



# VCU

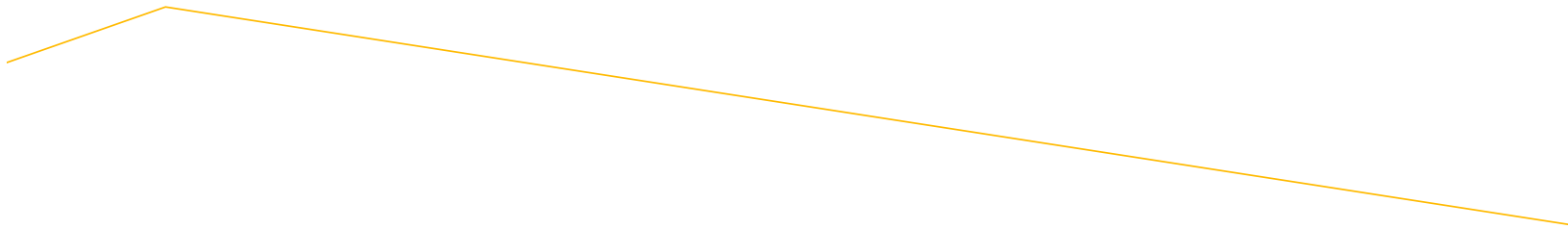
## Integrity and Compliance Annual Report

FISCAL YEAR 2023



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# Introduction

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Welcome to the fiscal year (FY) 2023 Annual Report of VCU's Integrity and Compliance Office (ICO), a unit of Audit and Compliance Services. The purpose of this report is to summarize for the Board of Visitors and our stakeholders our FY 2023 activity and impact as well as relevant trends and focus for FY 2024. The objective of our program is to foster an organizational culture that encourages ethical conduct and a commitment to compliance with the law. We accomplish this, together with our compliance partners across the university, by engaging leaders and employees to support a speak-up culture through communications and training, by building effective policies, by assessing and mitigating risks, and by executing best-in-class reporting and investigative processes. We seek to create an environment characterized by robust employee reporting, no fear of retaliation, reduced misconduct, and a commitment to integrity in every transaction.

## Program Structure and Resources

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The ethics and compliance program at VCU continues to implement best practices to refresh and sharpen program effectiveness in line with its three-year workplan. In FY 2023, we created a smaller Compliance Steering Committee (CSC) to enhance communication and collaboration among the largest compliance partners at VCU. Meeting quarterly, the CSC led the way to the submission of one-page compliance program summaries in twenty key compliance areas to facilitate improvement and identification of compliance gaps or opportunities. From these summaries, the ICO identified three areas of focus for improvement: training/communication, monitoring and auditing, and risk assessment and is leading efforts to deliver improvements in support of compliance partners. The larger Compliance Advisory Committee continues to meet twice a year to facilitate sharing of CSC actions/learnings, enforcement trends and briefings by VCU Government Relations. In FY 2024, we plan to assemble into one reference document an integrated summary of VCU's ethics and compliance program and system including improvements and areas of future focus.



### Highlights: Compliance Partners

The ICO functions in partnership with compliance leaders and teams across the university. Here are a few examples of best practices, accomplishments, and ongoing efforts by VCU compliance partners to close program gaps in compliance at VCU.

- **Technology Services** managed a very significant migration of VCU's Enterprise Resource Planning (ERP) system to the Cloud for the university with few glitches. They continue to lead VCU in achieving

compliance with the Gramm-Leach-Bliley Act (GLBA) to ensure the privacy and security of sensitive financial aid data. VCU is nearly complete in fulfilling its obligations under GLBA after a multi-year effort. Additional efforts were put forth in meeting new U.S. Department of Education requirements on federal tax information protection. In collaboration with other units, Technology Services is working on the establishment of a secured research computing environment for researchers who are working with sensitive information. Technology Services also continues to provide guidance for students and employees to avoid the latest phishing schemes through various media and communication tools.

- **Equity and Access Services**, which now reports to the Office of the President, issued their first Annual Report detailing compliance priorities and outcomes in each of their four areas of focus: Title IX, ADA & Access Services, Equal Opportunity and Affirmative Action, and Protection of Minors. Because continuous improvement is a shared goal within EAS, surveys are now administered to partners or stakeholders in order to monitor and improve quality, human-centered outreach and support services. EAS also hired their first ever Chief Accessibility Officer who will lead accessibility initiatives for VCU's physical and digital spaces. These advancements will widen the depth and breadth of support that EAS is able to provide the VCU community in key areas of compliance, support services, data collection, recommendations for best practices, advocacy and more.
- **Human Resources** continued its progress in updating policies and worked together with the ICO to ensure performance management tools appropriately referenced integrity and compliance as considerations in relevant competencies in the annual review process. HR is also leading a group focused on clearly delineating mandatory compliance training and ensuring timely completion of that training each semester by relevant employees.
- In **Athletics**, a Compliance Coordinator position was created (and is currently in the process of being filled) to help assist with the unit's compliance efforts. This will allow the other members of the unit to more heavily focus on major trend areas like Name, Image and Likeness (NIL) and other governance issues that have become federally prominent. The Athletics Compliance Office has made great strides over the past year to keep up with the ever-changing NIL landscape. NIL oversight is going well with the implementation of systems and tools to support VCU athletes in the NIL space and ensure compliance and awareness for all parties.
- The **Office of the Vice-President for Research and Innovation** made significant progress this year across several areas:

#### **Research Administration**

Strengthened the role of senior leadership in alignment with expertise in federal sponsor areas of emerging interest/emphasis in research compliance. This new role serves in partnership with the AVP for Regulatory Affairs with a centralized research compliance tracking process and a research compliance governance structure.

#### **Regulatory Affairs**

New senior leadership with subject-matter expertise appointed to oversee the clinical research regulatory affairs program, the human research protection program and the animal care and use program. This new role serves in partnership with the AVP for Research Administration with a centralized research compliance tracking process and a research compliance governance structure.

- **Clinical Research Regulatory Affairs:**

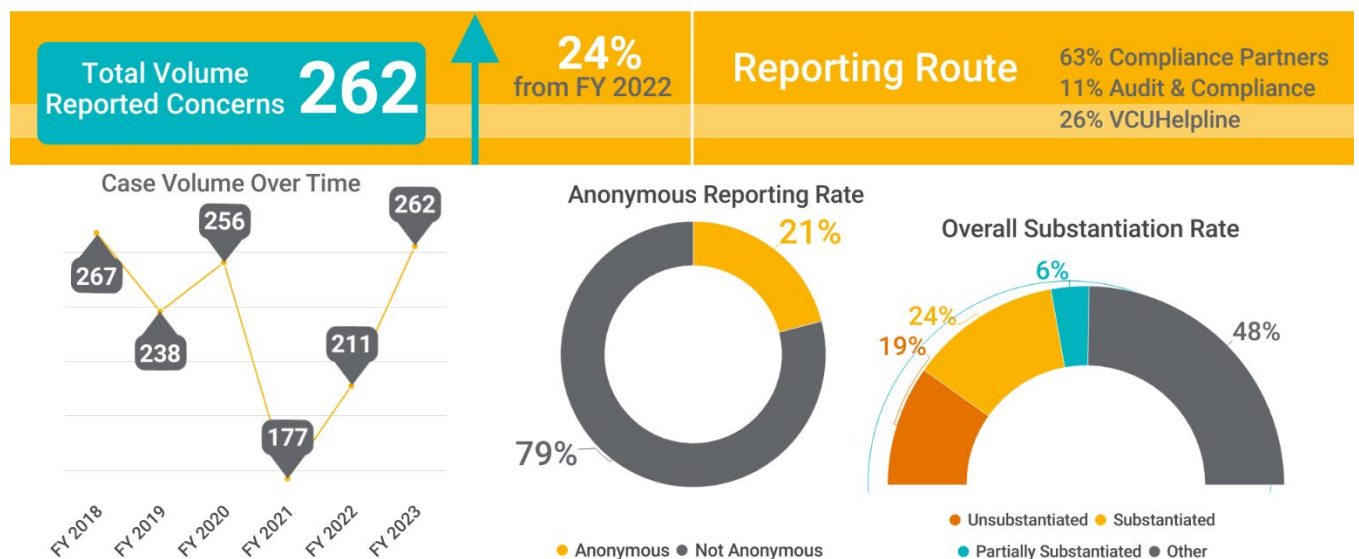
- New dedicated subject matter expert hired to lead the clinical research regulatory affairs program, including areas of shared regulatory risk identification and delegation or management
- Evaluated all clinical trials for compliance with FDAAA 801 and 42 Code of Federal Regulations (CFR) 11, commonly referred to as ClinicalTrials.gov registration and results reporting. Identified compliance improvement areas with planned completion in September 2023 and ongoing compliance monitoring by December 2023.

- Evaluated all clinical trials for compliance with Department of Health and Human Services (DHHS) 45 CFR 46.116(h). An internal process was deployed and is now integrated with the clinical research regulatory affairs workflows, automating compliance. Compliance with DHHS 45 CFR 46.116(h) is now at 100% and supported by a quality management protocol.
- Completed full implementation of the Veeva SiteVault and eTMF systems (cloud-based life sciences software for research and clinical trials), in FY 2023 supporting US Food and Drug Administration 21 CFR Part 11 compliance, moving VCU from a paper-based standard to 100% compliance for electronic access to applicable regulatory records and significantly reducing administrative and regulatory burden.
- **Animal Care and Use Program, including Animal Research Facility and Husbandry:**
  - No significant findings resulting from the United States Department of Agriculture, Animal, Plant and Health Inspection Service (USDA APHIS).
  - No significant findings resulting from accrediting body site visit inspection.
  - Renewed accreditation of the VCU Animal Care and Use Program, resulting in continuous accreditation for over 50 years.
- **Human Research Protection Program (HRPP):**
  - New standard operating procedures, checklists, resources, and management practices adopted by the HRPP, aligning the program with national standards of practice.
  - New, streamlined submission system reducing administrative burden on research teams and the HRPP with the initial submission process reduced from approximately 8 hours to 1 hour.
  - New post-approval monitoring program initiated which will be supported by Veeva, enabling remote monitoring of clinical trials by December 2023.
  - New organizational model designed to ensure improved standards of quality management, including an ongoing program for evaluating the quality, efficiency, and compliance of processes and procedures dedicated to the HRPP.
- **IT Systems and Data Management and Security**
  - Initiated a 5-year plan to upgrade the VCU Research Administration Management Systems supporting VCU's research compliance infrastructure.
  - Re-evaluated the approach to post-approval monitoring for data management and security plans to ensure adequate surveillance of related risk.
  - Calibrated VCU's research information systems approach, resulting in a new enterprise-wide strategy.
- **Safety and Risk Management** reported the following achievements:
  - Fire Safety**
    - Fire Safety Emergency Action Plans now include tornado procedures and are shared amongst our peers in Emergency Management via RedCap and VEOCI dashboards.
    - Onboarding the new children's inpatient tower and VCU STEM building at 817 Franklin Street with Safety and Risk Management's support to many aspects like acceptance testing, fire safety plan development, hazard identification, etc.
  - Employee Health**
    - Worked with IT to import all employees into our electronic medical record to allow for Health Insurance Portability and Accountability Act compliant, proactive, push communication, transitioning decades of paper charts into electronic medical records. Worked with VCU Health to improve cost tracking and reimbursement.

### Environmental Health and Safety

- The VCU Safety team swept the Campus Safety, Health, and Environmental Management Association 2023 innovation awards:
  - Resource Enhancement for our collaboration with the Health System on our “Pharmaceutical Hazardous Waste Program.”
  - Safety Culture for a Large School for our “Lab Safety Video Series,” which is a collaboration with the VCU Center for Health Disparities.
  - Process Improvement for a Large School for our RedCap respiratory medical evaluation program, which Theresa Conti, RN and Elise Nicewick, RN developed to support VCU and the Health System.
- Radiation Safety inspection covering activities authorized under VCU radioactive materials license 760-215-1 was conducted by the Virginia Department of Health’s office of radiological protection (ORH) (May 20, 24, 26 and June 2 and 3, 2022). ORH determined one non-cited violation of regulatory requirement and identified three recommendations. Corrective action was implemented, including removal of the irradiator, and therefore no response was required.

## Culture and Data Analysis



The ICO continues to monitor university wide reported concerns and responses to misconduct through Convercent, an online data management system. Convercent also contains the VCUHelpline, a third-party reporting tool with an anonymous reporting option. In addition to reports that come directly to Audit and Compliance Services (ACS), the ICO tracks investigations and reports from compliance partners in offices across VCU, including Employee Relations, Equity and Access Services (EAS), the Office of the VP for Health Sciences, and the Office of the Provost. This collaboration allows our office to monitor and respond to misconduct trends across the university.

Reporting of misconduct returned to pre-pandemic levels in FY 2023, with 262 total reports. 63% of those reports came to partnering offices, and 37% came directly to ACS as an independent reporting option. This

represents an increase in reports made directly to ACS in previous years, as well as an increase in reports made directly to the Helpline. In FY 2023, the ICO team made significant efforts to improve visibility and communication to the entire university via events, workshops, trainings, the blog, and email blasts. These efforts, along with consistent collaboration and partnership with other regulatory offices across VCU, may account for the increase in reporting directly to our office. According to NAVEX Global, one of the largest providers of hotline and case management systems, “Research shows organizations with high adoption of their internal hotlines see fewer external whistleblower reports to regulatory agencies and other authorities.” The ICO continues to reduce risk for VCU by establishing the Helpline and our office as a trusted independent reporting option and ethical advisor<sup>1</sup>. When issues are reported and substantiated by effective investigations, appropriate consequences and remediation can follow to prevent future issues.

The overall full and partial substantiation rate for the total case volume was 30%, with 48% of closed cases resolving as “Substantiation Undetermined,” or “Other.” The vast majority of the cases in the “Other” category (91%) were not investigated due to lack of response from the reporter or procedural blockers in offices with reporter-driven processes, such as Equity and Access Services. The most commonly reported issue types were Discrimination Based on Protected Class, Ethics Violation, and Employee Relations. However, the top five substantiated issue types were Ethics Violation, Employee Relations, Health or Safety/Security Concerns, Regulatory-Research, and Waste, Misuse, or Theft of Resources.








## Data Benchmarking

VCU’s case volume per 100 employees exceeded both the internal and external benchmark in FY 2023. Our anonymous reporting rate (the rate of those reporting without giving their name) continues to remain below the NAVEX benchmark and remained below the 3-year internal benchmark for the second year in a row. This confirms that our employees tend to trust our system as almost 80% of those reporting identify themselves.

VCU’s substantiation rate is significantly below both the external and internal benchmarks, reflecting a large portion of reports that were unable to be substantiated. The most common reason for a lack of substantiation was either a report not containing any allegations of policy violation, or a reporter not following up with the investigating office to participate in an investigation or to provide enough information to investigate. When controlled for these reports that could not be investigated, the percentage of cases that were fully or partially substantiated rises to 58%, exceeding the NAVEX benchmark. VCU’s rate of retaliation reporting fell this year to 7%, down from 11% last year but is still significantly higher than the external benchmark. Only one retaliation report was substantiated in FY 2023. The ICO is engaged in multiple proactive strategies to encourage a speak-

<sup>1</sup> NAVEX Global, Inc., 2023 Hotline Incident Management Benchmark Report

up culture and educate employees about retaliation. For example, the ICO facilitated a Psychological Safety workshop to leaders from several units, with more planned in FY 2024. We will continue to educate VCU employees, especially leaders, on preventing retaliation in the workplace.

	 Cases per 100 Employees	 Anonymous Reporting Rate	 Substantiation Rate	 Concerns of Retaliation	 Most Common Issue Type
NAVEX Benchmark	1.47	56%	41%	0.96%	HR, Diversity, and Workplace Respect
VCU Internal Benchmark	1.95	23%	45%	7%	Ethics Violation
Current Fiscal Year	2.45	21%	30% raw / 58% adj'd	7%	Ethics Violation

## Upcoming: New Integrity Survey

Research has demonstrated clearly that strong ethical cultures produce positive ethical outcomes including robust employee reporting, reduced misconduct, reduced retaliation, and reduced pressure to compromise standards.<sup>2</sup> Research also demonstrates that organizations must measure culture over time to drive improvement. VCU has recognized this and since 2019, VCU’s Culture and Climate Survey has measured employee perceptions and outcomes on diversity, inclusion, and engagement via “indexes” to focus progress.

In the past year, ICO prepared to create, with Institutional Research and Decision Support (IRDS), an Integrity Index based on selected elements of the existing Culture and Climate Survey. Due to organizational changes in IRDS, the Culture and Climate Survey was not administered in 2023. ICO will instead contract for an externally hosted culture survey focused on integrity that will be deployed in the winter or spring of FY 2024. The survey will provide baseline data for improvement and robust benchmarking to compare VCU with similar institutions. ICO will work with departments and units to understand their results and take actions to improve and sustain a culture of integrity and openness over time.

In the meantime, in recognition of the risk identified last year regarding the need for leadership development emphasizing the role of leaders in building a speak up culture, ICO this year developed and delivered a workshop on Psychological Safety to various units (School of Nursing, Facilities Management, Audit and Compliance Services) that has been well-received and will be expanded and delivered more broadly in FY 2024. Based on the groundbreaking work of the researcher Amy Edmondson, author of *The Fearless Organization* (Wiley, 2019),

<sup>2</sup> Measuring the Impact of Ethics and Compliance Programs, Global Business Ethics Survey 2018, pages 13-14 (Ethics and Compliance Initiative 2018)

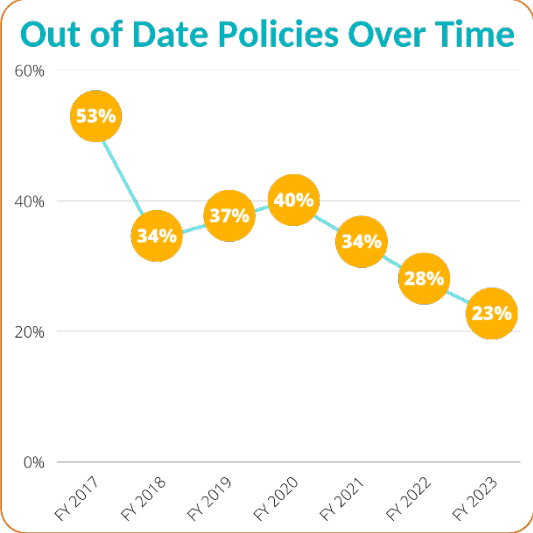


the workshop focuses on the value and criticality of creating work environments without interpersonal fear. It also focuses on simple, practical habits that leaders can adopt to create those environments. ICO will continue in FY 2024 to partner with Human Resources and others to create relevant, engaging training to sustain a culture of integrity and openness, including planned workshops for leaders and staff on civility in the workplace and building individual skill and capacity to speak up effectively.

# Policy Program Update

<b>161</b> TOTAL POLICIES
<b>13</b> New or Substantially Revised
<b>20</b> Minor Revisions Made
<b>37</b> Past Due or Under Review
<b>7</b> Retired

Building on the successes of last year, the Policy Program continued to support policy owners across campus in both the development and revision of policies. Significant policy accomplishments this year included: implementing a comprehensive conflict of interest and commitment policy, creating a new policy concerning communicating with government officials, updating of several important Global Education policies, and finalizing the Student Code of Conduct. We also were able to take a significant and much needed look at active policies which were either no longer necessary, focused too heavily on procedure, or conflicted with other policies. This resulted in a record number of policy retirements, including a policy that was almost 40 years old. We were also able to retire an outdated Rules and Procedures policy which conflicted with existing, more up to date policies governing student conduct, employment discrimination, and faculty governance. Currently, 23% of all policies remain out of date, which is the lowest percentage in the past seven fiscal



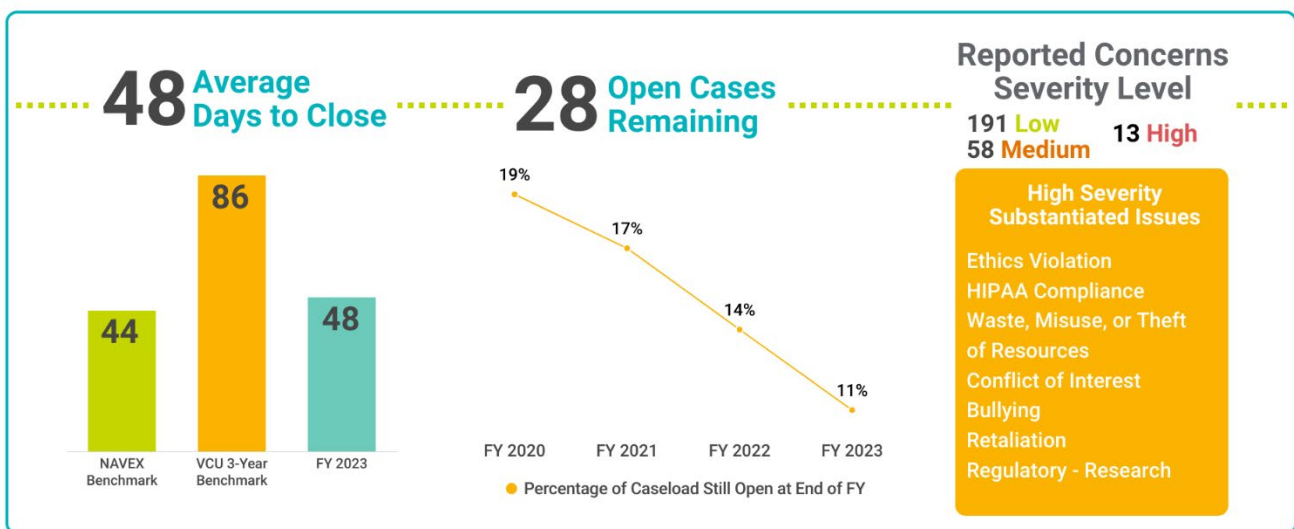
years. This result is in part due to the implementation of the DocTract policy management solution and reinforces our commitment to robust and collaborative outreach to our university partners. This result is also in part due to a complete review of policies owned by Global Education, a unit of the Office of the Provost. This review resulted in a number of out of date policies being retired and/or updated. In addition, we have been working diligently with Faculty Affairs in the Office of the Provost to update and/or retire out of dates policies. Work remains to be done but progress is being made.

# Regulatory Reporting Monitoring

This year we sought to better understand how our compliance partners do their work within their units.

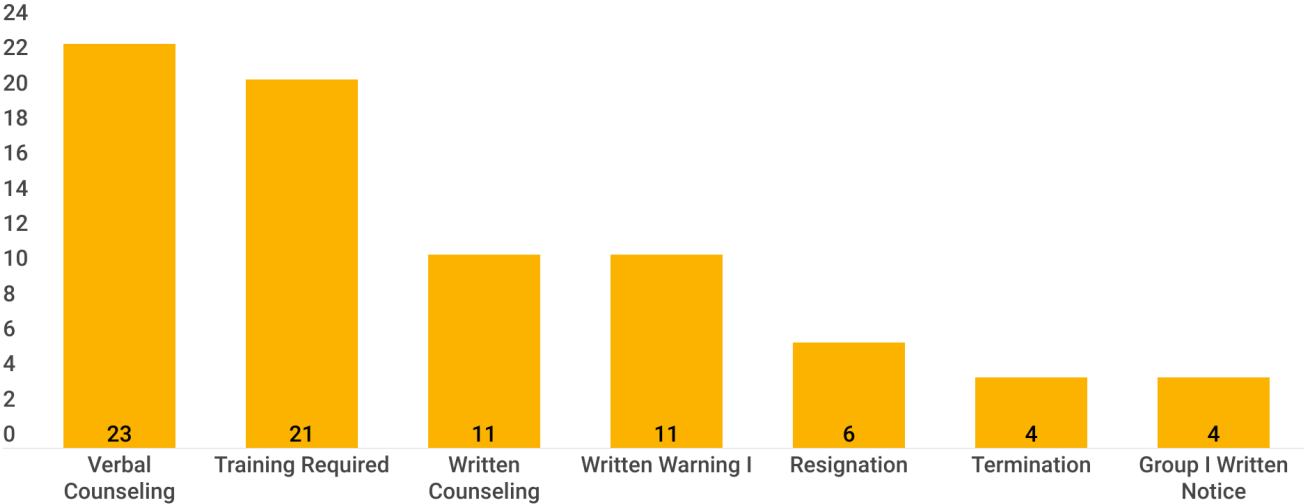
In addition to seeking one-page summaries of our compliance programs, we met with our partners to discuss possible improvements and sought their guidance on improving the current process for attesting to state and federal compliance requirements. Our goal is to implement an improved attestation process in FY 2024 and to complete an updated summary of our ethics and compliance program and systems university wide by January 2024.

# Investigations and Accountability



The ICO conducted approximately 19 independent reviews or investigations in FY 2023 and participated in approximately 12 collaborative investigations with partner offices. Metrics reflecting investigative quality improved in FY 2023, with a shorter average case closure time of 48 days and fewer cases open at the end of the fiscal year than in the prior three years. The ICO also supported efforts to standardize and improve investigative practices throughout the university by providing investigative guidelines and training to more than 60 VCU employees who engage or assist in workplace investigations.

In FY 2022, the ICO worked with Employee Relations to align and standardize sanction (the consequence that results from misconduct) recording in Convercent. In FY 2023, the top sanction was Verbal Counseling, followed closely by Required Training. There were four terminations related to misconduct represented in our data in FY 2023, and six resignations, most of which took place in lieu of termination or another sanction.



41% of substantiated concerns in FY 2023 were about a VCU employee who manages other people, and 19% of substantiated concerns involved a subject with a senior leadership title such as “Chair,” “Assistant Dean,” or “Director.” Of the reports about a leader, almost half of them came directly to the ICO through our Helpline, email, or telephone. Cases dealing with a senior leader as the subject had a higher substantiation rate (49% fully or partially substantiated) than the overall case volume, and 44% of those cases came from a reporter who identified themselves as a direct report or within the subject’s chain of command. Speaking up about misconduct observed from a position of leadership can carry real or perceived risk for employees. The ICO is filling a vital role in the university by providing a safe and neutral option for employees to report misconduct, and by conducting thorough investigations that find the facts and deliver actionable recommendations when misconduct is substantiated.

# Training and Communications

## Annual Ethics & Compliance Training

The ICO launched the *Ethics and Compliance at VCU* annual training for FY 2022 in March of 2022 after a Covid-related delay. In an effort to realign training delivery with overall training strategy, we also launched the FY 2023 annual training in October of 2022. Our goals for the FY 2023 training included not only a refresh of employees’ awareness and understanding of the Code of Conduct, but also an increase in learner engagement with a related goal of an increase in completion rate. To accomplish this, we departed from the previous format and moved to a more user-friendly application called Articulate Rise, which allows learners to scroll through (rather than click through) the content. We also added interactivity, creating two scenarios where learners could practice applying

what they learned by selecting responses to assist fictional employees with making decisions about conflicts of interest. (Fig. 1) Finally, we produced several videos for the training. In one, we heard what ethics and integrity mean to our students (Fig. 2), followed by a greeting from our Chief Ethics and Compliance Officer linking our conduct to student expectations. In another, we called upon leadership to share their testimonials about speak-up culture and working with the ICO. In a third video we featured faculty and staff explaining how they bring ethical values to their jobs each day. Topics for the FY 2023 training included the Duty to Report Policy, Conflict of Interest or Commitment, Giving and Receiving Gifts, and Civility in the Workplace. These were followed by a review of the Code of Conduct.

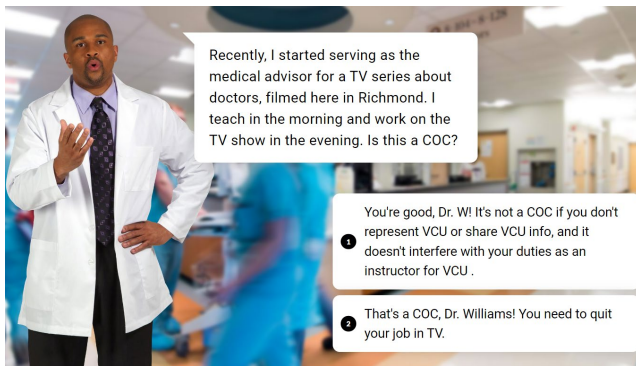
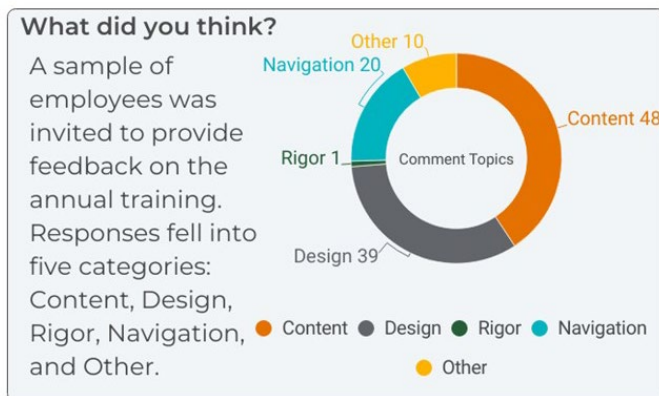


Fig. 1



Fig. 2

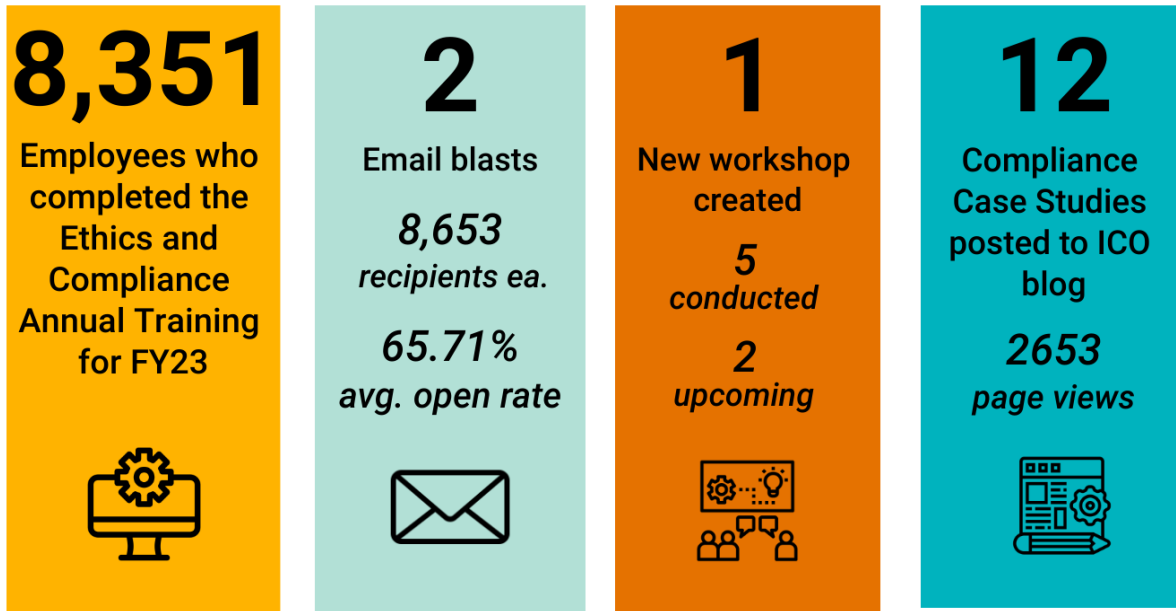
## FY23 E&C Annual Training Feedback Results



In a post-training survey completed by 150 of the 500 employees invited to participate, comments fell into five categories. When asked how we could improve the training employees had the most to say about content and design. Comments about content included requests for more scenarios about ethical dilemmas that fall within that grey area where there is no obvious “right” or “wrong” decision. They also revealed a desire for training in handling misconduct among leadership. Comments about design ranged from kudos for the fresh approach, the interactivity, and the videos, to opportunities for shorter training (eliminate the videos), a test-out option, and more rigor. While we hope to incorporate many of these suggestions with the next training release, we feel we are headed in the right direction in effectively engaging employees.

Year over year completion rates for the annual training trended up for FY 2023, with 95% of employees completing their training compared to FY 2022 during which only 74.3% of employees and 82.28% of managers completed their training. (In FY 2022, there were two versions, one for managers and one for employees. In FY 2023, we delivered one version to all employees). While we feel good about the number of employees who eventually completed their E&C training, much effort was required to contact employees and managers repeatedly to inch toward 100% compliance. To address this issue, we are partnering with Human Resources to

improve awareness and tracking of required training across the university for FY 2024.



## Ongoing Education Efforts

As part of its mission to increase awareness about ethics and compliance issues and to connect more broadly with the university community, the ICO continued some existing education efforts and created some new ones. Highlights included the following:

- Created a new workshop on Psychological Safety and conducted it for the School of Nursing, Audit and Compliance Services leadership, the Facilities Management Division, Parking and Transportation, and VCU Police. As of this writing, two additional units have invited us to conduct this workshop for them.
- Continued to publish the quarterly policy newsletter *Policy Points* which highlights new and revised policies from the previous quarter.
- Published our monthly blog containing *Compliance Corner*, an informative post on topics relevant to ethics and compliance and *Compliance Case Study*, based on actual cases handled by our team. Recent *Compliance Corner* posts addressed a variety of issues, from what happens to culture when employees don't speak up to finding your voice to speak up to power. Recent *Compliance Case Study* posts followed one employee who misused university resources and another whose leadership skills were undermined by his own misconduct. New blog posts are announced via TelegRAM and subscriber email, and links to the compliance blog can be found on the ICO's landing page.
- Sent periodic email blasts to university faculty and staff, each one a campaign with focused messaging, driven by data and current trends.

Outreach to compliance partners and other employees across the university took several forms this year.

- Consulted with several partners about creating tailored compliance training for their needs. Working with International Affairs Security Workgroup to create a microlearning module on foreign influence.

- Participated in a workgroup to coordinate required training across units for twice-annual releases through Human Resources.
- Sponsored tables at university events like the Tech Fair and the Benefits Fair to promote the VCU Helpline and socialize the new Conflict of Interest/Commitment Policy.

# Risk Assessment and Monitoring

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## Conflicts of Interest & Commitment

During Fiscal Year 2023, the ICO completed Phase Two of the project to implement an effective and efficient university-wide Conflicts of Interest & Commitment (COI&C) reporting process to replace the current inconsistent and paper-driven process. Under an interim COI&C policy, four schools began a pilot reporting program within Convercent: School of Nursing, School of Pharmacy, School of the Arts, and School of Education. Faculty and other employees in Positions of Trust within these units reported potential conflicts via ad hoc Outside Professional Activity (OPA) reporting and via an annual questionnaire sent out in December 2022. The pilot program resulted in 455 submitted disclosures from these four locations, with a clearance rate of 67% and an average of 61 days open. Most disclosures (90%) were in the Outside Professional Activities category, including activities such as consulting or speaking at conferences. 70% of targeted employees completed the questionnaire, which prompted disclosures in multiple categories including Outside Professional Activities, External Financial Interests, Personal Family Relationships, and Gifts/Services Given or Received.

In Spring 2023, a permanent COI&C policy was approved, paving the way for Phase Three, the final phase of this project: university-wide implementation. The ICO is currently working to build the administrative infrastructure to launch the use of Convercent within all academic units for faculty OPA reporting in Fall 2023, and the annual questionnaire will go out to all employees in Positions of Trust in December 2023.

An important principle of this process is that supervisors and leaders within units across the university have the responsibility to review and approve disclosures, allowing them to use their detailed knowledge of their employees and units to identify any conflicts that need to be managed. While the ICO is available to offer assistance with any conflicts that need to be escalated, we have been working to empower managers to own this process through job aids, training, and communication. An area of improvement for FY 2024 will be working with units to encourage prompt disclosure and prompt and thorough review of disclosures, and we hope to see the percentage of cleared disclosures and the percentage of questionnaire completion rise. We also hope to begin reviewing and reporting aggregate data on the most common types of disclosures, for which issues typically require a conflict of interest or commitment management plan, and other useful trend data.

## Research Infrastructure

Again this year, several matters arising out of the Office of the Vice President for Research and Innovation (OVPRI) demonstrated the continuing need to assess and mitigate research infrastructure risk. As VCU

continues to grow as a public research university, it must prioritize its research infrastructure and culture to manage increasing demands for research compliance and monitoring. This includes ensuring technological support for compliance systems, adequate training, and development of staff to support the full range of research being sponsored by VCU, and a strong ethical culture. After a thorough audit by the Office of Human Research Protection of the U.S. Department of Health and Human Services, corrective actions continue to be implemented to improve processes and practices in OVPRI. This includes improving resources and accountability in the School of Medicine or other sponsoring units, improving the efficiency and transparency of processes for approval of research studies, and continuing to build a strong speak-up culture across all research stakeholders that will support integrity and safety for patients while executing world-class research. ICO will continue to partner with OVPRI and others to support these actions.

## Enterprise Risk Management (ERM)

The Integrity and Compliance Office is a nonvoting member of the Enterprise Risk Management Steering Committee that restarted this year after being interrupted by the pandemic. This was a productive year for ERM during which several out of tolerance risks were reviewed and mitigation plans updated and discussed. As effective and integrated risk assessment and mitigation remains a foundational feature of effective ethics and compliance programs that regulators and enforcement authorities expect, ICO will continue to ensure that its perspective on risks to the university, based on its monitoring activity including review of investigations of reported concerns, reviews of COI disclosures, and engagement with compliance partners, is integrated into the ERM process and reflected in the Committee's reporting to the Cabinet and the Board of Visitors. ICO will also continue to advocate for an ERM process that is fluid and continuously updated to account for emerging risks and changing conditions, especially in highly regulated areas such as research, EAS/Title IX, and athletics. Finally, ICO has prioritized working with compliance partners to ensure that each compliance area has adequate documentation of its policies, processes, training, and monitoring to support identification of risks and remediation of gaps, and that those risks are included or considered in the ERM process.

## Ethical Leadership and Sustaining a Speak-Up Culture

As noted above in our report of our investigative data for FY 2023, substantiated cases of failures in ethical leadership point to a continuing risk and issue for focus. Ensuring ethical leadership that sustains a psychologically safe and speak-up culture remains a top priority. National trends indicate that leaders are under increased scrutiny, particularly top leaders of organizations and their governing boards. Employees are becoming more emboldened to report misconduct even as they experience the risk of retaliation and pressure to cut corners. The ICO's data indicates that VCU is not an exception to these trends. As employees seek work environments with leaders they respect, VCU must continue to emphasize integrity and commitment to inclusivity as indispensable qualifications for succeeding as a leader at VCU. The ICO looks forward to delivering the integrity survey in the second half of FY 2024 to support a better understanding of the state of VCU's culture of integrity, and the ICO will continue today to partner with offices around the university to offer education, facilitation, and coaching on what it means to be an ethical leader.