

# **Guidelines for The University of Texas System Institutional Compliance Advisory Council (ICAC)**

## **Operational Guidelines**

The University Of Texas System Institutional Compliance Advisory Council (ICAC) is advisory to the Board of Regents and to the U.T. System Administration. It functions to define, analyze, and make recommendations on compliance issues affecting The University of Texas (U.T.) System and to contribute to a more general process of providing leadership and collaborative efforts across U.T. System institutions.

### **ICAC Function**

1. Identifying compliance issues affecting U.T. System institutions, UTIMCO and System Administration
2. Responding to issues at the request of the Board of Regents, Chancellor, or U.T. System Administration
3. Conducting research on compliance issues to develop recommendations and/or action plans for review by the ICAC
4. Disseminating pertinent information to System Administration, the Board of Regents, and administrators of U.T. System institutions

### **Goals**

1. To enhance communication among U.T. System institutions with regard to compliance issues
2. To review, evaluate and recommend institutional compliance program initiatives, best practices and strategies
3. To identify, recommend and pursue collaborative efforts that will benefit the U.T. System institutions, UTIMCO and System Administration

### **Membership**

The Institutional Compliance Advisory Council is comprised of representatives from the U.T. System institutions, System Administration, and UTIMCO. The primary member from each institution is the individual with responsibility for managing the day-to-day operations of the institutional compliance program. Secondary members may include staff from the respective compliance offices or the compliance officer for the institution (if different from the person managing the institutional compliance program). Secondary members will be limited to one person per institution.

Ex Officio members will include the System-wide Compliance Officer, Audit Supervisor of the U.T. System Audit Office responsible for Compliance, and appointed representatives from both the Offices of Health Affairs and Academic Affairs. The Ex Officio members will provide guidance to and support for the ICAC by, for example,

1. Providing input and direction regarding compliance issues and concerns
2. Providing meeting space
3. Providing and maintaining a web site
4. Maintaining a group email list serve

## **Mode of Operation**

The ICAC conducts its business through committees in which issues are deliberated, and open forum in which issues are decided. Committees include an Executive Committee, Standing Committees, and Advisory Groups as defined below.

### **Executive Committee**

1. The Executive Committee is composed of the ICAC Chair, Chair-Elect, Secretary, immediate Past-Chair, and Vice-Chair. The Executive Committee will also include the four Ex Officio members of the ICAC (also in a non-voting role).
2. The term of office for the members of the Executive Committee will be one year
3. The ICAC Chair and Chair-Elect will alternate between academic and medical institutions (providing a mix in any one year)
4. The Executive Committee responsibilities:
  - a. Provides general guidance for the ICAC
  - b. Sets the agenda for meetings (and meets with the System-wide Compliance Officer prior to each ICAC meeting to identify issues for discussion at the meeting)
  - c. Establishes and oversees progress of Standing Committees and the Advisory Groups
  - d. Implements and/or recommends changes in the ICAC Guidelines and procedures
  - e. Serves as an informational resource and consulting group for U.T. System Administration regarding compliance issues related to the U.T. System
  - f. Communicates with the System-wide Compliance Officer and other System officials as necessary
  - g. Reports ICAC activities to the Board of Regents at least annually
  - h. Represents the ICAC to its constituents and establishes rapport and coordination with outside parties to facilitate the work of the ICAC

### **Standing Committees**

At the first meeting of the fiscal year, each ICAC member chooses a Standing Committee on which to serve, with approval of the ICAC Chair. Members of each Standing Committee choose Co-Chairs to lead the committee for a one-year renewable term.

Committees will provide an oral report regarding their activities at each ICAC meeting. Committees will submit a written report at the final meeting of the fiscal year regarding the activities of the committee and objectives achieved and on-going.

Examples of Standing Committees would be Risk Assessment and Monitoring Plans, Peer Reviews, and Compliance Training. Additional standing committees may be added by the Executive Committee as the ICAC develops and evolves.

## **Advisory Groups**

Advisory groups comprised of ICAC members and others (who may be appointed to assist the ICAC with its work) will be established to investigate, review, and make recommendations regarding specific compliance issues as they arise. These may include new or changing regulations, responding to a trend of non-compliance, etc. The following guidelines should be observed:

1. The creation and selection of an advisory group must be approved by the Executive Committee
2. Advisory groups will provide status reports on their work at the ICAC meetings
3. A final written report will be submitted to the ICAC at the conclusion of the group's assignment
4. Advisory groups will be dissolved with the approval of the ICAC at the conclusion of their assignment

## **Meetings**

1. The ICAC meets in regular session four times each year, generally at U.T. System Administration. At the discretion of the Executive Committee, regular meetings may be held at another U.T. System institution or by conference call if appropriate
2. Notice of meetings is sent to the membership before each meeting
3. In addition to the regularly scheduled meetings of the ICAC, special meetings may be called by the Executive Committee
4. Meetings will be scheduled in such a manner as to minimize costs while providing sufficient time to facilitate the work of the ICAC and ensure an effective meeting

## **Officers**

1. Officers include the Chair, Chair-Elect, immediate Past-Chair, Secretary and Vice-Chair
2. To serve as an officer, individuals must be a primary member of the ICAC
3. The incoming Chair-Elect, Secretary, and Vice-Chair are elected annually. Officers are permitted to serve their full terms of office so long as they remain members of a U.T. System institution
4. The term of office is one year beginning at the conclusion of the meeting at which officers are elected. This meeting normally occurs during the 4<sup>th</sup> quarter of the fiscal year
5. If the Chair resigns, or is otherwise unable to perform the requisite duties, the Vice-Chair assumes the responsibilities and title of Chair for the remainder of the unexpired term. If the Chair-Elect, Secretary or Vice-Chair resign, a special election shall be held at the next meeting to fill the vacancy
6. The duties of the Chair include conducting meetings of the ICAC and its Executive Committee, owning closure of Executive Committee responsibilities, and to receive--and communicate to the membership--nominations for officers
7. The Vice-Chair serves in the absence of the Chair
8. The immediate Past-Chair serves in an advisory capacity
9. The Secretary records and distributes minutes of meetings

## **Nominations**

1. The Chair, Chair-Elect, and immediate Past-Chair develop a slate of candidates for the position of Chair-Elect from among the primary members of the ICAC
2. In odd-numbered years, the Chair-Elect is elected from members representing a health institution. In even-numbered years, the Chair-Elect is elected from members representing a general academic institution
3. Members seeking the office of Chair-Elect or wishing to nominate other members should notify the Chair
4. The Chair shall notify the membership of the names of the candidates

## **Elections**

1. At the meeting in which the election is held, each candidate for the position of Chair-Elect may address the members
2. Nominations for Chair-Elect may be made from the floor by any primary member of the ICAC
3. The election for Chair-Elect is conducted by secret ballot with primary members voting. Three tellers appointed by the Chair tally the ballots and the Chair announces the results. A simple majority of the votes is required
4. In case no candidate receives a simple majority of votes in the first round of balloting, a run-off election is held among the smallest number of candidates whose votes total a simple majority of votes. Balloting will continue in this manner until one candidate receives a simple majority of the votes
5. Nominations for Secretary and Vice-Chair are made from the floor. Procedures for electing the Secretary and Vice-Chair are the same as those for the Chair-Elect
6. Committee Co-chairs take office at the same meeting at which the Chair-elect, Secretary, and Vice-Chair are elected

## **Voting**

1. Each primary member (or alternate attending for an absent member) is permitted to cast one vote on each motion, amendment, ballot, or other question under consideration
2. Officers may vote, except that the Chair may vote at an ICAC meeting only in case of a tie vote on a motion, amendment or ballot
3. A quorum exists if the number of primary members present (or alternate) exceeds one half of the total number of primary members eligible to serve on the ICAC
4. Unless otherwise specified in these guidelines, a simple majority of the votes cast shall carry a vote

## **Guideline Amendments**

1. Proposed amendments(s) to these guidelines should be provided to the primary members in writing at least thirty (30) days before the meeting at which the amendments(s) are to be voted on. A two-thirds (2/3) majority vote is required for passage.
2. If less than thirty (30) days advance notice is given, a three-fourths (3/4)-majority vote is required for passage.

Date adopted: December 1, 2005