

New York University

UNIVERSITY POLICY

Title: Compliance Complaint Policy
Policy Number: 02
Effective Date: September 10, 2007
Issuing Authority: Cheryl Mills, Senior Vice President and General Counsel
Responsible Officer: Robert F. Roach, University Compliance Officer

Purpose of the Policy

New York University (“University”) is committed to complying with all applicable laws and regulations, accounting standards, accounting controls and audit practices. Any employee of the University may submit a good faith complaint regarding compliance matters to the management of the University without dismissal or retaliation of any kind. To facilitate the reporting of employee complaints, the University has established the following procedures for (1) the receipt, retention and treatment of complaints regarding compliance matters, and (2) the confidential, anonymous submission by employees of concerns regarding compliance matters. The University’s Audit Committee will oversee the handling of employee complaints.

This policy is one, but not the only, avenue for addressing complaints or concerns among members of the University community. Other such avenues include, for example, mechanisms outlined in the University’s Student Guide for addressing student complaints as diverse as anti-harassment complaints and student record privacy, as well as procedures set forth in the Faculty Handbook and issued by the Human Resource Department and the Office for Equal Opportunity for addressing personnel concerns. Members of the University should consult the University’s web site, www.nyu.edu, for more information).

Policy Definitions

Compliance Complaint Matters

Compliance complaint matters include complaints regarding accounting, internal accounting controls, auditing matters, ethics, laws, regulations, University policies, and best business practices applicable to the University. Examples of compliance matters include, without limitation, the following:

- fraud or deliberate error in the preparation, evaluation, review, or audit of any financial statement of the University;
- fraud or deliberate error in the recording and maintaining of financial records of the University;
- deficiencies in, or noncompliance with, the University's internal accounting controls;
- misrepresentation or false statement to or by a senior officer or accountant regarding

a matter contained in the financial records, financial reports or audit reports of the University;

- deviation from full and fair reporting of the University's financial condition;
- failure to comply with applicable federal, state and local regulations, University policies, or best business practices;
- conflicts of interest and other ethical breaches by University employees.

University Compliance Steering Committee

The University Compliance Steering Committee consists of the Provost, Executive Vice President, Senior Vice President and General Counsel, Senior Vice President for Health, Senior Vice Provost for Research, Senior Vice President Finance and Budget, and the General Counsel for the New York University Medical Center.

University Policy

Receipt of Employee Complaints

Employees with concerns regarding compliance matters should, in the first instance, attempt to resolve their concerns with their immediate supervisors and within their own business unit. Where employees cannot resolve concerns within their academic or administrative units, they may report their concerns to Internal Audit, the Compliance Officer for Finance, for Research or for Operations, or the University Compliance Officer. Employees also may forward complaints on a confidential or anonymous basis through the Compliance Line telephone, the Compliance Line website, e-mail or regular mail, to the attention of the University Compliance Officer.

Treatment of Complaints

Upon receipt of a complaint, the University Compliance Officer will: (i) determine whether the complaint pertains to compliance matters, and (ii) when the sender's contact information is provided, acknowledge receipt of the complaint to the sender.

- Complaints relating to compliance matters will be reviewed under the University Compliance Officer's direction and oversight by the University Compliance Steering Committee, General Counsel, Internal Audit, or such other persons as the Audit Committee determines to be appropriate. The Compliance Officer will use his or her "best efforts" to investigate every complaint. The resources expended will depend upon: (1) the nature and severity of the allegation; and (2) the sufficiency and apparent validity of the information provided.
- Confidentiality will be maintained to the fullest extent possible, consistent with the need to conduct an adequate review. Prompt and appropriate corrective action will be taken as warranted by the University. The University Compliance

Officer shall provide compliance oversight of any corrective action.

- The University will not discharge, demote, suspend, threaten, harass or in any manner discriminate against any employee in the terms and conditions of employment based upon any lawful actions of such employee with respect to good faith reporting of complaints regarding compliance matters.

Reporting and Retention of Records of Complaints and Investigations

The University Compliance Officer will maintain a log of all complaints, tracking their receipt, investigation, and resolution and shall prepare a periodic summary report thereof for the University Compliance Steering Committee and the Audit Committee. Copies of complaints and such log will be maintained in accordance with the University's document retention policy.

Notes

1. Dates of official enactment and amendments:

Adopted by the University Compliance Steering Committee, September 10, 2007.

2. History: None

3. Cross References: None