

Using Plain Language to Meet Compliance and Ethical Standards in Higher Education

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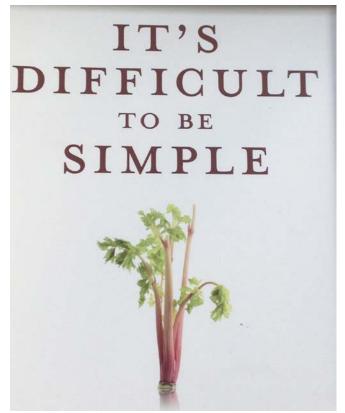




OF CALIFORNIA

Ethics, Compliance & Audit Symposium REACHING NEW HEIGHTS





High-quality learning environments are a necessary precondition for the facilitation and enhancement of the ongoing learning process.



Good schools facilitate and enhance the learning process.

Children learn best in good schools.

2. A party who is innocent of any illegal intention may not be left without any remedy.

I won't even bother.





- 2. What are the problems?
- 3. What laws | regs require plain language?
- 4. What are plain language strategies
- 5. How can universities benefit?



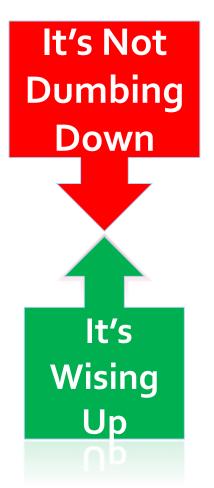
1. What is plain language?

Plain language is the use of proven writing and designing strategies that make it easy for the intended audience to find, understand, and use information.

Clear | Credible | Concise



Myths about plain language



If it's easy to understand, people will think we're not smart.

It can't be clear and legal at the same time.

Concept: Truth

- Disclosure ≠ Communication
- Information ≠ Comprehension
- Facts and Accuracy ≠ Clarity
- "Transparent" ≠ Ethical



Concept: Emotions

- Anger
- Confusion
- Fatigue
- Frustration
- Expectations
- Helplessness



https://studentaid.ed.gov/sa/sites/default/files/2020-21-fafsa.pdf

Concept: Audience | Readers



Concept: Audience | Readers

BEFORE: Neither the Complainant the Respondent equired to participate in the resolution process outlined in these procedures. The University will not draw any adverse inferences and a Complainant or Respondent's decision not to participate or to remain silent during the process. An investigator or hearing officer will reach findings and conclusions based on the information available.

AFTER: An investigator or hearing office will come to conclusions based only on the available information. However, whether you are the Complainant (the person making the complaint) or the Respondent (the person responding to a complaint), neither of you have to participate in the process. For example, you may choose to remain silent. If you decide not to participate, we will not assume any negative motives to your choice.

Concept: Context

- False value of complexity
- Faculty, student, staff time
- Admin communication
- Benefit explanations
- Financial aid applications and information
- University code of ethics
- Information for the public
- Mitigating risk vs communicating effectively





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Concept: Brand



https://admission.universityofcalifornia.edu/terms-of-use.html

2. What Could We Improve?

- Assumptions about audience
- Long sentences (40+ words)
- Dense paragraphs
- Clear steps | processes
- Wordiness
- Jargon, legalese, or bureaucratic-speak
- Sound helpful
- More headings and lists
- Design that aids readability | skim-ability
- Tables, graphs, visuals



University of California Policy Sexual Violence and Sexual Harassment

C. Conduct That Violates This Policy (page 9)

This Policy prohibits sexual violence, sexual harassment, retaliation and other prohibited behavior as defined in Section II. Incidents that violate this Policy may occur between any members of the University community, including faculty and other academic appointees, staff, student employees, students, coaches, doctors, residents and interns, as well as third parties; individuals in hierarchical relationships and peers; individuals of any gender, gender identity, or sexual orientation; and strangers and non-strangers.

C. Conduct That Violates This Policy (page 9)

As defined in Section II (Definitions, page 2), this Policy prohibits the following:

- Sexual violence
- Sexual harassment

- Retaliation
- Other behavior

Incidents that violate this Policy may occur between *any members* of the University community including the following:

- Faculty and other academic appointees
- Staff
- Student employees
- Students
- Coaches

- Doctors
- Residents
- Interns
- Third parties
- Persons in positions of power

- Any gender, gender identity, or sexual orientation
- Strangers and non-strangers

Results of Testing

TEST FOR	BEFORE	AFTER
# of words	70.00	62.00
# of sentences	2.00	5.00
Average # words per sentence	35.00	-13.20
Grade level	21.84	12.80
Flesch Reading Ease	-3.90	49.00

3. What laws | regulations require "clear and conspicuous"?

- HIPAA
- ERISA
- Dodd-Frank
- DOL 401(k) Fee Disclosure
- Plain Writing Act of 2010
- FAFSA
- US Department of Education
- Federal Trade Commission
- FDIC
- HECA https://www.higheredcompliance.org/compliance-matrix/

Compliance Policies and Procedures Best Practices

"Additional best practice tips for implementing and maintaining compliance policies and procedures include:

- Use policy templates to keep the look and format of your organization's documents consistent.
- Write documents to be user-friendly and easy to follow."

https://www.complianceresource.com/publications/written-policies-and-procedures-the-foundation-of-compliance/



4. What are plain language strategies?

- 1. Write for intended audiences
- 2. Organize for readers' needs
- 3. Use active voice, pronouns, positive language

A Plain English Handbook

How to create clear SEC disclosure documents

- 4. Be succinct
- 5. Avoid jargon: use common words
- 6. Write short sentences (15-18 words)
- 7. Write short paragraphs (up to 5 sentences)
- 8. Use headings (3-5 per page) and lists (bullets #s)
- 9. Include visuals (tables, figures, etc.)
- 10. Test with members of intended audience

Organize for Readers

PRINCETON UNIVERSITY Admission Office

MAILING ADDRESS: Box 430, Princeton, New Jersey 08544-0430

OFFICE: 110 West College

TELEPHONE: 609-258-3060 FACSIMILE: 609-258-6743

Fred A. Hargadon Dean of Admission in trans and January 2001s

December, 2005

Steve LeMenager Acting Dean of Admission.

Dear Sam,

Yes!

We are happy to offer you admission to Princeton University and are delighted to welcome you as a member of the class of 2005.

Sincerely,

Steve LeMenager Acting Dean of Admissions

Organize for Easier Reading

7. Ethical Conduct of Research

All members of the University community engaged in research are expected to conduct their research with integrity and intellectual honesty at all times and with appropriate regard for human and animal subjects. To protect the rights of human subjects, all research involving human subjects is to be reviewed by institutional review boards. Similarly, to protect the welfare of animal subjects, all research involving animal subjects is to be reviewed by institutional animal care and use committees. The University prohibits research misconduct. Members of the University community engaged in research are not to: fabricate data or results; change or knowingly omit data or results to misrepresent results in the research record; or intentionally misappropriate the ideas, writings, research, or findings of others. All those engaged in research are expected to pursue the advancement of knowledge while meeting the highest standards of honesty, accuracy, and objectivity. They are also expected to demonstrate accountability for sponsors' funds and to comply with specific terms and conditions of contracts and grants.



All research members of the University community must

- Conduct their research with integrity, intellectual honesty, accuracy, and objectivity.
- Engage in research that advances knowledge in the field;
- Demonstrate accountability for sponsors' funds.
- comply with specific terms and conditions of contracts and grants.
- Have the appropriate regard for human and animal subjects.

The University's review boards will review all research with humans. The University's animal care and use committees will review research with animals.

Members of the University community engaged in research must not

- Fabricate data or results.
- Change or knowingly omit data or results to misrepresent results in the research record.
- Intentionally use the ideas, writings, research, or findings of others without citations.



Use common words and phrases

BEFORE: NO PERSON HAS BEEN AUTHORIZED TO GIVE ANY INFORMATION OR MAKE ANY FOR REPRESENTATION OTHER THAN THOSE CONTAINED OR INCORPORATED BY REFERENCE THIS BULLETIN OF POLICIES, AND, IF GIVEN OR MADE, SUCH INFORMATION OR REPRESENTATION MUST NOT BE RELIED UPON AS HAVING BEEN AUTHORIZED.

AFTER: You should rely only on the information contained in, or referred to, in this policy or that we have referred you to. We have not authorized anyone to give you different information. 16 words average; two sentences

Use positive language

Do not remain seated.

True or False?

It is not true that the Constitution does not discuss the separation of church and state.

If you do not agree to these terms of use, you may not post information to this site.

You must agree to these terms in order to post information to this site.

Use visual elements

- 43% likely to be persuaded
- 25 40% less time
- 38% better retention
- satisfies two modes of processing information



COMPENSATION DISCUSSION AND ANALYSIS

Overview

In this section we review our plans and programs for compensating the company's executive officers who are named in the Summary Compensation Table that appears under the caption "Executive Compensation." These "named executive officers" are Donald E. Felsinger, Chairman and Chief Executive Officer; Neal E. Schmale, President and Chief Operating Officer: Edwin A. Guiles, Executive Vice President-Corporate Development; Mark A. Snell, Executive Vice President and Chief Financial Officer; and Javade Chaudhri, Executive Vice President, General Counsel and Chief Environmental Officer.

Compensation Committee Responsibilities

The Compensation Committee of our Board of Directors has the central role in determining all aspects of executive compensation. The committee makes recommendations to the board with respect to the overall compensation program for officers, including incentive compensation plans, equity-based plans, severance plans, deferred compensation arrangements, retirement benefits, perquisites and any other compensation programs that primarily benefit officers. The committee reviews and approves corporate goals and objectives relevant to the compensation of the company's Chief Executive Officer (CEO) and the other named executive officers. The committee also evaluates the CEO's performance in light of these goals and objectives. Based on individual and company performance, competitive compensation information and other considerations, the committee makes recommendations on CEO pay for approval by the board. The committee tracks the total compensation of each named executive officer by reviewing, at least once a year, tally sheets that summarize the major elements of compensation. In addition, the committee is responsible for reviewing and making recommendations to the board with respect to new or amended broad-based, "qualified" benefit plans and programs and for reporting to the board annually on succession planning.

The committee establishes its upcoming meeting dates and agenda items annually. The committee's chair approves the agenda prior to each meeting. The committee operates under a charter that it reviews annually. Changes to the charter are recommended by the committee and must be approved by the board. The most recent review was in June 2006, at which time no changes were made. The charter may be found on our website at www.sempra.com/aboutUs/gov charterCompensation.htm.

The committee is currently comprised of four directors, each of whom has been determined by the board to be an independent director under independence standards established by the New York Stock Exchange, an outside director under Section 162 (m) of the Internal Revenue Code, and a non-employee director under Rule 16b-3 under the Securities Exchange Act of 1934. For 2006, the members of the committee were William C. Rusnack, committee chair, Richard A. Collato, William G. Ouchi and William P. Rutledge.

Advisors to the Committee

The Compensation Committee has sole authority for compensating, retaining and terminating outside consultants and advisors who assist the committee in performing its responsibilities. Since the creation of Sempra Energy in 1998, the committee has retained an outside consultant to advise it on matters of executive compensation. Hewitt Associates, an internationally recognized compensation and benefits consulting firm, has filled the role of outside consultant to the committee since 2001. A representative of Hewitt attended all committee meetings in 2006 and met in executive session with the committee members several times during 2006 as well as in previous years. Management provides all material for each committee meeting to the consultant, and he is available to consult with the committee and address any questions, concerns or other issues.

Hewitt Associates provides competitive data on compensation and relative performance of peer group companies, recommends pay programs and salary increase budgets, makes presentations on regulatory and

COMPENSATION DISCUSSION AND ANALYSIS

EXECUTIVE SUMMARY

Sempra's Compensation Committee of the Board ("the Committee") establishes our overall executive compensation philosophy. Our philosophy emphasizes:

- · Pay-for-performance
- Performance-based incentives that closely align the interests of executives and shareholders
- Balance between short-term and long-term compensation that reward long-term strategic results and encourages share
- Shared risk, through equity and other performance-based incentives, which impacts executive compensation levels as

Our executive compensation programs support the attraction motivation and retention of key executive talent Our program goals include:

- · Attracting and retaining executives of outstanding ability and utegrity and othics
- Aligning compensation with the performance of the company and the interests of shareholders Motivating executives to achieve superior performance
- Strongly linking executive compensation to both annual and long-term corporate, business unit and individual performance

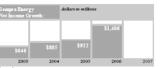
The Committee uses net income as the primary measure of short term or annual incentive plans. The key measures for the long-term incentive plans are stock price appreciation and total return to shareholders (TRS).

Sempra's performance determines whether our compensation programs are effective. We measure performance by net income growth, stock price appreciation, and total shareholder return, which has been strong and consistent since the creation of Sempra in

As Table 1 shows, Sempra's TRS for the past five years is 200%. Based on these TRS results, the company has performed in the top quartile of S&P 500 companies

Total Return to Shareholders	Sempra Energy	S&P 500 Utilities	S&P 500
2003	32%	26%	29%
2004	26%	24%	11%
2005	26%	17%	5%
2006	28%	21%	16%
2007	13%	19%	5%
Five-year Cumulative	200%	165%	83%

As shown in Figure 1, net income results have also been consistently outstanding. Compensation for the executive officers has reflected Sempra's performance.



COMPENSATION COMMITTEE: ROLES AND RESPONSIBILITIES

The Compensation Committee's primary role is to determine all aspects of compensation for our named executive officers.

Four Directors currently sit on this Committee. Each Director has been determined to be an independent, outside director

- independence standards established by the New York Stock Exchange and
- Section 162(m) of the Internal Revenue Code and non-employee directors under Rule 16b-3 under the Securities Exchange Act of 1934.

The Compensation Committee holds four regularly scheduled meetings each year, with additional meetings scheduled when required. At each meeting, the Committee considers standing agenda items and addresses other timely and pertinent topics. The Committee Chair approves the agenda prior to each

The Committee also

- sets its meeting dates and agenda items annually
- operates under a charter that it reviews annually
- meets in executive session at each meeting without management
- recommends changes to the Board for approval as

The most recent review was in June 2007, at which time the Committee made no changes.

The Committee's charter is located on our website at: www.sempra.com/aboutUs/gov_charterCompensation.htm

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- A. Procedures for Reporting and Responding to Reports of Prohibited Conduct ...The specific procedures for investigating and adjudicating Prohibited Conduct are based upon the identity of the Respondent and the nature of the Respondent's relationship to the University.
- Where the Respondent is a student, the procedures for responding to reports of Prohibited Conduct are detailed in <u>Appendix E: Sexual Violence</u> <u>and Sexual Harassment Student Adjudication Framework</u> of the Policies Applying to Campus Activities, Organizations, and Students, and local implementing procedures.
- Where the Respondent is a faculty member, the procedures for responding to reports of Prohibited Conduct are detailed in the Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Senate and Non- Senate Faculty, and local implementing procedures.
- Where the Respondent is a staff member or non-faculty academic employee, the procedures for responding to reports of Prohibited Conduct are detailed in the Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel, and local implementing procedures. 151 words

A. How to Report and Respond to Reports of Prohibited Conduct How we investigate and judge Prohibited Conduct depends on who the Respondent is and their relationship to the University. The following table shows you where to find the information for responding to a reported

Who are You?	Where Do You Find the Process For Responding to an SVSH Report?
Student	Appendix E: Sexual Violence and Sexual Harassment
	Student Adjudication Framework of the Policies
	Applying to Campus Activities, Organizations, and
	Students, and local procedures.
Faculty	Sexual Violence and Sexual Harassment Investigation
	and Adjudication Framework for Senate and Non-
	Senate Faculty, and local procedures.
Staff or Non-	Sexual Violence and Sexual Harassment Investigation and
Academic	Adjudication Framework for Staff and Non-Faculty
Employee	Academic Personnel, and local procedures. 117 words

incident:

Use headings

Make a statement:

 Reimbursement for University Travel

Call to action:

 Getting Reimbursed for University Travel



Ask a question:

How to Get Reimbursed for University Travel?

D. Reimbursement Standards

It is the policy of the University that all official travel shall be properly authorized, reported, and reimbursed in accordance with this Bulletin. Under no circumstances shall expenses for personal travel be charged to, or be temporarily funded by, the University, unless otherwise noted in this Bulletin. When a University employee travels under the sponsorship of a non-University entity, travel expenses, including advances, prepayments, or billings, shall not be charged to a University account or billed to the University; airline tickets must be obtained from the sponsor.

University employees traveling on official business shall observe normally accepted standards of propriety in the type and manner of expenses they incur. In addition, it is the traveler's responsibility to report his or her actual travel expenses in a responsible and ethical manner, in accordance with the regulations set forth in this Bulletin.

The University's travel reimbursement procedures contained in this Bulletin are designed to conform to the "accountable plan" rules published by the Internal Revenue Service (IRS). Therefore, University reimbursement of an employee's travel expenses shall not result in additional taxable income to the employee. Travel expenses considered by the IRS to be taxable income to the traveler are not reimbursable except for the following:

Expenses for travel in excess of one year or

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University Travel Policies. All official travel must be authorized, reported, and reimbursed according to University Policy. Unless we reach another agreement, the University will not reimburse or fund personal travel expenses.

Non-University Entities: If a University employee's travel is sponsored by a non-University entity, no travel expenses, including airline tickets, advances, prepayments, or billings, should be charged or billed to the University.

Expense Standards: University employees traveling on official business must use normally accepted standards in the type and manner of expenses they incur. In addition, travelers must report their travel expenses accurately and ethically.

IRS Rules: The University's travel reimbursement procedures conform to the "accountable plan" rules that the Internal Revenue Service (IRS) published. Therefore, reimbursing an employee's travel expenses must not result in additional taxable income to the employee. However, the IRS does consider some types of travel expenses to be both taxable and reimbursable:

Expenses for travel in excel of one year...

Use lists

Bullets:

All items of equal value

Numbers:

- Chronology
- Priority
- Steps

mentioned in intro phrase:

Three factors influence our decision: 2. Item Two

1. Item One

Item Three

Standards of ethical conduct:

5. Compliance with applicable university policies, procedures and other forms of guidance

University policies and procedures are designed to inform our everyday responsibilities, to set minimum standards and to give University community members notice of expectations. Members of the University community are expected to transact all University business in conformance with policies and procedures and accordingly have an obligation to become familiar with those that bear on their areas of responsibility. Each member is expected to seek clarification on a policy or other University directive he or she finds to be unclear, outdated or at odds with University objectives. It is not acceptable to ignore or disobey policies if one is not in agreement with them, or to avoid compliance by deliberately seeking loopholes. 112 words

Standards of ethical conduct:

5. Complying with university policies, procedures, and other guidance

University policies and procedures

WHAT?

- Explain our everyday responsibilities,
- Set minimum standards, and
- Establish expectations of university behavior.

Members of the University community **must**

WHO?

- Conform with University policies and procedures,
- Understand policies and procedures that affect areas of responsibility,
- Seek to clarify a policy or University directive that is unclear, outdated, or at odds with University objectives.

We may not ignore or disobey policies even if we disagree with them. We also may not avoid complying by looking for loopholes.

WHY?

79 words



TEST FOR	BEFORE	AFTER
# of words	112	79
# of sentences	16	19
Average # words per sentence	26	14
Grade level	23	15

Conduct usability tests

- Test with real users
- 12 people are enough

- Revise based on feedback
- Decrease call-ins, confusion, misinformation
- Increase clarity, compliance, goodwill, trust

5. How Can Universities Benefit?

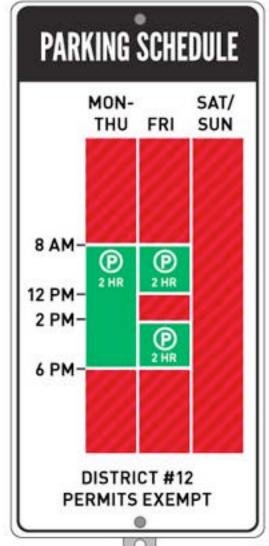
Meet or exceed compliance | legal requirements

- Be truly transparent | ethical
- Increase public trust
- Make values clear
- Maintain integrity
- Manage risk
- Increase satisfaction
- Affect the bottom line









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