



# Risk Management Newsletter

July 8, 2021

## [Safety Committee](#)

Reduced staffing coupled with the overwhelming focus on pandemic-related issues has taken its toll on many campus risk management programs. The ever-changing pandemic environment dominated safety committee agendas during this past year. With vaccinations opening the door to a return to normal, now is the time to reinvigorate your risk management and safety committee efforts. Safety committee chairpersons should review the EIIA website for support materials. If you do not have an active safety committee, EIIA's Risk Management University (RMU) offers two online modules designed to educate and facilitate safety committee discussions. The [Safety Committee Tips for Effective Meetings](#) template lists best practices to help your committee succeed. Use the [Safety Committee Agenda](#) template to plan and keep your committee on track. And do not forget to share your meeting minutes with your EIIA Risk Management Director. We can support your efforts and save your committee valuable time and energy by pointing your committee to relevant resources.

## [ORM Self-Evaluations Available on EIIA Website](#)

EIIA's [Operational Risk Management \(ORM\) self-evaluation tools](#) are now available for those with access to the Members' section of our website. These ORM tools are EIIA's operation's level approach to Enterprise Risk Management (ERM) are designed to help those at the department level to gain a better understanding of risk and to identify which policies and procedures need improvement. An ORM review can be used as a foundation to propel your institution towards ERM while addressing operational risks on campus. These self-evaluations will help refresh your memory about risk management best practices in place before the pandemic or, even better, lead you to establish practices and policies that were nonexistent. Members can use these tools to engage all campus departments in the risk management process. Your EIIA Risk Management Director can help guide you to maximize the effectiveness of using these self-evaluation tools.

## [Identifying and Addressing Potential GL Claims: A Walk Through Your Campus](#)

As a consortium with more than 130 members, hundreds of general liability claims are reported every year. Some have incredibly complex fact scenarios, while others are arguably rather simple – and might be prevented or minimized with focused risk management work. This [compendium](#) looks at several slips, trips, falls, and other injuries from across campus and suggests a regular risk management walking tour of campus might be a good way to identify and address common hazards. Once you have had the chance to review this document, please let your EIIA Risk Management Director know if you have any questions.

## [Student Disciplinary Process](#)

As your institution begins planning for students returning for the fall semester, now is the time to refocus on your student conduct process. It is not hard to imagine that your student judicial processes will be put into action come fall. Novus Law has updated references to Clery Act and Title IX in the EIIA white paper, [Creating and Implementing an Effective Student](#)

[Disciplinary Process](#). Members are reminded that the student discipline process exists independently of Title IX jurisdiction and can be developed and conducted differently.

### **[Rethinking Background Checks](#)**

The [Higher Education Protection Network](#) and recent sexual misconduct claims suggest that institutions need to review and possibly rethink their background check process. Your new employee applicant process should require a review and written authorization of every individual's background check before hiring. A tiered approach for the depth of searches and verification metered to the nature of interaction with minors or students may be helpful. Since a background check may not reveal every "bad apple," consider using behavior-based interview questions. Ongoing monitoring or periodic rechecks are recommended, especially if the employee's job responsibilities or the employee has regular unsupervised access to minors. Refer to the Novus Law white paper [Conducting And Assessing Background Checks in Higher Education](#), our [Pre-hire Background Check Resource List](#), [EIIA's 2011 Sexual Misconduct Loss Prevention Recommendations](#), or contact your EIIA Risk Management Director for more information.

### **[Hurricane Facts](#)**

June 1<sup>st</sup> marked the beginning of the 2021 Atlantic hurricane season. National Oceanic and Atmospheric Administration (NOAA) forecasters expect another active Atlantic hurricane season this year and predict that as many as ten hurricanes could form; an average season sees seven hurricanes. How far inland are you safe from a hurricane? Since hurricane record-keeping began in 1949, [nine storms](#) began their lives as either Atlantic hurricanes or tropical storms (i.e., sustained winds of at least 34 mph) and moved across North America to become Northeast Pacific hurricanes, or vice versa. While damage from storm surge only happens near the coast, heavy rainfall can extend for hundreds of miles inland, producing extensive inland flooding as creeks and rivers overflow. [Approximately 25 percent of tropical cyclone-related deaths](#) in the United States do *not* occur along the coast.

### **[Hurricane Preparedness](#)**

As noted in the previous article, very few areas of the country are immune from hurricanes. The National Weather Service says the time to prepare for a hurricane is now while you have the time and are not under pressure from an approaching storm. For a refresher on how to prepare for a hurricane, review the EIIA [Hurricane document](#). Aon has prepared a hurricane season [checklist](#) that incorporates protocols for COVID-19 for hurricane and flood preparedness, power outages, securing idle facilities, emergency recovery, and business continuity. Use the table-top exercise to test your readiness. Now is also the time to secure the services from a disaster recovery firm. Our partner, [First Onsite](#) (FKA Interstate Restoration), has equipment and personnel waiting to help your institution recover and resume operations quickly should you need their services.

### **[Cybersecurity Resource for All Users](#)**

The Cybersecurity and Infrastructure Security Agency (CISA), a division of the Department of Homeland Security (DHS), is the nation's risk advisor, working with partners to defend against today's threats and collaborating to build a more secure and resilient infrastructure for the future. CISA seeks to help organizations better manage risk and increase resilience using all

available resources, whether provided by the federal government, commercial vendors, or the organization's capabilities. The [National Cyber Awareness System](#) offers a variety of information for users with various levels of technical expertise. Those with advanced technical interest can read the Alerts, Analysis Reports, Current Activity, or Bulletins. Non-technical computer users should read [Tips](#) for advice about common security issues. In addition, [CISA Publications](#) has information that can help with everything from setting up your first computer to understanding the nuances of emerging threats. Campus Information Security Officers should register an institution email address to receive cyber-related alerts tailored to address the technologies relevant to their institution.

### [OSHA Emergency Temporary Standard](#)

Federal OSHA recently issued an [Emergency Temporary Standard \(ETS\)](#) focused on healthcare operations with compliance for most provisions required by July 6, 2021, and training, ventilation, and barrier provisions by July 21, 2021. OSHA also provided additional guidance, [Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace](#) for other industries. Both closely reflect current CDC guidance. **Does the ETS apply to higher education?** That likely depends upon your institution's policies and protocols. The ETS applies to all settings where any employee provides healthcare services or healthcare support services; this could include the campus health center and athletic training areas. Exceptions to the regulation in [1910.502](#) exempt non-hospital ambulatory care settings where all non-employees are screened before entry and not permitting persons with suspected or confirmed COVID-19 to enter those settings. Health centers and athletic training could fall under this exception if employees in those areas are vaccinated and screening anyone entering the facility. OSHA provides a [flowchart](#) and other information on their website to aid in interpreting this standard. EIIA encourages you to review the information as these standards provide baseline employee safety and health information.

### [Getting to Know EIIA Campuses – Vehicle/Driver Safety](#)

- 121 members have a written policy to approve drivers
- 94 members have written a vehicle/driver safety policy
- 98 members check motor vehicle reports for drive applicants
- 114 campuses do not allow family members to drive institution vehicles

All Members are encouraged to use the [EIIA Self-Evaluation – Vehicle Safety](#) form to evaluate their current vehicle safety programs and policies and how they compare to the EIIA suggested best practices. Resources to strengthen your program and policies are available in the "Vehicle Safety" section on the Casualty Manual page of the EIIA website. Contact your EIIA Risk Management Director for guidance.

### [EIIA Member in the News](#)

Congratulations to Sue Liden, Director of Risk Services at Pacific Lutheran University, who recently participated in a panel at The Risk Management Society (RIMS) and reported in the Insurance Journal article, [The Evolving Portfolio of Risk in Higher Education](#).

*This document is presented to EIIA members strictly as a guideline. As individual circumstances may vary, the contents and concepts presented should be reviewed and amended as necessary to properly address your institution's unique exposures. Additionally, it is recommended that the contents and concepts presented be reviewed in the full context of its use with legal counsel prior to implementation.*

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