



# NACUBO INNOVATION AWARD

## Application Form

To guarantee consideration completed application must be received or postmarked by **April 3, 2009**

Amy Barbieri, Member Services Specialist  
 NACUBO/Innovation Award  
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 Washington, DC 20005  
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Please submit a program summary no more than 3 double-spaced pages using a minimum font size of 10 points.

Do not include additional information (reports, forms, etc.) with the application. The Awards Council may request such items during the evaluation process.

Program Title: Compliance Partners  
 Institution Name: The Catholic University of America  
 Contact Name: Craig Parker  
 Contact Title: General Counsel  
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### Institution Type

- Research     Comprehensive/Doctoral     Small Institution     Community College

### Award Category Type

- Process Improvement  
 Recognizes higher education institutions that have successfully re-engineered or designed a program, improving service delivery of administrative activity in response to a campus need.
- Resource Enhancement  
 Recognizes higher education institutions that have successfully reduced costs, increased revenues or improved productivity in response to a campus need.

### Topical Area(s)

(Check all that apply)

- Accounting, Finance and Tax     Campus Operations     Human Resources
- Information Technology     Leadership/Institutional Effectiveness     Planning and Budgeting
- Risk Management     Student Financial Services     Other: Compliance

### NACUBO Primary Representative

(Endorsement required)

Name (print clearly) Julie I. England  
 Title (print clearly) Vice President for Finance & Admin., Treasurer

I hereby certify that to the best of my knowledge the statements and calculations contained herein accurately reflect the circumstances reported.

3/10/09  
 Date

Julie England  
 Signature

The Catholic University of America, web-based "Compliance Partners" Program

Introduction. The Catholic University of America (CUA) has developed a web-based preventive law compliance program, using existing university resources, that enhances employee productivity, improves service delivery of legal information, improves legal compliance and reduces risk. Compliance Partners offers a de-centralized (and thus lower cost) approach to the problem for smaller schools of how to track, understand and comply with the growing mountain of federal regulations that govern higher education. With no single source in the country providing complete information on compliance rules in higher education, more than 200 federal statutes impose a stunning and complex burden on institutions.

Schools need some kind of legal compliance program. Key guidance on whether a program that is structured as something less than a separate compliance office (such as a web-based de-centralized program) should be considered adequate is found in the Federal Sentencing Guidelines. Most larger schools and all research institutions seek compliance with these Guidelines. The Guidelines, which recommend sanctions for universities and their corporate officers convicted under federal criminal law for violation of rules governing administration of contracts, federal funding, etc., permit substantially reduced penalties for organizations that maintain "an effective corporate compliance program."

The elements of such a program are: implementing policies; designating a compliance officer and committee; conducting effective training; developing effective communication; internal monitoring and auditing; well-publicized disciplinary guidelines; and prompt response and correction for detected problems. The Guidelines note, "...a small organization may meet the requirements of this Guideline with less formality and fewer resources than would be expected of large organizations...reliance on existing resources and simple systems can demonstrate [the appropriate] degree of commitment...(E)xamples of the informality and use of fewer resources with which a small organization may meet the requirements of this Guideline include...using available personnel, rather than employing separate staff..."

Description. Central to the vision for a preventive law compliance program at CUA was (1) designating someone as the leader of the compliance effort, (2) using existing resources on campus, inspiring people to become Compliance Partners, (3) creation of a transparent, ongoing web-based information system readily available to each individual Compliance Partner, (4) identification of all compliance requirements in federal laws applicable to higher education, (5) breaking down generalized

institutional obligations spelled out in federal law and regulations into their component parts, each to be assigned to a designated employee responsible for compliance in that case, (6) doing so in terms useful for non-lawyer managers, (7) tying policy development and enforcement to the compliance process and (8) collection of compliance aids to help those Compliance Partners meet their responsibilities.

In 2002, CUA's Office of General Counsel (OGC) created the Campus Legal Information Clearinghouse website (CLIC) in collaboration with the American Council on Education, located on the web at <http://counsel.cua.edu> and freely available to the entire higher education community. The website identifies all significant federal laws applicable to higher education institutions; on separate pages for each law it develops information about that law, explaining the details of regulations; includes selected court decisions relevant to that law; and assists users with compliance through compliance materials collected from other institutions, law firms, government agencies and non-profit organizations.

In 2008, OGC developed a related website called Compliance Partners at <http://compliance.cua.edu>. Each CUA employee responsible for compliance with some aspect of a federal law has a page on this site unique to his/her position. That employee's page identifies all of that employee's individual compliance responsibilities (with material drawn from the CLIC pages) under any federal law or regulation assigned to that position. Employees are encouraged to "own" their page. Each page includes links to the CLIC page applicable to that law as well as to other resources that will help the employee with his/her compliance responsibilities.

Links go in the other direction as well: anyone, employee, student or other, who uses the CLIC page to look up a particular federal law or regulation will easily find clearly labeled Compliance Partner links to every person on campus who has some specific compliance responsibility under that law. For example, looking up the CLIC page on the Campus Security Act links to six different Compliance Partners on campus with responsibility for some area of compliance with the Act; under the Americans with Disabilities Act, there are links to five different Compliance Partners for the ADA.

A third web site that supports Compliance Partners is the university's policy page at <http://policies.cua.edu>. Among other things, each policy identifies a "Responsible Official," the person responsible for maintaining that policy. For policies related to federal law, that policy links back to the

CLIC page on that law and will also link to the Compliance Partners page for that official. Similarly, the page for each Compliance Partner links to any policies for which that person is the Responsible Official.

Innovations. The project is unique in American higher education in weaving together a school's federal compliance obligations, legally required policies and individual position descriptions in a transparent, regularly updated, web-based, freely available compliance system. This has allowed us to pull together, at the "virtual" level, a variety of campus offices around the issue of compliance, including campus security, equal opportunity, human resources, research, immigration, information technology, controller, environmental safety, financial aid, registrar, disability services and others.

Impacts. We find there is a heightened awareness towards legal compliance in the interactions of these offices with each other, even without legal counsel being directly involved. There is also a benefit to the legal staff from regular extensive contact with non-lawyer experts in their particular disciplines, such as OSHA, ADA, immigration, campus security and research administration.

While there is no easy formula to measure compliance programs, in the first phase of our program we experienced substantially reduced complaints in internal university proceedings and in external courts and government agencies. We have reduced negative experiences with external compliance audits and inspections. We have improved our insurance claims experience and substantially reduced our insurance premiums compared with peer institutions. Compliance Partners has made supervisors more aware of the importance of compliance in evaluating employee performance. It has also sharpened the focus of internal audits and improved our ability to work with external auditors and risk management consultants.

Resources. CUA has expended considerable resources initially developing these websites, but makes them freely available to any institution to use as they wish, with appropriate attribution to CUA and disclaimers noted on the pages. We spend about \$55,000 per year, including student help, to keep these websites up to date. That's probably a good estimate of what it would cost to create a similar set of websites at another school, using CUA's content but adjusting it to fit the unique needs, positions and programs of another institution.

Regulations protect important human values such as privacy, freedom, opportunity and safety. Compliance is the principal and best guarantee that these values will flourish on our campuses and we believe a "culture of compliance" is needed to preserve these core values underlying federal regulations.