



## Compliance Community

*System Compliance Program  
Office of Audits & Analysis*

### *Community Spotlight*



#### **Chancellor Brian McCall**

Brian McCall, Ph.D., became chancellor of the Texas State University System in 2010. However, his commitment to a fostering a culture of compliance and ethics began long before he joined the TSUS. Prior to his appointment as Chancellor, he served in the Texas House of Representatives, where he co-authored key bills supporting compliance-related activities, such as those protecting public employees who report violations of law to those supporting voluntary environmental, health, and safety audits and implementation of compliance management systems. During his last session as a legislator, he secured \$5 million in funding for the Center for Values and Medicine, an organization whose *“first objective is to foster recognition of the many and complex ways that ethics, values, and culture interact with science, technology, and medicine.”*

The importance that Chancellor McCall places on the cultural climate of an organization carried over to the TSUS, as exemplified by the TSUS compliance program, created in 2015 under his leadership. Recognizing how compliance plays a distinct role in creating a positive organizational atmosphere, one of the program's primary goals is to promote collaboration amongst member institutions in developing innovative and effective strategies to mitigate compliance risks. Chancellor McCall champions a comprehensive compliance program, and his support been instrumental in the program's evolution, stating, "*an effective compliance program at the System level promotes a culture in which we can identify areas of risk, share our solutions and best practices, and encourage a system-wide commitment to compliance.*"

### **For the Record: Records Retention Requirements**

Each institution of higher education in Texas must establish, maintain, and follow a Records Retention Schedule (RSS) for both paper and electronic records per Texas Government Code, Chapter 441, Subchapter L. The RSS identifies and describes the types of records created or maintained by the institutions in the course of doing business and the length of time that each type of record must be retained. Institutions are required to submit their RSS to Texas State Library and Archives Commission (TSLAC) for certification. Each institution has a designated records management officer.

Examples of records include (but are not limited to) correspondence, meeting minutes, contracts, invoices, databases, personnel files, certain emails, and even calendars. Some documents are not considered records, such as vendor brochures, news clippings, unsolicited mail, drafts and revisions of memorandums, reference files, and convenience copies (which are duplicates of a document distributed for use but are not the official, original record).

The following tips can be useful in becoming compliant with your institution's records retention requirements:

- Become familiar with your institution's RSS. You may be surprised by the nature and type of official records you are generating (and responsible for). You can find your institution's RSS [here](#).
- When in doubt, treat a document as a record and consult the RSS and/or your institution's records

management office.

- If records retention activities are new to you, start now and move forward. Don't try to convert a backlog or recreate records you have previously disposed of.
- If it appears there are conflicting retention periods, use the longest period.
- Be aware that it is illegal to destroy records when litigation, an audit, an open records request, or any other action involving a record is initiated before the end of the approved RSS retention period.

Final disposition (destruction) of records must be documented on a records disposition log that has been approved by your institution's records management officer before destruction or disposal.

## **SHSU Compliance Officer Speaks at Conference**

Joseph Agins recently spoke at the *Today's General Counsel Institute's* compliance conference held in Houston. He was one of several speakers and thought leaders invited to speak to attendees on best practices in compliance. He outlined building, enhancing, and maintaining compliance programs to garner effective results.

"Not only was I able to present and share my thoughts and best practices for compliance programs, but the opportunity allowed me to meet many of the top compliance officers and legal counsel from the Houston area," Agins said. "I consider such connections invaluable, especially when trying to build a new compliance program, as we are currently doing at SHSU."

## **Compliance Hotline**

The Texas State University System maintains a reporting hotline through a private contractor, EthicsPoint, to provide a confidential avenue for reporting concerns about potential waste, fraud, and abuse of resources, the lack of compliance with laws and regulations, or violations of the System's Code of Ethics. A detailed description and the opportunity to make a report can be accessed [here](#).

## **Subscribe**

Please feel free to forward this newsletter to others who may be interested or who may benefit from the information.

The goal is to expand readership to offer this ongoing resource to as many members of the TSUS community as possible. New readers can subscribe by using the link below.

### **Subscribe**

The Texas State University System is committed to complying with all applicable laws, regulations and policies. The System compliance program advises and collaborates with components to develop effective ways to mitigate compliance risks on TSUS campuses. Serving to advance the goals of the System and its institutions, the compliance office offers resources, education, information and guidance while promoting a culture of responsibility and accountability.

Feedback regarding the System compliance program or the Compliance Community newsletter is welcome. Please contact [Kelly Wintemute](#) with suggestions.

May 2017