

COMPLIANCE PLAN

Social Advocates for Youth, San Diego, Inc.



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Preamble

Social Advocates for Youth San Diego (SAY San Diego) shall conduct its business in accordance with applicable laws and regulations and consistent with the SAY San Diego code of ethics and shall ensure such conduct through the administration of a compliance program. The program shall:

- I. Establish a **code of conduct** and written policies and procedures
- II. Assign **compliance monitoring** efforts
- III. Develop **training and education** for board and staff concerning the compliance program
- IV. Conduct regular **internal monitoring** and auditing
- V. Develop **accessible lines of communication** to keep board and staff aware of compliance activities
- VI. **Respond appropriately to detected violations** including prompt corrective action
- VII. Establish **standards** that ensure that board and staff are aware that compliance is taken seriously and violations will be dealt with consistently

Employees, board members, volunteers, and interns (hereafter referred to as representatives) are expected to adhere to this Compliance Plan as it relates to their specific function within the organization.

I. Compliance Standards: Code of Conduct

It is the policy of SAY San Diego that the organization's business be conducted according to high ethical standards, including compliance with applicable laws, rules, and regulations, and the requirements of third-party payers. In support of this stated policy, a Code of Conduct is essential for SAY San Diego to prosper and receive the desired trust and respect of its clients, partners, third party payers, staff, and volunteers. The various elements of the Code of Conduct are embedded in various agency manuals, including, but not limited to, the:

- Policy and Procedures Manual (including an addendum to address County Client Privacy and Security Policies and Procedures)
- Employee Handbook
- HIPAA Manual
- Child and Youth Development Unit Manual
- Youth, Adult and Family Wellness Unit Manual
- Volunteer Handbook
- Clinical Staff and Intern Manual
- Procedures and requirements attendant to individual contracts, including the CMHS Organizational Provider Operations Handbook

In summary, the SAY San Diego Code of Conduct addresses the following:

a. **Legal Compliance:**

We will strive to ensure all activity by or on behalf of the organization complies with applicable laws.

The following standards are intended to provide guidance to the representatives and contractors to assist them in their obligation to comply with applicable laws. Knowledge (first or second hand) or suspicion of any violation of any law, regulation or rule must be reported to the Privacy Officer or Compliance Hotline or through other means detailed in this plan.

- We shall not solicit, receive, or offer to give anything of value to anyone in exchange for referral of clients or the securing of grants or contracts. It is understood that opportunity drawings with gifts to the donor, or restricted fund raising where a donor specifies use of a donation, are legally permissible. Yet, bribes or kickbacks of any kind are prohibited.
- We shall not make false statements or representations to any person or entity to gain or retain participation in a program or to obtain payment for any service.
- We shall submit claims for reimbursement accurately and only for services rendered.
- We shall not enter into any agreements with competitors to share or fix prices.
- We shall maintain complete and accurate service records.
- We shall collect all applicable copayments and deductibles in accordance with policy.
- We shall strive to ensure that our contracts conform to all applicable laws by having them reviewed and approved as required by SAY San Diego policies.
- We shall respect our obligations as individuals and as service providers, and neither express nor imply a promise of performance which we cannot reasonably expect to fulfill.
- We shall ensure that all practices of write-offs, discounts, or forgiveness of debt are based solely on justifiable business practices and conform to federal and state statutes.

b. **Quality of Care:**

We are committed to providing the highest quality of care and delivering services in an ethical, professional manner.

- We will treat all clients with dignity, respect, and compassion at all times.
- We will provide high quality care to all clients without regard to race, ethnicity, creed, age, gender, sexual orientation, gender identity, religion, citizenship status, national origin, or disability.
- We will adhere to the best of our ability to the SAY San Diego statement on advancing equity, diversity, and inclusion.
- We will honor the clients' right to give informed consent. We understand that informed consent is a continuing process and not just a form.

c. **Confidentiality:**

We will strive to maintain the confidentiality of clients and other confidential information in accordance with applicable legal and ethical standards.

- We will protect the confidentiality of client information in accordance with all applicable laws and regulations.
- We will refrain from revealing any personal or confidential information concerning clients unless required by applicable law.
- We will hold all investigatory information, data, and reports collected and/or made in connection with compliance issues in the highest confidence and not disclose such

information; outside of the confines of the activities of the SAY San Diego Privacy and Security Officers, Compliance Committee, and the Board of Directors, except as is otherwise required by applicable law.

- We will ensure that information received in confidence is not used for personal gain and will divulge no such information with the intent of giving or receiving an unfair advantage in a personal business transaction.

d. **Heath Insurance Portability and Accountability Act (HIPAA):**

We clearly establish guidelines for use and disclosure of health information, and to make reasonable efforts to limit use and disclosure to the minimum necessary to accomplish the intended purpose of the use, disclosure, or request.

- The full HIPAA Policy Manual is located [HERE](#), sections include:
 - Uses and Disclosures
 - Educating Clients About Their Rights
 - Safeguarding Client Information
 - Client Access
 - Security Policies

e. **Valuing the SAY San Diego Workforce:**

We value our workforce and are committed to employees' protection and professional success.

- We will afford all people equal employment and advancement opportunities without regard to age, gender, race, ethnicity, creed, sexual orientation, gender identity, citizenship status, national origin, religion, or disability;
- No form of harassment or discrimination will be permitted;
- We will treat each other with respect, dignity, and fairness. Sexual harassment, sexual advances, request for sexual favors or other verbal or physical conduct of a sexual nature that would create a hostile working environment, are absolutely prohibited;
- We will exhibit acceptable behaviors, which are those behaviors that enhance the quality with which we meet the mission of SAY San Diego. Such behaviors include but are not limited to, those that help to promote quality in the workplace, integrity, innovation, diversity in the workplace and teamwork;
- We will refrain from displaying inappropriate behaviors in the workplace. Inappropriate behaviors are those that are disruptive to the work environment and disturb day-to-day professional and interpersonal relationships and surroundings;
- The SAY San Diego formal statement of commitment to equity, diversity, inclusion, and wellness may be found here: <https://www.saysandiego.org/about/mission-vision/>

f. **Conflicts of Interest:**

We will avoid conflicts or the appearance of conflicts of interest between our private interest and the fulfillment of our duties.

- No associated person may represent SAY San Diego in any transaction in which he or she or a member of their immediate family has a personal or financial interest;

- We will not disclose or use confidential, special or inside information of or about SAY San Diego for personal profit or advantage;
- Per the Policy and Procedures Manual, all SAY San Diego representatives shall disclose all potentially conflicting activities;
- We will avoid any real or potential conflicts of interest and disclose to SAY San Diego, to the fullest extent possible, any significant proprietary or financial interest in any organization with which SAY San Diego does business.

g. **Business Relationships:**

Business transactions with vendors, contractors and other third parties shall be transacted free from offers or solicitation of gifts and favors or other improper inducements in exchange for influence or assistance in a transaction.

- We will not solicit tips, personal gratuities or gifts from clients, business associates or vendors;
- No person acting on behalf of the agency may offer, directly or indirectly, gifts, gratuities, favors, entertainment or other items of monetary value to a representative of any funding source, either public or private;
- Representatives are discouraged from accepting gifts, gratuities, favors, entertainment, or other items of monetary value directly or indirectly from a representative of any funding source, either public or private. Individuals shall not accept cash gifts or non-monetary gifts which are intended or appear to be intended to evoke reciprocation or referral business from clients, contractors, vendors, or consultants. Representatives may accept non-monetary gifts that are clearly promotional in nature, (i.e., coffee mugs or bumper stickers, pens, etc...) and gifts where the gift's value is nominal (individual gift is \$25 or less). Perishable gifts (flowers, food, and lunches) are permissible if the gift is nominal in value and not intended to evoke any form of reciprocation or referral business. Corporate gifts, invitations and gratuities that would otherwise be a gift to a representative will be considered a gift to the agency. When a representative employee or volunteer receives a gift of this nature, they should consult their supervisor, a board member or CEO. CEO should consult the Board President;
- We will not accept gifts, favors, services, entertainment, or other things of value to the extent that decision-making of SAY San Diego might be influenced. Similarly, the offer or giving of money, services or other things of value with the expectation of influencing the decision-making process of any purchaser, supplier, customer, government official or other person by SAY San Diego is absolutely prohibited;
- We will take no action which would otherwise be suspect merely because it appears to be customary in a particular location or area of business activity.

h. **Protection of Assets:**

All representatives will strive to preserve and protect the organization's assets by making prudent and effective use of SAY San Diego resources and properly and accurately reporting its financial condition.

- SAY San Diego has established control standards and procedures to ensure that assets are protected and properly used, and that financial records and reports are accurate and reliable. All representatives of SAY San Diego share the responsibility for maintaining and complying with required internal controls;
- All financial reports, accounting records, research reports, expense accounts, time sheets and other documents must accurately and clearly represent the relevant facts or the true nature of a transaction;
- All representatives are expected to refrain from converting assets of the organization to personal use. All property and business of the organization shall be conducted in the manner designed to further SAY San Diego's interest rather than the personal interest of an individual;
- Representatives are prohibited from the unauthorized use or taking of SAY San Diego's equipment, supplies, materials, or services.

SAY San Diego requires that all representatives of SAY San Diego abide by the principles set forth in this Code of Conduct. Failure to abide by the principles set forth in this Code of Conduct and the guidelines for behavior which this Code of Conduct represents may lead to termination.

Any suspected violation of this Code of Conduct must be reported to a member of the SAY San Diego Board of Directors, the CEO, the Privacy Officer, or the Compliance Hotline, in accordance with any other authorized and posted reporting mechanisms. The Compliance Hotline is intended to identify and address improper conduct as quickly as possible. All SAY San Diego representatives may make reports to a member of the SAY San Diego Board of Directors, the CEO, Privacy Officer, or the Compliance Hotline, in accordance with any authorized and posted reporting mechanisms, without fear of retaliation. Reports of violations may be made anonymously.

It is important that this Code of Conduct be understood and practiced daily by all SAY San Diego representatives. All SAY San Diego representatives must understand that SAY San Diego will take action to uphold and enforce these standards. This Code of Conduct is adopted in conjunction with the adoption of the SAY San Diego Compliance Plan and implemented as part of the SAY San Diego Compliance Program. This Code of Conduct will be distributed to all current SAY San Diego representatives to read and acknowledge, with the acknowledgment kept on file with SAY San Diego.

The following will be considered violations of SAY San Diego's Code of Conduct:

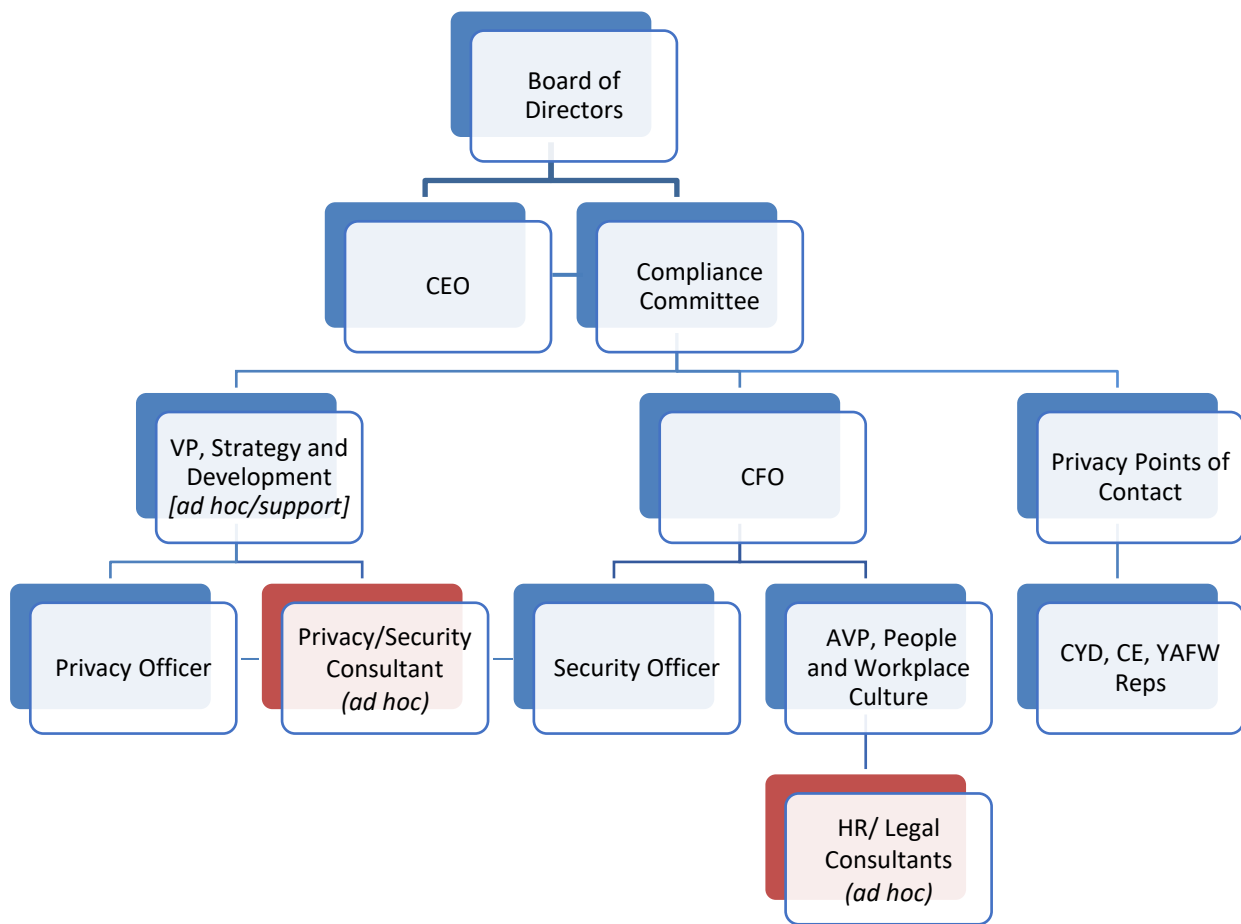
- Violations, or attempts to commit any violations, of the Compliance Program;
- Dishonest acts, or attempts to commit any dishonest acts; and
- All improper or dishonest acts and matters, which have significance with respect to the integrity of books, records, or management of SAY San Diego.

II. Compliance Monitoring

The major components of SAY San Diego's compliance monitoring systems include the Board of Directors, the Compliance Committee, the Privacy and Security Officers and managers.

The Compliance Committee, combined of staff and board members, under the supervision of the CFO and the Privacy Officer, monitors the agency-wide compliance systems which includes assessing all areas of risk management within the agency. The Committee will be responsible for:

- Conducting an annual review of all data from Human Resources, audited financial statements, management letter and the form 990 filing with the IRS, and findings and trend reports related to HIPAA, privacy, and confidentiality activities, licensing requirements, and staff adherence to the Code of Conduct;
- Providing a written summary report to the SAY San Diego CEO and Board of Directors of the findings from each area;
- Making written recommendations to the Board of Directors of the quality improvements needed;
- Presenting all items above to the Board for their discussion and action, at least annually.



Compliance Committee composition:

- 1) CFO
- 2) Privacy Officer
- 3) Security Officer
- 4) AVP, People and Workplace Culture
- 5) Privacy Points of Contact representing each program unit:
 - Child and Youth Development
 - Community Engagement
 - Youth, Adult and Family Wellness
- 6) Member of Board
- 7) Member of Board Audit Committee
- 8) *Optional:* VP, Strategy and Development (for support and ad hoc purposes)
- 9) *Optional:* Additional member of the Board (barring Treasurer and CEO)
- 10) *Optional:* Privacy, security, HR, legal consultants (for expertise and ad hoc purposes)

a. Board of Directors – Responsibilities

Board Members' obligations with respect to agency compliance arise within the oversight functions of the duty of care, i.e., the exercise of reasonable care to assure that SAY San Diego management carries out responsibilities and complies with the law. To this end, board members are actively involved in compliance reviews and reasonably educated about the business of SAY San Diego and the legal and fiduciary obligations of the board. Such reasonable education may include:

- Practical management information about the major risks of unlawful or non-compliant conduct facing SAY San Diego;
- Primary compliance program features aimed at developing quality and compliance controls and counteracting risks;
- The type of problems and compliance that SAY San Diego and other parties with similar operations have encountered or are likely to encounter.

More specifically the board will:

- Receive timely written reports if and when the agency faces risks of unlawful conduct and/or non-compliance;
- Receive quarterly written reports (which may take the form of the Compliance Committee minutes) regarding the agency's compliance program and compliance efforts, including corrective actions and remedies, and overall trends in SAY San Diego's compliance efforts;
- Receive training, at least annually, concerning the content of the compliance plan and board responsibilities in regard to the compliance plan;
- Annually, review, comment on, direct and approve the compliance plan;
- Approve or revise policies and procedures that define standards for compliance, giving specific guidance to the management, staff, and the board itself as appropriate;
- Review and approve the compensation of the Chief Executive Officer to assure that it is just and reasonable. The review and approval shall occur upon the hiring of the officer, when the officer's term of employment is renewed or extended and whenever the officer's compensation is modified;
- Direct efforts to communicate compliance programs, including written materials and training programs designed specifically to promote understanding of compliance issues, laws and regulations, and consequences of non-compliance;
- Maintain awareness of laws and regulations that may affect SAY San Diego and assess the appropriate response to legal and regulatory changes;
- Review complaints, concerns, or questions relative to compliance issues;
- Review and approve controls and measurements for internal processes, ensuring that correct processes are in place for accurate, complete, and compliant programs across SAY San Diego;
- Hold all investigatory information, data, and reports collected and/or made in connection with compliance issues in the highest confidence and not disclose such

information outside of the confines of the activities of SAY San Diego Board of Directors, except as is otherwise required by applicable law;

- Use reasonable efforts to preserve the anonymity of grievance and/or whistleblower reporting from a SAY San Diego worker and/or client;
- Maintain documentation of SAY San Diego compliance activities (agendas, reports, minutes, correspondence, etc.);
- Review and approve the audited annual financial report as presented by an Independent Auditor.

b. Board of Directors–Authority

The SAY San Diego Board of Directors has the authority to take the following actions:

- To investigate, using any appropriate additional resources in conjunction with the Privacy and Security Officers, act on, and/or resolve compliance issues relating to SAY San Diego;
- To communicate, using whatever resources are available, the importance of compliance and setting a tone for a culture of compliance throughout the agency;
- To delegate any function of the SAY San Diego Board of Directors to the Privacy and Security Officers or appropriate Board Committees.

c. The Compliance Committee - Staff Responsibilities

Co-chaired by the Privacy Officer and CFO, the responsibilities and functions of the Compliance Committee will include the following:

- To work closely with SAY San Diego staff to foster compliance with the Code of Conduct, this Compliance Plan, all compliance policies adopted under this Compliance Plan and all applicable statutory and third-party payer billing requirements;
- To set indicators of compliance success and include them in training;
- To implement programs, policies, and procedures approved by the SAY San Diego Compliance Committee to ensure organization-wide compliance with applicable federal and state laws and regulations;
- To serve as a resource to the SAY San Diego Board of Directors;
- To conduct regular trend analyses and report out to CEO and Board of Directors;
- To receive and review the work product of outside auditors;
- To plan and coordinate training for SAY San Diego staff, including utilizing outside consultants, and to keep records of training activities;
- To receive and promptly document, and distribute reports to the SAY San Diego Board of Directors regarding potential suspected non-compliance;
- To report any incidents of a serious nature immediately to the CEO, President, First Vice President and Second Vice President of the Board of Directors;
- To log suspected non-compliance and to conduct preliminary investigation as approved by the CEO and SAY San Diego Board of Directors;

- To preserve the anonymity of reporting SAY San Diego staff and/or clients to the extent reasonably possible;
- To develop annual prospective compliance and billing audit processes as approved by the SAY San Diego Board of Directors;
- To provide oversight of billing reviews conducted for SAY San Diego by internal auditors and consultation to external auditors/consultants;
- To perform retrospective “spot audits” of SAY San Diego records in the event of egregious behavior or as a required activity as approved by the SAY San Diego Board of Directors;
- To review SAY San Diego for compliance with statutory and regulatory requirements;
- To assist in developing corrective action plans to address SAY San Diego compliance issues;
- To report to the Board of Directors, as needed;
- To report to the SAY San Diego Board of Directors, at least four times a year, activities of the Compliance Committee, including any reported, suspected noncompliance, outcomes of audits and preliminary investigations and trends/results of SAY San Diego’s compliance efforts;
- To recommend changes and improvements to the Compliance Plan as needed, and to ensure annual board review of the Compliance Plan, seeking board approval for revisions to be finalized; and
- To perform other functions as delegated by the SAY San Diego Board of Directors.

d. **Privacy Officer:** This position is held by the Senior Director of Monitoring and Evaluation whose responsibilities include:

- Co-chair, monitor and champion the Compliance Committee and ensure completion of the above Compliance Committee work plan;
- Serve as SAY San Diego’s reporting contact for federal, state and local compliance oversight bodies. Serve as liaison to the external compliance/privacy/security consultants;
- Work with the Compliance Committee to coordinate and prepare reports for the SAY San Diego Board of Directors on all compliance activities, including periodic compliance audits performed in connection with the SAY San Diego Compliance Program.

e. **Chief Financial Officer** responsibilities include:

- Co-chair, monitor and champion the Compliance Committee and ensure completion of the above Compliance Committee work plan;
- Serve as the primary liaison to the external compliance human resource and legal consultants;
- Supervise the Security Officer;

- Be the primary staff contact for the board Audit Committee, as well as the consultants engaged to conduct the annual Independent Financial Audit;
 - Be the primary staff contact for contract reviews, revisions, audits, and management.
- f. **Security Officer:** This position is held by the Director of Information Technology whose primary responsibility is to:
- Ensure federal, state and local requirements are met for SAY's network/electronic infrastructure, hardware, software applications, and e-record keeping, storage and retention.
- g. **Privacy Points of Contact:** Each program unit's Vice President will identify one director/manager/supervisor to serve as the primary point of contact for their unit. Selected unit representatives may be eligible for a professional stipend due to the expectation for enhanced expertise and management of their unit's compliance work plan. Responsibilities will include, as needed:
- Training and professional development;
 - Coordination of required agency-wide annual trainings;
 - Team decision making and strategy meetings to determine, coordinate and document response to compliance issues;
 - Manage, facilitate, conduct, and support their unit's compliance peer review process for related programs, contracts, and subcontractors.
- h. **Directors and Managers:** Supervisors must discuss with each representative and outside contractor or subcontractor under their direct supervision:
- The Code of Conduct and the Compliance Plan;
 - The content of applicable manuals which may include but are not limited to Agency Policy and Procedure Manual (including an addendum to address County Client Privacy and Security Policies and Procedures), the Employee Handbook, the HIPAA Manual, Child and Youth Development Manual, the Youth, Adult and Family Wellness Unit Manual, the Clinical Staff and Intern Manual, procedures and requirements attendant to individual contracts;
 - The fact that adherence to these manuals is a condition of employment/contracting and appropriate disciplinary action will result from violation of the principles set forth in this compliance program, the Agency Policy and Procedures manuals, and other relevant manuals;
 - Core expectations of SAY San Diego's compliance program and the central importance of privacy, confidentiality and physical/security controls;
 - Representatives and employees must acknowledge awareness of the content of Policies and Procedures, Employee handbook, the Compliance Plan, and other relevant manuals by signing the "Acknowledgement of Receipt and Review of the Policies and

III. Training, Education and Communication

The Privacy Officer is responsible for ensuring that SAY San Diego compliance policies, and actions to ensure compliance with appropriate federal, state, and local laws, are disseminated and understood. To accomplish this objective, the Privacy Officer will work with the board, CEO, CFO and management, program units and billing organizations to provide a systematic and ongoing training program that enhances and maintains awareness of policies among existing staff and introduces new personnel to SAY San Diego policies. Training will be mandatory for all representatives, and a system will be developed to document that such training has been satisfactorily completed. Moreover, the Compliance Committee may require that all representatives attend training sessions on particular issues.

Specific processes include but are not limited to the following:

a. Dissemination and Communication:

The dissemination of this Compliance Plan shall be implemented and maintained on behalf of the board by the Privacy Officer. Dissemination to representatives will be by way of several avenues and includes, but is not limited to the following:

i. New Representatives:

- During general agency orientation, new representatives will be made aware of the Policies and Procedures Manual and the process for reviewing it. Upon review, representatives shall acknowledge by signing the “Acknowledgement of Receipt and Review of the Policies and Procedures Manual”;
- During unit specific orientation, representatives will familiarize themselves with other required manuals such as unit manuals, contract specific regulations, and other manuals referenced in the Policy and Procedures manual;
- During orientation, all representatives shall be made aware of the compliance program.

ii. Reaffirmation:

- New policies are created by the Policies and Procedures Committee and those that define standards for compliance are reviewed by the board. When new policies are created the Policy and Procedure manual is officially updated, the Privacy Officer is responsible to notify all representatives of the requirements to familiarize themselves with the changes and to re-sign the “Acknowledgement of Receipt and Review of the Policies and Procedures Manual.”

b. Training:

- i. The Compliance Committee shall provide related information/updates and/or conduct training quarterly regarding the policies and procedures manual and the compliance program.

- The training may be a dialogue among senior and middle management of the agency (Program Network) on the plan and how best to communicate and embed compliance throughout the agency;
 - ii. The Compliance Committee shall also conduct trainings, as needed, in response to new or changed situations, breaches, new regulations, etc.;
 - iii. All compliance program training documents shall be retained in the compliance filing system and in accordance with the document retention policy.
- c. **Board Communication and Training:**
- i. At least annually, the Board will receive training concerning the Code of Conduct and the standards for compliance.

IV. Conducting Internal Monitoring

a. **Annual Processes:**

Under the supervision of the Privacy Officer and CFO, a sample of client service records and corresponding bills for each program unit and each subcontractor will be reviewed periodically for compliance with SAY standards, and with legal and regulatory requirements. This review will take place at least annually. Moreover, on an annual basis, the Compliance Committee may engage an external compliance expert to review SAY San Diego's compliance processes. If any review identifies instances of possible non-compliance, the Privacy Officer will report this to the Compliance Committee to determine whether there has been any activity inconsistent with SAY San Diego policies. If, upon the conclusion of the committee's review, it appears that there are compliance concerns, a corrective action plan will be developed and approved by the Compliance Committee and implemented as quickly as possible. Any substantive breaches of policy, statute or regulation must be reported in writing and presented to the board at the next meeting of the board.

b. **On-Going Monitoring Systems:**

- i. **Contracts**
 - All contracts are reviewed by the CFO before execution, and as needed by the CEO, Privacy Officer, Director of Grants Management, and others;
 - If and when contract requirements generate changes to SAY San Diego policies, procedures and systems, etc., a full written report of such changes will be provided to the Executive Team, and written and other training resources provided to the program staff and all representatives;
 - Coordinated by the Privacy Officer and the Privacy Points of Contact, a peer review monitoring plan is established for each contract to annually review performance and compliance for each contract. The results of the regular reviews shall indicate deficiencies, strengths, and corrective action as needed. These results are shared with the Compliance Committee and the appropriate unit Vice President;

- Claims for payment based on these contracts are reviewed by both the unit Vice President and the Fiscal Department;
 - In addition, contracts with government sources are also subject to review by the funding source.
- ii. Subcontractor Claims
- A risk assessment is conducted on each subcontract to identify the highest areas of risk of non-compliance. This is done by the Program Manager, with the support of the supervising Vice President, and Privacy Officer as needed;
 - Subcontracts are reviewed by the CFO, unit Vice Presidents, and Program Managers to ensure they meet SAY San Diego requirements;
 - All claims for reimbursement from subcontractors are reviewed by the Senior Director of Finance; all performance-based claims are reviewed by the Program Director prior to submission for payment.
 - Regular review of subcontractors is conducted by the supervising Program Manager, and Director of Finance. Results of these reviews are shared with the Privacy Officer, the appropriate Unit VPs, Program Managers and Directors, and the Subcontractor.
- iii. Vendor Agreements/Service Contracts
- Vendor agreements and service contracts are reviewed by the CFO and/or fiscal department for budget alignment, reasonableness and potential conflicts of interest;
 - After fiscal review these agreements and contracts are forwarded to the appropriate Unit VP for further review and signature.
- iv. Screening, Eligibility and Certifications
- The HR department, as part of the hiring process establishes screening and eligibility requirements for each position. These include but are not limited to debarments, DMV records, Live Scan Fingerprinting, TB tests, criminal background checks, required licenses and certifications, immunization clearances and other requirements;
 - The HR department maintains records, tracks renewal dates, and provides notifications of required renewals to staff concerning screening, eligibility and certifications;
 - The Compliance Committee monitors a periodic representative snapshot of timely renewals and completion of appropriate screening and certification requirements at the time of hiring.
- v. Fiscal Policies and Procedures
- Fiscal Policies and Procedures contain checks and balances to prevent fraud, theft and reduce any risks related to mistakes and losses;
 - An independent CPA audits the annual financial report, the financial status of the agency, its compliance with generally accepted accounting principles and its adherence to its own fiscal policies;

- The resultant audit, after being presented to the Board, becomes part of the compliance file. The audited financial statements will be available for inspection within nine months after the close of the fiscal year;
 - Any findings from the annual audit of the 403(b) Plan will be reported to the board;
 - The Finance Committee of the board is responsible for the development, review and acceptance of the operating budget for the agency at least annually;
 - The Finance Committee is also responsible for the development and periodic review of the agency's [Investment Policy](#) and recommendations related to any monies to be invested by the agency;
 - In addition, contracts with government sources are also subject to financial review by the funding source.
- vi. Reporting and Corrective Actions
- If any review identifies instances of possible non-compliance, the Privacy Officer will report that fact to the Compliance Committee. The Privacy Officer will collaborate with the appropriate Committee members to review the situation to determine whether there has been any activity inconsistent with SAY San Diego policies. If, upon the conclusion of the review, it appears that there are compliance concerns, a corrective action plan will be recommended by the Committee and approved by the Unit VP, CEO, and board as quickly as possible.

V. Reporting of Suspected Compliance Issues

SAY San Diego maintains an open-door policy with respect to receiving any and all information regarding suspected non-compliance of billing, contractual, and statutory requirements, and/or ethical standards. SAY San Diego staff must report any activity which they believe is in violation to one or more of the following staff: the unit VP of the appropriate operating unit, the President or Vice Presidents of the board, the CFO, the Compliance Hotline, or the Privacy Officer. The Privacy Officer must be notified of any report concerning activities identified by a SAY San Diego staff member/representative as possibly in violation of SAY San Diego policies, billing policies or legal requirements.

All suspected violations or questionable conduct may be reported in person, by phone, or in writing by mail or via email.

- The identity of the individual reporting suspected violations shall be held confidentially. Yet, the reporting individual/author need not provide his or her name;
- Communication of violations shall be treated as privileged to the extent permitted by law;
- SAY San Diego prohibits any retaliatory action against any representative or contractor for making a good faith report of suspected violations or of questionable conduct;
- Representatives may not use reports as a means of insulating themselves from the consequences of their own violations or misconduct;

- A representative reporting his or her own violation or misconduct will be held accountable for his or her actions but will not be subject to greater than normal discipline or sanctions as a result of the self-reporting.

The **Privacy Officer** position is held by the Senior Director of Monitoring and Evaluation. Contact information may be found in the current SAY San Diego global directory.

The **Security Officer** position is held by the Director of Information Technology. Contact information may be found in the current SAY San Diego global directory.

The **Compliance Hotline** shall be maintained by the Privacy Officer. The number for the confidential Hotline is: 858- 565-4148 Ext. 228.

Suspected violations may also be reported to **the California State Attorney General's Whistleblower Hotline at 1-800-952-5225**. The Attorney General will refer your call to the appropriate government authority for review and possible investigation.

For Board information, please contact the Senior Manager of Administration.

VI. Response and Modification

The Privacy Officer shall, upon verifying the fact of a violation, document the information and notify the Board of Directors as appropriate.

The Privacy Officer shall coordinate the determination of a response as soon as practical, which shall include, but not be limited to:

- Investigating all aspects of the suspected violation;
- Preparing recommendations for a remedy with the Compliance Committee, which may include a corrective action in accordance with the Policies and Procedures Manual;
- Notifying the Board of Directors (if applicable); and
- Considering the advisability of disclosing the incident to potentially interested governmental agencies, as well as constituents knowingly or unknowingly affected by the incident if necessary.

In more severe cases, the Privacy Officer shall request assistance from the Board of Directors in determining a response. In all cases, the Privacy Officer can seek such assistance from the Compliance Committee, and the board shall be informed that a response is being formulated.

SAY San Diego shall amend, if necessary, the Compliance Plan and any related policies and standards in an effort to avoid any future recurrence of a violation.

VII. Disciplinary Standards

Any Representative or Contractor engaging in a violation of any law or regulation (depending on the magnitude of the violation) may be terminated from employment or engagement. SAY San Diego shall accord no weight to a Representative's or Contractor's claim that any improper conduct was undertaken for the benefit of SAY San Diego. Any such conduct is not for SAY San Diego's benefit and is expressly prohibited. Where appropriate, discipline shall be enforced against Representative(s) or Contractor(s) for failing to detect or report wrongdoing. The standards established in this Compliance Plan shall be consistently enforced through disciplinary proceedings and sanctions. These may include informal reprimands, formal reprimands, demotion, financial penalties, suspension, and termination, consistent with the agency's documented policies.

VIII. Government Investigations

SAY San Diego shall fully comply with the law and cooperate with any appropriate request by a government agency. If any representative or contractor receives any inquiry, a subpoena, or other agency request for information regarding SAY San Diego pursuant to a government investigation, at the workplace or home, the representative or contractor shall notify the Privacy Officer. In turn the Privacy Officer will notify the CEO, Compliance Committee and/or Board Officers, as appropriate to the circumstances of the request. A SAY San Diego representative or contractor may retain his or her own counsel to accompany the representative or contractor to any interview with government agents and SAY San Diego shall be entitled to send its own counsel to the interview. SAY San Diego representatives and contractors have the right to request a consultation with the Privacy Officer or to retain counsel.