



University of Colorado
Denver | Anschutz Medical Campus

Ethics and Compliance Program Plan
Effective July 1, 2021

Introduction

The Ethics and Compliance Program of the University of Colorado Denver (“CU Denver”) and the University of Colorado Anschutz Medical Campus (“CU Anschutz”) supports fulfillment of the University of Colorado’s mission as described in State law and the achievement of its vision and strategic plan. The Ethics and Compliance Program is based on principles adopted by the Board of Regents of the University of Colorado (or “Board”) that express the Board’s expectations of demonstrated ethical conduct and a commitment to compliance. According to *Laws of the Regents* Article 1, Part D, “all members of the university community are responsible for understanding and upholding the highest standards of legal and ethical conduct.” Among the Board’s “Guiding Principles” for the University is the following:

The university will [p]romote and uphold the principles of ethics, integrity, transparency, and accountability.

The Ethics and Compliance Program (or “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 the 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 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; assists employees in avoiding conflicts between the performance of their work responsibilities and their personal interests; promotes the responsible stewardship of 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, both CU Denver and CU Anschutz's Chancellors expect that the respective campuses will maintain an ethical culture and that each Campus' constituents will conduct themselves in accordance with the Board's nine principles of ethical behavior. The Chancellors' actions are expected to exemplify ethical conduct and a commitment to the value of integrity. The Chancellors demonstrate responsible stewardship of resources and require that employees similarly demonstrate responsible stewardship. The vice chancellors and deans of each Campus 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 the University by their statements and act as liaisons with the broader Campus community on compliance-related matters.

Section II. Standards of Conduct

The University 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." The Code of Conduct 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 of Conduct 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 University community has some responsibility for the day-to-day implementation of the Ethics and Compliance Program. While all members of the 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 the University 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 the Campus will maintain an ethical culture and that Campus constituents will conduct themselves in accordance with Regent Policy 1E: *Principles of Ethical Behavior*. The Chancellor implements the Ethics and Compliance Program by: endorsing the Regulatory Oversight and Compliance Committee; designating a vice chancellor or other individual (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; appointing the Institutional Compliance Officer; creating a line of communication between the Institutional Compliance Officer 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. Chancellors' Executive Teams

The Chancellors' executive teams for each Campus include the Chancellor, the vice chancellors, and Campus legal counsel, respectively. Each executive team reviews and acts on, as necessary, proposals and recommendations sent from the Regulatory Oversight and Compliance Committee and the Institutional Compliance Officer regarding the Ethics and Compliance Program. The executive team(s) participate in Ethics and Compliance Program reviews and risk assessments, and receive and act on recommendations resulting from such reviews and assessments. The executive teams support each Campus Chancellor's performance of her/his responsibilities.

B. Specific Implementation Responsibilities

1. Associate Vice Chancellor for Regulatory Compliance (or other individual) with Designated Authority over the Ethics and Compliance Program ("Designated Official")

The Designated Official 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 Regulatory Oversight and

Compliance Committee and the executive team; monitoring the implementation of the Ethics and Compliance Program; supervising the Institutional Compliance Officer; reporting on an annual basis to the Chancellors on the operation of the Ethics and Compliance Program including significant developments and/or any needed modifications; and carrying out other duties assigned in the Ethics and Compliance Program.

2. Regulatory Oversight and Compliance Committee

The Regulatory Oversight and Compliance Committee is comprised of representatives from units that have significant compliance risk as well as representatives from affiliates and other entities, as appropriate. The Regulatory Oversight and Compliance Committee 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.

Liaisons from the Regulatory Oversight and Compliance Committee report to the other standing compliance committees on both campuses and facilitate bi-directional communication.

3. Institutional Compliance Officer

The Institutional Compliance Officer has primary responsibility for the administration of the Ethics and Compliance Program. Specific duties include: addressing compliance risks as they arise; providing guidance or direction or otherwise serving as a resource on specific compliance matters; leading Campus compliance efforts in those areas where the Institutional Compliance Officer has particular expertise; maintaining the website for the Program; and performing other Program responsibilities as requested.

4. 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 an *ad hoc* legal advisor to the Regulatory Oversight and Compliance Committee; 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.

5. Campus Faculty and Staff Members

All Campus faculty and staff members are responsible for understanding relevant policies and procedures; completing required education; and reporting suspected wrongdoing to the appropriate office.

Section IV. Training and Education

The Campuses communicate compliance responsibilities and provide 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 (such as SkillSoft and CITI).

Campus employees are responsible for completing mandatory training programs as well as other supplemental programs required in order to perform their job responsibilities ethically and in compliance with applicable laws and policies.

Section V. Risk Identification, Assessment and Management

Risk identification, assessment and management take place at both the University and the Campus level.

A. University of Colorado Level

According to its charter, the University's Department of Internal Audit evaluates whether University 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 the University 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 University Level Internal Audit process is on its website at <https://www.cu.edu/internalaudit>. Additionally, the Department of Internal Audit conducts independent reviews of University 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.

B. Campus Level

The Regulatory Oversight and Compliance Committee identifies key high-risk areas that need to be addressed. The Executive Committee, with recommendation from the Regulatory Oversight and Compliance Committee, will appoint the taskforce comprised of Campus stakeholders 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 Regulatory Oversight and Compliance Committee, which then formulates proposals for consideration through the Campus governance process.

Section VI. Monitoring and Auditing

Monitoring and auditing of compliance with internal controls in accordance with ethical and compliance standards takes place at the University and Campus levels.

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

Schools/Colleges	Title VII	Registrar
Animal Research	Title IX	Admissions Office
Institutional Review Board	Financial Aid (Title IV)	University Risk Management
Office of Research Integrity	Finance/Accounting	Facilities Management
Environmental Health and Safety	Office of Information Technology	Office of Grants and Contracts
Student Services	Biotech Relationships	Legal
CU Anschutz Police Dept.	International Affairs	Conflict of Interest
Export Controls	International Student Services	Professional Risk Management
Human Resources	Office of Equity	Office of Advancement
Privacy and Confidential Information Management		Disability Resources and Services

Section VII. Reporting Wrongdoing

A. Reporting Resources

University employees have mandatory reporting requirements and protection from retaliation in accordance with applicable university policy and state and federal law. There are many ways in which to report an incident or share a concern regarding an ethics or compliance matter. If the reporting individual wishes to remain anonymous, the reporter may use the CU EthicsLine. The CU EthicsLine is a way to report anonymous 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 at:

<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. University employees may have whistleblower protection as outlined in applicable federal and state law.

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

Section VIII. Enforcement and Discipline

The University 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

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