the Campus Compliance Council and Ethics Committee members; designating a vice chancellor or other UCCS officer (without responsibilities that would conflict with the exercise of authority over the Ethics and Compliance Program) as having primary, executive-level authority for the Ethics and Compliance Program; appoints the Compliance Officer/Campus Compliance Director ("Director"); creating a direct line of communication between the Director and the Chancellor; exercising due care in the delegation of substantial discretionary authority; and ensuring that resources are provided to support implementation of the Ethics and Compliance Program.

2. Chancellor's Cabinet

The Chancellor's Cabinet includes the Chancellor, the vice chancellors and campus legal counsel. The executive team reviews and acts on, as necessary, proposals and recommendations sent from Ethics Committee, the Campus Compliance Council and the Director regarding the Ethics and Compliance Program. The Chancellors Cabinet participates in Ethics and Compliance Program reviews and risk assessments and receives and acts on recommendations resulting from such reviews and assessments. The Cabinet supports the Chancellor's performance of the Chancellor's responsibilities.

B. Specific Implementation Responsibilities

1. Vice Chancellor (or other UCCS Officer) with Designated Authority over the Ethics and Compliance Program (“Designated Officer”)

The Designated Officer is responsible for direct oversight and implementation of the Ethics and Compliance program and for regular reviews of its effectiveness. Specific responsibilities include serving as the liaison between the Campus Compliance Council and the Chancellors Cabinet; monitoring the implementation of the Ethics and Compliance Program; supervising the Director; report on an annual basis to the Chancellor on the operation of the Ethics and Compliance Program including significant developments and/or any needed modifications; and carries out other duties assigned in the Ethics and Compliance Program.

2. Ethics Committee

The Ethics Committee is comprised of faculty members from each college whose work is in areas related to the study of ethics, administrators who have responsibility for related programs, and representatives from the Campus Compliance Council. The Ethics Committee oversees the campus-wide implementation of ethics-related initiatives and training.

3. Campus Compliance Council

The Campus Compliance Council is comprised of unit heads who have responsibility for departments, divisions and/or programs that have significant compliance risks; representatives from the Ethics Committee; and at least one faculty representative. The Campus Compliance Council oversees the campus-wide implementation of compliance training and education, engages in risk identification, assessment and management, develops recommendations to manage risks, and monitors the effectiveness of compliance-related programs.

4. Compliance Liaisons

Compliance liaisons have specific compliance responsibilities in a department, program or other administrative unit. Compliance liaisons assist unit heads in the performance of their compliance responsibilities. The compliance liaisons are responsible for bringing issues to the attention of the Director and/or the Campus Compliance Council as necessary to ensure that issues are addressed effectively and campus-wide if required. Compliance liaisons meet regularly, convened by the Director, to discuss common compliance issues and provide updates to the Director.

5. Office of University Counsel

The Office of University Counsel is responsible for providing legal support to the Ethics and Compliance Program, giving legal advice, guidance, or opinions on specific compliance matters; serving as a member of both the Ethics Committee and the Campus

Compliance Council; monitoring and assisting with revisions to policies, procedures and practices as necessary to reflect developments in federal and state laws and regulations, as well as court and agency rulings, that may affect Campus compliance responsibilities; providing training and education to Campus constituents: identifying compliance risks and assisting the Campus in addressing those risks; and participating in monitoring the effectiveness of the Ethics and Compliance Program.

6. Ethics and Compliance Partners

UCCS ethics and compliance partners (“Compliance Partners”) are those University constituents whose support is particularly important to the effectiveness of the Ethics and Compliance Program. Compliance Partners may be at the system or campus level and include: administrative divisions and offices; academic colleges, schools, departments, or programs; and governance groups. Compliance Partners may have primary responsibility for a particular area of compliance or for compliance by a particular campus constituency. Compliance Partners create a culture of compliance at UCCS, are knowledgeable about compliance obligations in their areas of responsibilities, collaborate in the implementation of an effective compliance program in their areas of responsibilities, identify compliance gaps and take action to address them, participate in training and education programs, assist in the review of the Ethics and Compliance Program and otherwise act as resources for the Ethics and Compliance Program. Examples of Compliance Partners and of their areas of compliance on which they focus are as follows:

- a) *Academic Affairs* – compliance with Higher Learning Commission and other accreditation bodies. As well as state and federal guidelines related to higher education;
- b) *Bursars* - compliance with federal and state cash management and cash control regulations, DOD MOU POC for all submission requirements, Title IV disbursement regulations, and PCI compliance;
- c) *Controller’s Office* – compliance with accounting and financial standards and internal controls;
- d) *Department of Intercollegiate Athletics* – NCAA compliance and Title IX compliance in athletics;
- e) *Disability Services* - has responsibility for processing requests for accommodations from students and to coordinate compliance with the non-discrimination requirements contained in the Department of Justice regulations implementing Title II of the Americans with Disabilities Act (ADA), including section 35.107, and the Americans with Disabilities Act Amendments Act of 2009;
- f) *Diversity, Equity and Inclusion* – compliance with rules and regulations related to equity;
- g) *Environmental Health and Safety* - compliance with all local, State and Federal regulations and standards governing worker safety, hazardous materials, hazardous waste, biological safety and life safety;
- h) *Facilities Services* – compliance with all State and Federal required building codes and operational safety standards relating to maintenance and construction;

- i) *Healthcare Services / Student Wellness* – compliance with mandated reporting of identified infectious diseases, infections, and illnesses defined by the State, State mandated immunization compliance, mandated reporting of abuse and neglect defined by the State, release of health and mental health records by court order, reporting of imminent danger to an individual or others when UCCS Wellness Center staff reasonably believe that the disclosure of pertinent information will avoid or minimize an imminent danger to the health or safety of that individual or others;
- j) *Human Resources Office* – compliance with federal and state laws and regulations and University policies governing employee recruitment, hiring, compensation, benefits, management, and termination;
- k) *Information Technology Security* - Provide a program of cyber-security for the protection of information resources in support of compliance at UCCS;
- l) *Kraemer Family Library* – compliance with FERPA, state library confidentiality laws, Americans with Disabilities Act, copyright;
- m) *Office of Financial Aid and Student Employment* – compliance with federal Title IV and state laws and institutional policies applicable to student financial aid;
- n) *Office of Global Engagement* – compliance with federal immigration reporting for non-immigrant students and scholars, institutional policies related to international education, student travel policy, and risk management related to travel abroad;
- o) *Office of Institutional Equity* - oversight and enforcement of the CU Sexual Misconduct Policy, the UCCS Discrimination and Harassment Policy, the Conflict of Interest in Amorous Relationships Policy, and compliance with several federal laws and regulations, including but not limited to Title IX, VAWA/SaVE, Americans with Disabilities Act, Title VI and Title VII.
- p) *Office of Sponsored Programs and Research Integrity* – compliance with federal and state regulations and standards governing research, human subjects protection, animal care and use, export control, conflict of interests in research, and intellectual property rights and policies;
- q) *Office of the Dean of Students* – oversight of the student code of conduct and enforcement of its provisions;
- r) *Office of the Provost and Executive Vice Chancellor for Academic Affairs* – compliance with accreditation requirements and with federal and state laws and regulations and University policies regarding faculty recruitment, hiring, promotion, tenure, workload, evaluation, sabbaticals, outside employment, retirement and termination;
- s) *Office of the Register* - compliance with FERPA, student Rights and Responsibilities compliance (communication sent each semester to students), NCAA regulations and compliance, State of Colorado tuition classification statues, compliance and regulations;
- t) *Public Safety Department* – compliance with the Cleary Act, emergency management and public safety;
- u) *Residence Life and Housing* - Compliance with federal and state laws and regulations and University policies governing students living on campus such as Title XI, Campus Security Authority, Student Code of Conduct, Residential Policies and Staff Hiring & Training;

- v) *Transportation* - compliance with all Department of Transportation regulations;
- w) *Veterans Affairs* - Compliance with Department of Veteran Affairs and State Approving Agency regarding student administrative and financial records of veterans, active duty and family members that are receiving training under title 38, United States Code via GI Bill© or Vocational Rehabilitation.

7. UCCS Faculty and Staff Members

All UCCS faculty and staff members are responsible for understanding relevant UCCS policies and procedures; completing required education; and reporting suspected wrongdoing.

Section IV. Training and Education

UCCS communicates compliance responsibilities and provides ethics and compliance resources through the [ethics and compliance website](#) as well as through education and training programs that are designed to support ethical conduct and compliance with applicable laws, regulations and policies. Education and training programs support employees' compliance with the legal, regulatory and policy requirements applicable to their positions. These programs may be provided through in-person instruction or computer-based training (SkillSoft).

UCCS employees are responsible for completing mandatory training programs as well as other programs required for the performance of their responsibilities ethically and in compliance with laws and policies.

Section V. Risk Identification, Assessment and Management

Risk identification, assessment and management take place at both the system and the campus level.

A. University of Colorado System Level

According to its [charter](#), the University's Department of Internal Audit evaluates whether UCCS processes help ensure that risks are identified and managed; significant financial, managerial, and operating information is accurate, reliable, and timely; quality and continuous improvement are supported through the Campus' control processes; and significant legislative or regulatory issues impacting UCCS are recognized and addressed appropriately. At the conclusion of each audit, the Department of Internal Audit issues a report that provides its independent assessment or conclusion regarding the matter reviewed. The risk associated with each matter reported is identified, and the report incorporates the Campus' response. Information related to the system Level Internal Audit process is on its website at <https://www.cu.edu/internalaudit>.

B. Campus Level

The Campus Compliance Council identifies key high-risk areas that need to be addressed. Generally, it appoints a taskforce to assess a specific risk and to recommend a mitigation strategy. The taskforce determines: whether there is a need to develop a policy or procedure regarding the particular risk; whether there is a need to educate employees on the policies and procedures that have been developed; or whether there should be monitoring or auditing of the risk. The taskforce recommends actions to the Campus Compliance Council, which then formulates proposals for consideration through the Campus governance process.

Section VI. Monitoring and Auditing

Monitoring and auditing of compliance with internal controls and ethical and compliance standards takes place at the University system and campus levels.

The Department of Internal Audit conducts independent reviews of UCCS operations to determine if employees' actions comply with policies, standards, procedures, and applicable laws and regulations. The Department of Internal Audit also assists in the investigation of suspected incidents of fiscal misconduct and notifies Campus officials and other authorities, as appropriate, of its activities and results.

At the Campus level, various UCCS units have responsibility for monitoring compliance, including:

- Athletics;
- Office of Compliance;
- Office of Financial Aid and Student Employment;
- Environmental Health and Safety;
- Controller's Office;
- Office of Sponsored Programs and Research Integrity
- Risk Management

Section VII. Reporting Wrongdoing

A. Reporting Resources

UCCS encourages and, in some cases, requires reporting of violations of the law or University policy. UCCS employees are required by University policy to report suspected incidents of fiscal misconduct and fraud. Suspected fraud, theft, embezzlement, abuse or

waste can be reported to the Department of Internal Audit. Allegations of sexual harassment are required to be reported to the campus sexual harassment officer. There are many ways in which to report an incident or share a concern regarding an ethics or compliance matter. A listing of available reporting resources as well as a description of mandatory reporting requirements is contained on the Ethics and Compliance Website. If the reporting individual wishes to remain anonymous, the reporter may use the [CU EthicsLine](#). The CU EthicsLine is a way to report anonymously concerns involving fiscal misconduct by university employees, violations of state or federal law, serious or recurring violations of university policy, or gross waste of university funds or property. The CU EthicsLine is accessible seven days a week, 24 hours a day by a toll-free phone number (1-800-677-5590) or by a web-based reporting system (<https://secure.ethicspoint.com/domain/media/en/gui/14973/index.html>). This service is provided by EthicsPoint, a company that provides similar services for hundreds of companies and universities.

UCCS employees may have whistleblower protection under federal and state law as outlined in the following statutes:

Federal

[CFR 41 USC 4712](#)

[CFR 10 USC 2409](#)

State

[C.R.S. § 24-50.5-103](#)

Nothing in this program shall be construed in such a way as to conflict with other reporting obligations under state or federal law.

B. Protection from Retaliation

As employees of the state of Colorado, UCCS faculty and staff members are protected from disciplinary action or retaliation for good faith reporting of fraud, waste and abuse under [Title 24, Article 50.5, C.R.S.](#) Further information is available on the Ethics and Compliance Website or from the University's Department of Internal Audit or the Office of the State Controller. An employee who is determined to have knowingly fabricated, distorted, exaggerated or minimized the wrongdoing either to injure or to protect someone, including him or herself, may be disciplined.

Section VIII. Enforcement and Discipline

UCCS has disciplinary policies and procedures to address unethical behavior or conduct that fails to comply with federal or state laws and regulations or University policies, including failures to comply with mandatory reporting requirements.

Section IX. Response and Prevention

UCCS will take all reasonable steps to respond to misconduct or a deficiency in internal controls identified because of the misconduct, including steps to prevent future incidents.