

# 2022 Top Risks Report: Insights for Higher Education



*Each year, United Educators (UE) invites members to share their institution's most pressing risks in the Top Risks Survey. This year's list of top risks reflects responses from 105 colleges and universities that completed the survey in September 2022. Percentages in this report show the percent of respondents who identified a given risk. Because respondents listed five risks and some questions were optional, percentages do not always total 100%.*

#### **Notable changes since the 2020-21 survey include:**

- Recruitment and Hiring jumped from 14<sup>th</sup> place to third.
- Student Mental Health, included in the survey for the first time this year, ranked fifth.
- External Pressures, a set of responses about economic, political, and societal influences, returned to the top 10 after a two-year absence.
- Sexual misconduct risks have shrunk in priority in this year's survey, with Title IX slipping to 10<sup>th</sup> and Sexual Misconduct — which includes sexual harassment and sexual abuse — falling to 18<sup>th</sup>.
- COVID-19 and Future Pandemics was third last year but fell to 20<sup>th</sup> this year.

**In addition**, this year's survey asked questions about the dual effects of the return to campus after the peak of the pandemic and labor market instability on risk management. About half of respondents feel that their risk management functions are ready for current challenges. However, the other half are seeing more incidents than expected and are concerned that labor market stresses affect their ability to manage liability risks.

Use the data in this report to start discussions about your institution's top risks and benchmark against peers. Each risk listed includes links to UE resources, some of which require a member login.

### **Top 10 Risks of 2022**

1. Enrollment
2. Data Security
3. Recruitment and Hiring
4. Operational Pressures
5. Student Mental Health
6. External Pressures
7. Regulatory and Legal Compliance (Non-VAWA/Title IX)
8. Facilities and Deferred Maintenance
9. Public Safety
10. Title IX

**Methodology Note:** In past years, Risk Management Premium Credit (RMPC) program participants completed the Top Risks Survey as part of the [program](#). RMPC program surveys were open for more than a year so all participants could respond. The 2022 Top Risks Survey, however, was conducted outside of the program over the course of three weeks. This report's results are more representative of a single point in time, but fewer UE members responded compared to prior years.

# Top 10 Risks: Higher Education

## 01. Enrollment

67%

Risks affecting new student admission and retention of current students

### UE Resources:

[Reputational Risk Toolkit](#)

[How Higher Ed Institutions Can Respond to "Operation Varsity Blues"](#)

### Mitigation Efforts:

- Evaluate and expand program offerings.
- Change discounting and pricing strategies.
- Enhance student retention programs and tools, including mental health support.
- Strengthen relationships with local schools and transfer partners.
- Streamline the application process.

## 02. Data Security

65%

Information technology risks such as data breaches, phishing, accidental disclosure of personal data, ransomware, and hacking

### UE Resources:

[Data Security Course Collection](#)

[Manage the Risks of Remote Learning in Higher Education](#)

[Don't Take the Bait: Defending Institutional Data from Phishing](#)

[Cybersecurity Ransomware Attack Tabletop Scenario \(login required\)](#)

### Mitigation Efforts:

- Hire more cybersecurity staff.
- Conduct data security training.
- Create or update data governance strategy.
- Conduct third-party risk assessments.
- Practice ransomware and network outage response plans.
- Update software and hardware systems.

## 03. Recruitment and Hiring

50%

Risks related to maintaining a talented staff and faculty workforce

### UE Resources:

[Considerations in Skills-Based Hiring](#)

[Supporting Employee Mental Health Issues](#)

[Avoid Sex-Based Faculty Pay Discrimination](#)

[Employee Burnout Is a Risk Management Issue](#)

### Mitigation Efforts:

- Increase pay, benefits, and work schedule flexibility.
- Conduct a compensation study.
- Consider non-traditional experience and skills for job applicants.
- Outsource administrative functions to third parties.
- Recruit and re-hire retirees.
- Offer employee mental health support.

# Top 10 Risks: Higher Education

## 04. Operational Pressures 42%

Risks created by constraints on institutional processes and the institution's business model

### UE Resources:

[Guide to Manage Risks Associated With Program Change](#)  
[Academic Closures With Husch Blackwell](#)  
[Enterprise Risk Management Resource Collection](#)

### Mitigation Efforts:

- Consider partnerships, mergers, and acquisitions.
- Adjust procurement practices to reduce costs.
- Review your tuition pricing model and financial aid strategy.
- Expand auxiliary revenue streams.
- Restructure organizational functions.
- Improve cost controls.

## 05. Student Mental Health 24%

Risks related to students' mental and emotional well-being, including mental illnesses and suicide

### UE Resources:

[Student Mental Health Resource Collection](#)  
[Fostering Student Mental Health](#)  
[Student Suicide Tabletop Scenario \(login required\)](#)  
[Prevent and Respond to Fentanyl Overdoses](#)  
[Pandemic Trends in Student Alcohol Misuse](#)  
[ProResponse®](#)

### Mitigation Efforts:

- Train faculty and staff to support students' mental health.
- Launch social skill development programs for students.
- Contract with remote counseling providers.
- Create mental health programs to support marginalized identity groups.
- Conduct mental health climate surveys.
- Practice substance misuse and suicide response plans.

## 06. External Pressures 22%

Risks related to societal forces beyond an institution's control, including economic, political, and cultural influences

### UE Resources:

[Enterprise Risk Management Resource Collection](#)  
[Addressing Demonstrations on Campus](#)  
[Reputational Risk Toolkit](#)

### Mitigation Efforts:

- Communicate the value of education to students, families, and community leaders.
- Plan for demonstrations and controversial events on campus.
- Engage faculty in public communication guidelines.
- Change your endowment draw rate.
- Engage with the surrounding community.
- Procure supplies from vendors with steadier supply chains.

# Top 10 Risks: Higher Education

## 07. Regulatory and Legal Compliance (Non-VAWA/Title IX) 17%

Risks involving noncompliance with federal, state, and local regulations and other elective accountability authorities

### UE Resources:

[Guide to Campus Telehealth Risk Mitigation](#)  
[New DOJ Guidance on Web Content Accessibility](#)  
[Complying With the Telephone Consumer Protection Act](#)  
[Understand Your Duty to Make Technology Accessible](#)  
[FERPA: Protecting Student Privacy](#)

### Mitigation Efforts:

- Establish a risk and compliance committee.
- Centralize the compliance program.
- Consult with outside counsel.
- Update electronic privacy and record retention policies.
- Continue training and increase awareness.
- Improve research compliance policies and procedures.

## 08. Facilities and Deferred Maintenance 15%

Risks concerning outdated facilities and new construction, including inadequate facilities to achieve the institution's mission

### UE Resources:

[Slips and Falls Resource Collection](#)  
[Slips, Trips, and Falls Course Collection](#)  
[Take Inventory of Your Off-Campus Real Estate](#)  
[Campus Parking Lots: Common But Risky Locations](#)  
[Adopt Tree Assessment and Removal Policies and Practices](#)

### Mitigation Efforts:

- Conduct campus hazard walkthroughs.
- Implement a hazard reporting system.
- Repurpose existing buildings for low-occupancy use.
- Increase funding for deferred maintenance.
- Partner with property developers.

## 09. Public Safety 14%

Risks related to crime and safety for the institution community and guests, including active assailants

### UE Resources:

[Campus Violence Risk Management Resource Collection](#)  
[Active Shooter Tabletop Scenarios \(login required\)](#)  
[Increased Risks and Costs of Arming Educators](#)  
[ProResponse®](#)

### Mitigation Efforts:

- Increase monitoring of campus grounds and facilities.
- Enhance campus and building access security.
- Change the scope of your campus safety office's work.
- Practice crime and safety incident response.
- Increase collaboration with emergency responders.
- Expand security patrols and monitoring to off-campus locations.

# Top 10 Risks: Higher Education

## 10. Title IX

13%

Risks related to sex discrimination

### UE Resources:

[Title IX and VAWA-Campus SaVE Act Resource Collection](#)  
[Department of Education Releases 2022 Proposed Title IX Regulations](#)

### Mitigation Efforts:

- Increase staffing and pay in the Title IX office.
- Increase qualifications of the lead Title IX coordinator.
- Expand Title IX training and information sessions.
- Implement bystander training for students.
- Seek third-party advisors on Title IX investigations and decisions.
- Conduct campus climate surveys.

## Changes Since 2018

Rank	2022 Top Risks*	Rank in 2020-21	Rank in 2019-20	Rank in 2018-19
1	Enrollment	1	1	1
2	Data Security	2	2	4
3	Recruitment and Hiring	Not ranked	9	Not ranked
4	Operational Pressures	4	6	3
5	Student Mental Health	New in 2022**		
6	External Pressures	Not ranked	Not ranked	7
7	Regulatory and Legal Compliance (Non-Title IX/VAWA)	7	5	8
8	Facilities and Deferred Maintenance	6	4	Not ranked
9	Public Safety	10	Not ranked	10
10	Title IX	8	3	5

\* This year's survey was conducted in September 2022. Prior surveys extended across two years.

\*\*In prior surveys, Student Health and Safety covered both Student Mental Health and Student Physical Health, which were considered separate categories this year. Student Health and Safety never ranked in the top 10.

## Emerging Risks

Survey participants also were asked to identify newly emerging or evolving risks that they think will become more urgent over the next few years.

Top responses included:



**Political climate and adversarial regulation**



**Data security and ransomware**



**Student mental health**



**Public perception of higher education**



**Climate change**

## Risk Management Challenges

This year's survey asked respondents to choose their biggest risk management challenge from commonly cited themes. While "staff unavailability, burnout, or turnover" was the most common choice, responses were distributed across options.

### Out of the options below, what is currently the biggest challenge for your institution's risk management operations?

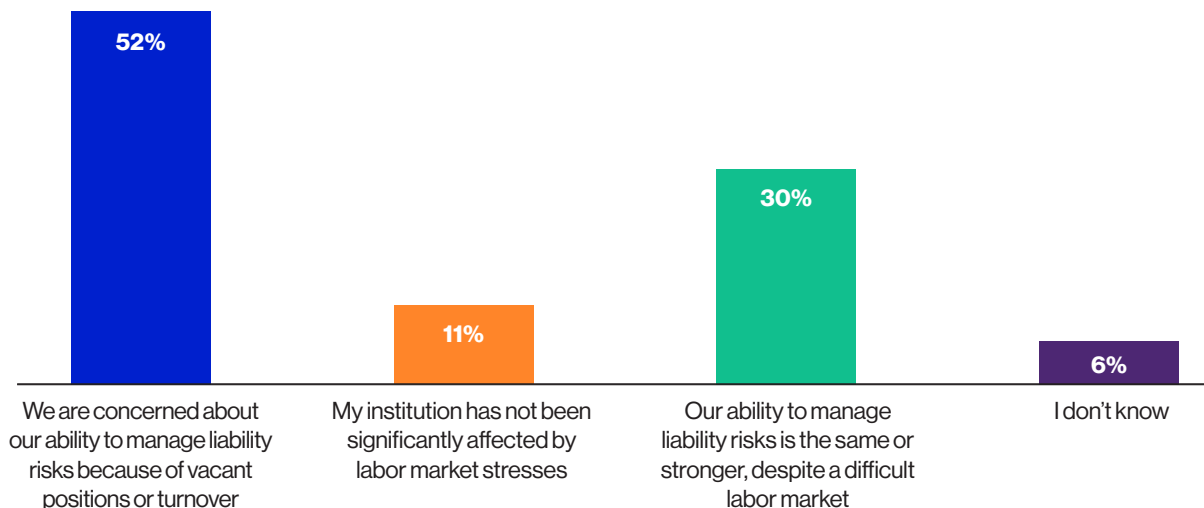
Staff unavailability, burnout, or turnover	31%
Institutional silos	24%
Lack of financial resources	21%
Limited leadership buy-in for risk management	12%
Insufficient risk management technology	8%
Lack of data on risks and/or risk management functions	4%

## Risk Management, Staffing, and Return to Campus

Respondents estimated the change in the number of people on campus each day and the number of incidents involving an injury relative to before the pandemic. Most respondents (70%) said that campus activity remains below pre-pandemic norms. However, a substantial percentage of respondents (45%) saw a disproportionately large increase in the number of incidents involving an injury, relative to the number of people on campus. This suggests that some risk management teams are trying to catch up to the return to campus operations.

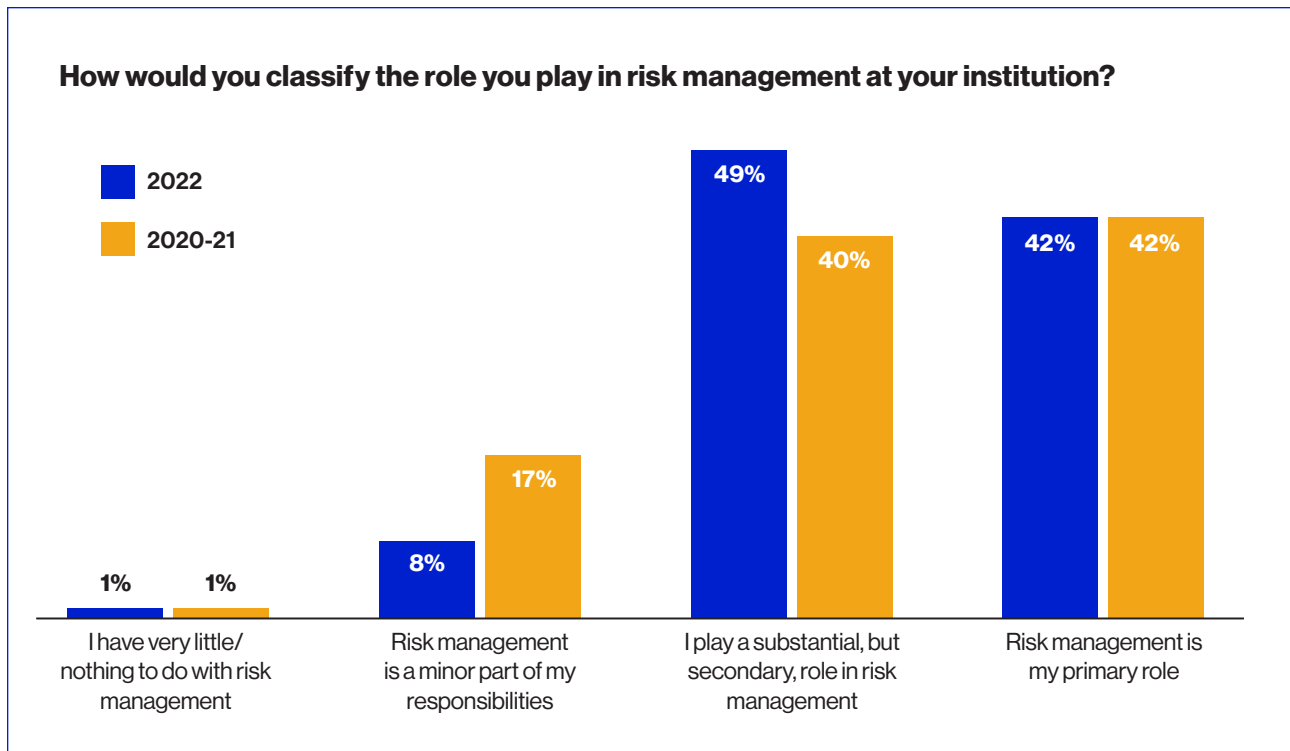
Accordingly, 52% of respondents said that they are concerned about their liability risk management capability due to labor market instability.

### How has the labor market crisis in education affected your institution's ability to manage its liability risks?



## Respondents' Risk Management Role

Risk management has become a more consistent and formal role for survey respondents since the peak of the pandemic. However, the percentage of respondents who serve primarily as risk managers plateaued. This suggests that risk management has grown as a distributed or decentralized responsibility, coinciding with labor market instability.



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