



COMPLIANCE IN BLUE

The Corporate Compliance Newsletter of
Middle Tennessee State University

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DACA Uncertainty: How MTSU is supporting its students

The federal government's recent announcement on September 5, 2017 to rescind the former administration's Deferred Action on Childhood Arrivals program ("DACA"), which provided deportation protection for youth and children brought to the United States illegally, could affect college students across the country. The government announced DACA's "phase out" within the next six (6) months but mentioned ... [Continued on Page 2](#)

Compliance Quote of the Day:

"If you think compliance is expensive, try non-compliance..."

- Former U.S. Deputy Attorney General Paul McNulty

MTSU's Compliance and Risk Management Resources

The Office of Compliance and Enterprise Risk Management (CAREM or Office) was developed in January 2017 to support the University's enterprise-wide risk assessment and corporate compliance strategic activities and goals. Below are some of the Office's recent activities:

- Development of training presentations on Ethics; Privacy and Confidentiality; Fraud, Waste and Abuse; and HIPAA.
- Development of Conflict of Interests Guide and Checklist
- Oversight of State risk assessment reporting.
- Development of a HIPAA policy for Campus Pharmacy.

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Conflict of Interests: The Committee, Policy and Procedures

Policy 12 of the University's general policies discusses conflict of interests. Conflict of interests can include activities such as self-dealing; acceptance of gifts (in certain situations); failing to disclose intellectual property; and inappropriate use of University resources. MTSU employees must complete a "Conflict of Interest Disclosure Form" (COI Disclosure Form) if they believe their business or outside interests conflict with University policy. The COI Disclosure Form is designed to help employees disclose circumstances that might involve a conflict of interest.

In addition, the University has a Conflict of Interest Committee (Committee) that reviews all potential, and actual, employee conflict of interests. Depending on the details and circumstances of the conflict of interest, Faculty, staff, and administrators may be asked to meet with the Committee to provide additional information. The Committee consists of representatives from the Office of University Counsel; Audit and Consulting Services; and Business and Finance. [Continued on page 2](#)



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DACA, *continued from Page 1*

Congress would work to enact legislation with similar protections for DACA youth, known as “Dreamers.”

MTSU continues to support its students during this time of uncertainty. To date, it is unknown regarding which protections, if any, will exist for undocumented Dreamers once the DACA legislation ends. In a communication to the campus community on September 6, 2017, MTSU President Sidney A. McPhee reiterated his support of the University’s students. President McPhee stated, “I am writing to signal again our support for all of our students, but particularly today those who are scared and uncertain about the future of this development.”

As the details around DACA’s transition and ending continue to develop, MTSU students can find support at the following campus resources:

- ◆ [Counseling Services](#)
- ◆ [Intercultural and Diversity Affairs Center](#)
- ◆ [Office of International Affairs](#)
- ◆ [Office of Student Affairs, Enrollment and Academic](#)

Additional information about the DACA decision can be found at the [Department of Homeland Security’s](#) website.

Conflict of Interests: The Committee, Policy and Procedures, *continued from Page 1*

For additional information about conflict of interests or the Conflict of Interest Committee, please contact the Office of Compliance and Enterprise Risk Management at carem@mtsu.edu.

MTSU’s Compliance and Risk Management Resources, *continued from Page 1*

- Healthcare regulatory support services to Campus Pharmacy and University Health Services.
- Development of risk management tools.
- Summer Camp Crisis Management Planning.

CAREM also provides oversight of the University’s records retention activities and facilitates the Enterprise Compliance and Risk Management Committee (Corporate Compliance Committee). Be on the look out for future CAREM seminars and compliance tips.

CAREM is located in the Office of the Vice President for Business and Finance in Cope 119. For more information about the Enterprise Compliance and Risk Management Committee or to learn more about MTSU’s risk management resources, email carem@mtsu.edu.





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Compliance and ERM Trivia

Did you know:

1. Risk management is considered the eighth element of an effective corporate compliance plan?
2. MTSU annually submits risk assessments reports to the State of Tennessee Comptroller's office.

3. Trivia Question:

Compliance is:

- a. The responsibility of the AVP of Compliance and Enterprise Risk Mgmt.
- b. Everyone's responsibility.
- c. The MTSU President's responsibility.

**the answer is "b." Compliance is everyone's responsibility.*



Hiring Committee Best Practices: Do the Right Thing

Have you ever participated on a Hiring Committee? If so, here are some best practices to remember:

1. Avoid looking up the candidate's picture on the MTSU directory, Google, or any other source.
2. Remember that MTSU does not make hiring decisions based on race, national origin, color, gender, sexual orientation, age, disability, genetic information, or gender identity.
3. A candidate's current geographic location (i.e. an out-of-state candidate versus an in-state candidate) should not be a factor in the hiring decision.
4. Budgetary constraints can be considered in hiring decisions.
5. A candidate's acceptance or waiver of healthcare coverage **cannot be the basis for a hiring decision.**
6. Whether a candidate's disability is visible or not, failing to hire a qualified candidate based solely on the candidate's disability status is discriminatory and prohibited under the Americans with Disabilities Act of 1990.
7. Treat all employment candidates with respect and courtesy.
8. Repeat items one through eight.



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Regulatory Minute: What's Going On?

- The **Tennessee Human Rights Commission (THRC)** will audit all Universities previously in the Tennessee Board of Regents system for compliance with Title VI. Title VI prohibits discrimination based on race, color, and national origin. Dr. Marian Wilson of the Office of Institutional Equity and Compliance is leading MTSU's coordination efforts regarding THRC's regulatory visit to campus. For additional information, please contact the Office of Institutional Equity and Compliance at (615) 898-2185.
- The **Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)** will be on campus September 26 - 28, 2017 for a Substantive Change site visit regarding MTSU's Governance change from TBR to its own Board of Trustees. The Substantive Change visit preparedness is being led by the Office of the Provost.
- **Future Changes to the Federal Guidelines on Campus Sexual Assault** are forthcoming, according to the U.S. Department of Education's (DOE) announcement on September 8, 2017. The interim information will be released by the DOE in the coming weeks to outline new guidelines regarding the handling of sexual assault complaints and the requirements for sexual assault proceedings.
- At its recent meeting on September 12, 2017, the Audit and Compliance Committee of the MTSU Board of Trustees recommended the approval of the University's Risk Assessment Report submittal to the State of Tennessee. The recommendation was further approved by a voice-vote of the full Board of Trustees.

For additional information regarding MTSU's compliance or enterprise risk management activities, contact:

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