



The Cost of Federal Regulatory Compliance in Higher Education: A Multi-Institutional Study

*An assessment of federal regulatory compliance costs at 13 institutions
in FY 2013-2014*

October 2015

It is no secret that the federal government plays an active role in regulating higher education, and justifiably so given the major financial investment that it makes through student grants and loans, research grants, and other subsidies. This regulatory oversight is critical to ensuring that taxpayer dollars supporting higher education and research in myriad ways are responsibly managed; that the health and safety of all students, faculty, staff, and visitors is protected; that research is conducted safely and responsibly; that federal laws are followed; and that many other important checks and safeguards are in place. At a time when students, families, policymakers, and higher education leaders are carefully examining the cost of higher education in the United States, a close analysis of the costs associated with federal regulation is warranted.

Important progress has been made in understanding the current state of federal regulation of higher education. In 2012, the Federal Demonstration Partnership conducted a Faculty Workload Survey sponsored by the National Academies of Science, with the aim of determining the impact of federal regulations and requirements on the research process¹. In 2013, a bipartisan group of U.S. senators created the Task Force on Government Regulation of Higher Education, a collection of university presidents co-chaired by Vanderbilt University Chancellor Nicholas S. Zeppos and William E. Kirwan, who was then the chancellor of the University System of Maryland, charged with understanding Department of Education regulations and suggesting improvements. One of the task force's specific charges was to, "review and quantify the extent of all federal requirements with which institutions must comply, including estimates of the time and costs associated with specific regulations." In March 2014, the National Science Board presented findings regarding investigators' administrative workload for federally funded research along with specific policy action recommendations². In February 2015, the Task Force on Government Regulation of Higher Education presented [its report](#)³ on the work begun in 2013, including specific policy recommendations, to the U.S. Senate Health, Education, Labor, and Pensions (HELP) Committee. In addition, the Association of American Universities, the Council

¹ http://sites.nationalacademies.org/cs/groups/pgasite/documents/webpage/pga_087667.pdf

² <http://nsf.gov/pubs/2014/nsb1418/nsb1418.pdf>

³ Task Force on Federal Regulation of Higher Education Report:
http://www.help.senate.gov/imo/media/Regulations_Task_Force_Report_2015_FINAL.pdf

on Governmental Relations, and the Association of Public and Land-grant Universities, together with Yale University, are currently engaged in a joint effort to assess the research regulatory burden among member institutions. Finally, the National Academies of Sciences released in September 2015 a congressionally mandated [report](#) that examines research regulations and reporting requirements facing universities and identifies actions that Congress, the White House, federal agencies, and research institutions should take to reduce the regulatory burden.⁴

Until now, however, relatively few attempts have been made to systematically quantify the cost of federal regulatory compliance in higher education. Stanford University⁵ conservatively estimated in 1997 that it incurred about \$20 million per year in ongoing costs related to compliance with regulations, but recognized this estimate was likely quite low as it did not include time spent by Stanford faculty and staff in compliance-related meetings, on panels, doing paperwork, meeting with compliance officials and performing other related tasks. A more recent self-audit by Hartwick College⁶ in 2012 cited an annual cost of compliance of about \$300,000, though it estimated that the actual cost of compliance could be as much as 7 percent of its non-compensation operating budget when decentralized costs including faculty time were considered.

Given the need for better data on the cost of federal regulatory compliance in higher education, we were recently commissioned to conduct a comprehensive estimation of the true cost of federal regulatory compliance across postsecondary institutions as well as to estimate the cost of federal regulation to the entire U.S. higher education sector based on extrapolation of the sample institutions. Thirteen institutions across the U.S. were assessed using consistent methodology. Study findings indicate that the cost of federal compliance varied from 3 percent to 11 percent of total nonhospital operating expenditures at each institution, largely driven by extent of research and scale of expenditures. Research-related compliance as a percentage of research expenditures was found to range from 11 percent to 25 percent, while compliance related to higher-ed specific regulations and all-sector

⁴ <http://sites.nationalacademies.org/PGA/stl/researchregs/index.htm>

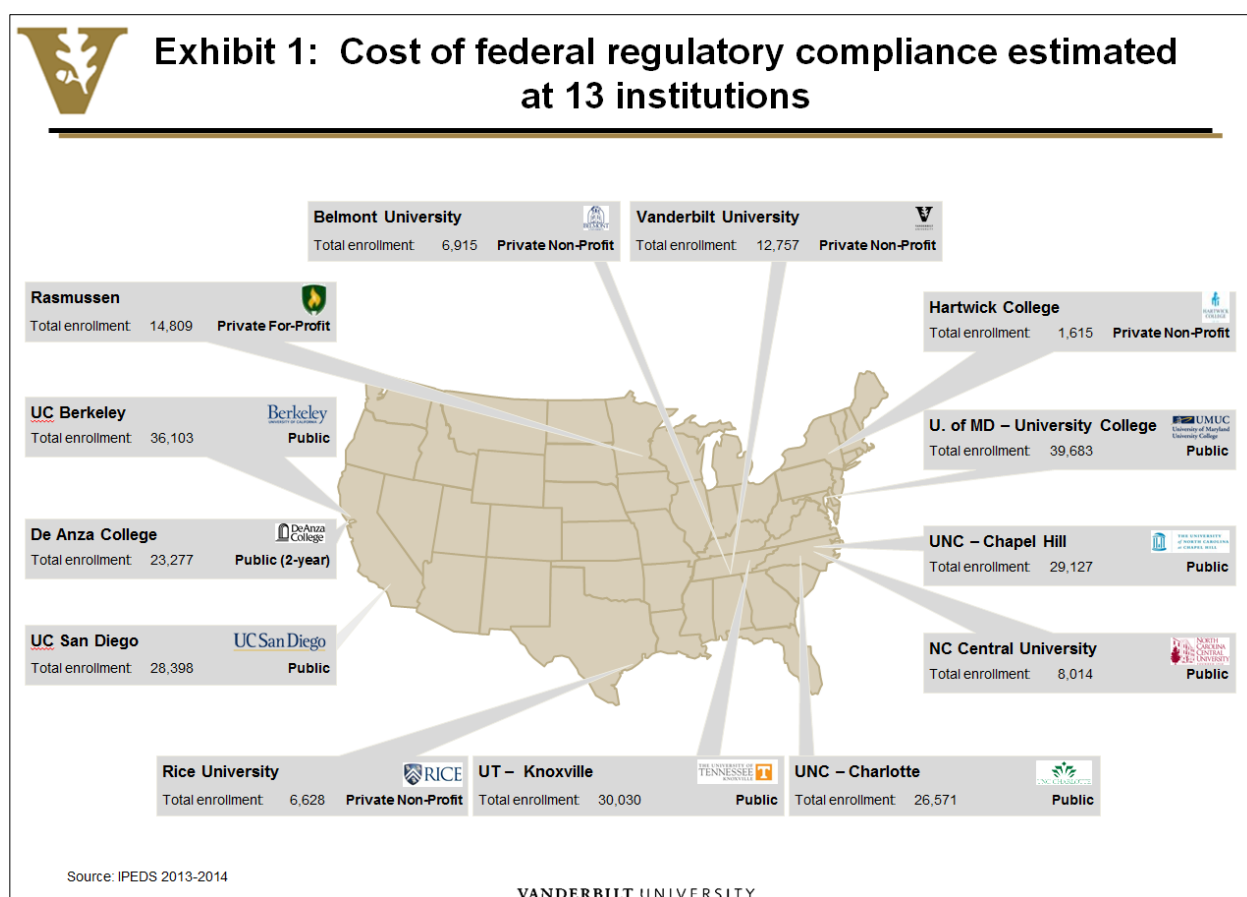
⁵ 1997 Stanford study: <http://web.stanford.edu/dept/pres-provost/president/speeches/971016collegecost.html>

⁶ 2011-2012 Hartwick College report: http://www.naicu.edu/docLib/20130315_Compliance-HartwickColl-12-12.pdf

regulations (e.g., regulations not specific to higher education but applicable to wide variety of sectors) as a percentage of nonresearch expenditures was found to range from 2 percent to 8 percent. Findings from sample institutions were extrapolated to the entire U.S. higher education sector and a total cost of federal regulatory compliance of \$27 billion was estimated.

Methods

Thirteen higher education institutions of different sizes and types participated in the study to sample the cost of federal regulatory compliance across the higher education sector (Exhibit 1).



In total, approximately 600 interviews were conducted and 3,500 respondents were surveyed. Data collection at Vanderbilt University (Nashville, Tennessee) occurred from August to October 2014. Data collection across the remaining 12 institutions occurred from February to April 2015. Institutions included Belmont University (Nashville, Tennessee);

De Anza College (Cupertino, California); Hartwick College (Oneonta, New York); North Carolina Central University (Durham, North Carolina); Rasmussen College (Bloomington, Minnesota); Rice University (Houston, Texas); University of California, Berkeley (Berkeley, California); University of California, San Diego (La Jolla, California); University of Maryland University College (Adelphi, Maryland); University of North Carolina at Chapel Hill (Chapel Hill, North Carolina); University of North Carolina at Charlotte (Charlotte, North Carolina); and University of Tennessee, Knoxville (Knoxville, Tennessee).

Definition of regulatory areas

Regulatory areas for which compliance costs were estimated were divided into three categories:

- **Research:** regulatory areas specific to research, including federal grants and contracts management, human subject research compliance, environmental health and safety compliance related to research, animal research compliance, export controls compliance, conflict of interest, technology transfer requirements, and research misconduct requirements;
- **Higher-ed:** regulatory areas specific to the higher-education sector but not pertaining to research, including accreditation, financial aid, FERPA, sexual misconduct (Title IX), Clery Act, drug and alcohol prevention, IPEDS reporting requirements, Title IX athletics administration, gainful employment, state authorization, and equity in athletics data analysis (EADA); and
- **All-sector:** regulatory areas not specific to the higher-education sector including finance, immigration, disability, anti-discrimination, other human-resources related requirements, environmental health and safety regulations outside of those related to research, and FISMA.

The Appendix includes a detailed description of each regulatory area, including a list of the typical offices and/or departments in which compliance costs were captured; example activities and nonlabor costs; and methodology specifics employed in the study.

Types of costs

Three types of costs were considered in the study:

- **Labor costs:** including activities such as reporting (including data gathering); giving and receiving training; institutional policy development and review, oversight and management (including answering questions from employees, students, parents, etc.); time spent interpreting regulations; preparing and implementing operational changes; responding to potential issues of noncompliance; interacting with regulators and auditors; and any day-to-day activities resulting from the practical impact of regulations.
- **Nonlabor operating costs:** including any outsourcing of the above activities to external vendors; external trainings and conferences (including travel costs); materials, supplies, and services to support the above activities (e.g., equipment, facilities); software licensing fees; and fees associated with permits, licenses, applications, and registrations. Note that taxes, penalties, and benefits paid were not included in cost estimates (e.g., FICA, ACA, ERISA). Note that capital expenditures (e.g., construction costs) were not included in cost estimates.
- **Indirect costs** of labor were estimated based on labor costs: the ratio of specific categories of indirect costs to total institutional labor was determined and applied to the estimate of compliance-related labor costs. Specific categories of indirect costs included utilities, operating leases, minor equipment (e.g., computers), insurance, professional development, recruitment, travel, telephone, office supplies, computer software, printing, postage, freight and shipping, courier service, direct mail, memberships, and subscriptions.

When costs were incurred partially due to federal regulation, a portion of the total cost was allocated to compliance based on the respondent's best estimate. Likewise, costs were required to be mutually exclusive and could not fulfill multiple regulatory requirements. If an activity was believed to fulfill multiple requirements, respondents either allocated costs

between multiple regulatory areas or assigned the cost to the regulation with which the impetus of the activity most closely aligned.

Scope

Only those nonhospital-related costs associated with federal regulatory compliance were captured in the study (i.e., not those associated exclusively with state regulation). The following principles were used as guidelines to determine if an activity is required to comply with federal regulation:

- The institution would have been ineligible for a U.S. federal program if it had not performed the activity;
- The institution would have stopped receiving a U.S. federal benefit if it had not performed the activity;
- The institution would have risked violation or penalties under U.S. federal law if it had not performed the activity; or
- The institution performed the activity to determine whether any of the above items applied.

Costs associated with maintaining both regional and specialized/programmatic accreditations have also been included in this study. Regional accreditation, and some specialized/programmatic accreditations, are required for access to certain federal dollars (such as Southern Association of Colleges and Schools accreditation for Title IV federal student aid eligibility or Accreditation Council for Graduate Medical Education accreditation for schools of medicine for access to Direct Graduate Medical Education funding), while other programmatic accreditation is required for professional licensure.

Compliance costs were estimated for fiscal year 2014, the months of which varied slightly among institutions. If compliance costs were incurred with periodic frequency, costs were amortized across the entire cycle and estimated to reflect the annual average. When institutions anticipated increased or decreased compliance costs in future years, these anticipated changes were not included in the estimate.

Costs were considered in the compliance estimate even if an institution would have voluntarily chosen to perform the activity in the absence of regulation; no distinction was made in costs that were incremental to what an institution would do in the absence of regulation. On several occasions, institutions differed in their interpretation of regulatory requirements. In these cases, compliance estimates relied on each institution's differential interpretation.

Tools of estimation

Costs were categorized into two broad segments, which informed the tools employed for data collection:

- **Cost incurred from central/administrative offices:** Central costs were largely captured via interviews with key contacts in administrative offices and supported by worksheets that allowed interviewees time to think through and/or look up office staff activities and nonlabor operating costs supporting compliance. Administrative offices estimated staff time spent on compliance-supporting activities for fiscal year 2014 in either units of time (e.g., hours, days) or in terms of percent annual work time. Time estimates were paired with each employee's salary and benefits data, which was either provided by the school or obtained from public sources.
- **Costs incurred from academic departments and research centers:** These included compliance activities of faculty, staff, and trainees as well as other nonlabor costs incurred at the department level. Where possible, compliance costs were estimated by key contacts in central offices (e.g., trainings required for all staff). At most research institutions and those with highly fragmented accreditation support, a broad survey was also used to capture compliance costs from academic departments. Survey questions were detailed with example compliance activities to promote consistent and accurate collection across institutions; survey language was refined through multiple focus groups to ensure accurate interpretation of questions. Respondents were asked to estimate hours spent on specific activities and were given the option to choose the time frame as per week, per month, or per

year. In most cases of survey distribution, all faculty and staff in academic departments, including both administrative and research staff, were asked to self-report their own compliance estimates. Postdoctoral students were either surveyed directly for self-reported estimates or faculty were asked to estimate on behalf of postdocs in their research group. Likewise, compliance activities of other trainees (e.g., graduate students, undergraduates) were estimated by faculty respondents leading research teams. In most cases, average compliance estimates from survey respondents were calculated from each of following segments: research faculty (defined as faculty reporting research compliance), nonresearch faculty (defined as faculty reporting no research compliance), administrative staff (self-defined in survey), research staff (self-defined in survey), postdoctoral students, and other trainees (e.g., graduate students, undergraduate students). Average compliance estimates in each of these segments was applied to the known population size and cost basis of salary and benefits for each of the segments, as supplied by the institution or obtained from public record, to scale up survey responses and reach an estimated cost of compliance across academic departments. Because the fragmentation of accreditation support varied across institutions, a mix of methodologies was employed across institutions. In cases with largely central support, compliance efforts were fully estimated by a central administrative contact. In other cases with key departmental contacts leading accreditation support, a targeted survey was employed to ask the key departmental contacts to estimate efforts for their entire program. Lastly, in cases with highly fragmented support, accreditation questions were included in the broad survey distributed to all faculty and staff in academic departments for self-reporting.

Operating expenditure information was also captured from each institution to estimate the compliance burden as a share of total operating expenditures. Nonhospital operating expenditures were obtained from each institution's fiscal year 2014 financial statement. Expenditures were subdivided into two components:

- Research expenditures: total fiscal year 2014 research and development expenditures, including those sourced from government (federal, state, or local),

business, nonprofit organizations, institutional funds (including cost sharing and unrecovered indirect costs), as well as other sources (e.g., charitable gifts)

- Nonresearch expenditures: calculated as the difference between the operating expenditures and the research expenditures

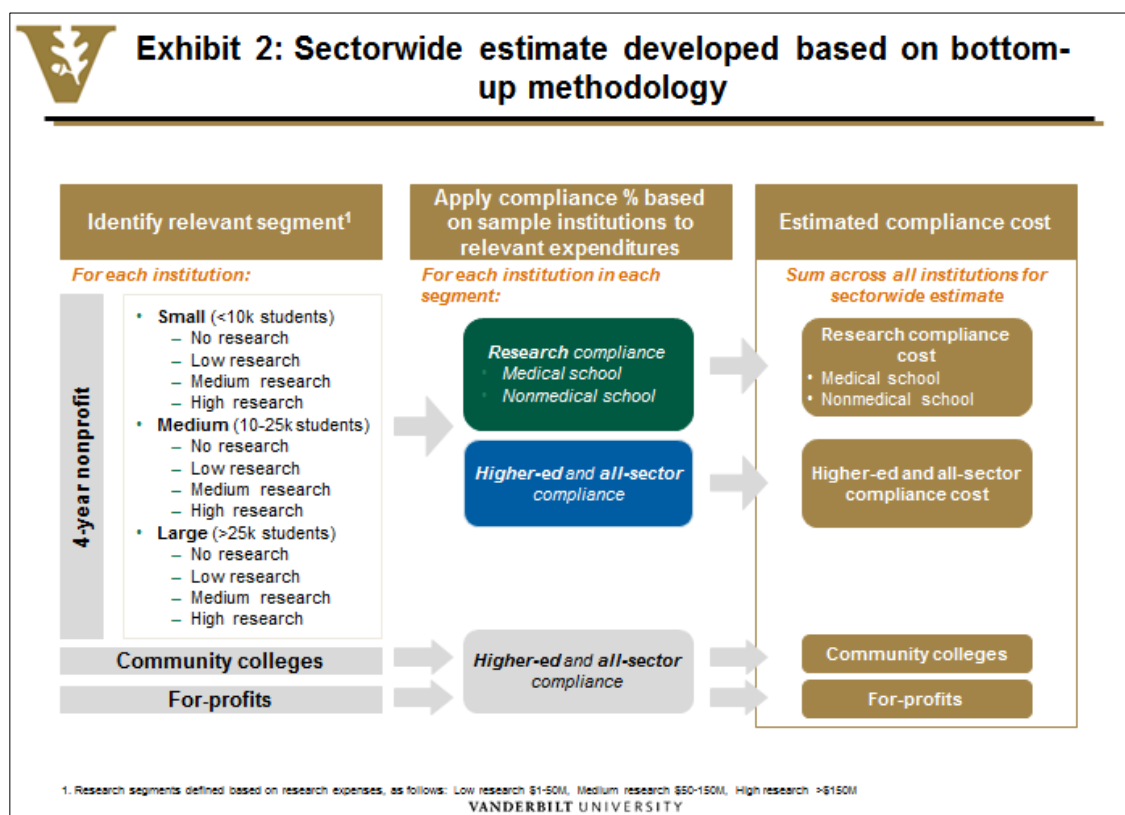
Sectorwide extrapolation

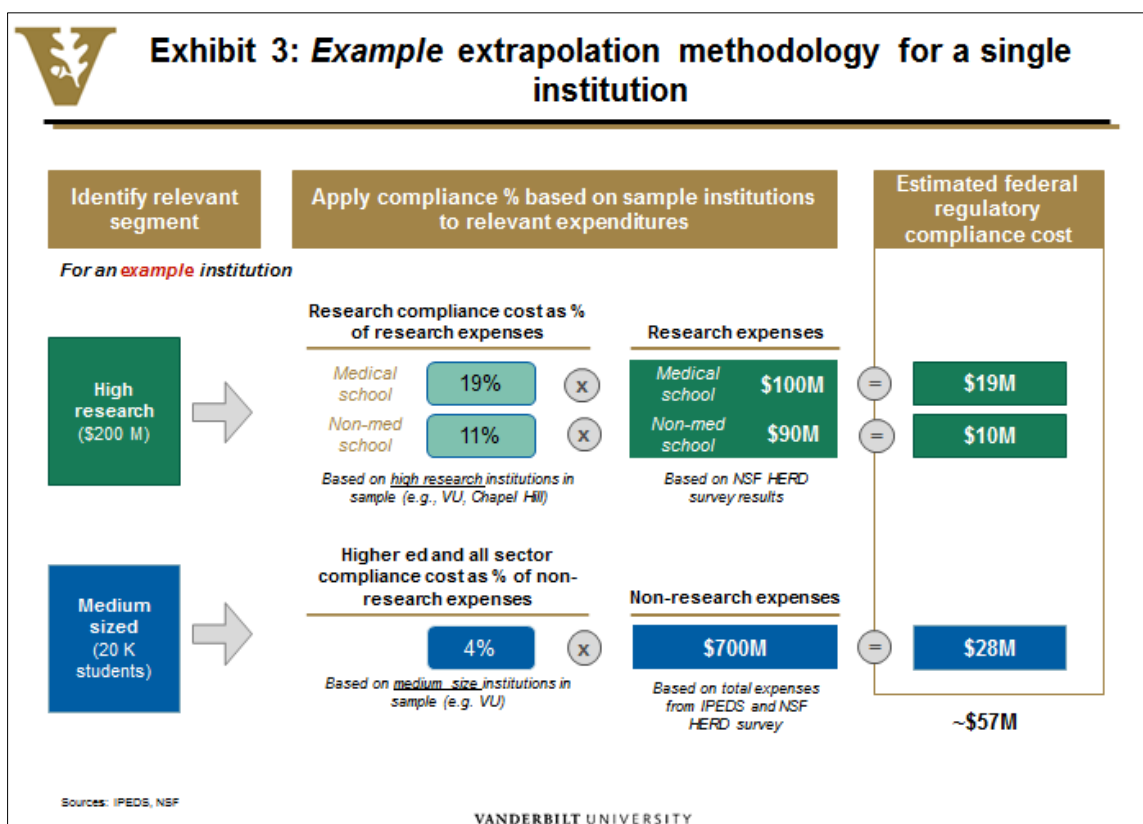
Findings from the 13 sample institutions were extrapolated to estimate a sectorwide cost of compliance. To perform the extrapolation, a full list of U.S. institutions of higher education was obtained. Total operating expenditures were obtained for each institution based on IPEDS Data Center (FY2013); hospital expenditures from the American Hospital Database (2013); and publically available financial statements were removed from the total operating expenditures. Enrollment information was obtained from IPEDS Data Center (Fall 2013 head count). Total research expenditures as well as medical school-specific research expenditures were obtained for each institution from the NSF HERD survey data (FY2013). Nonmedical school research expenditures were calculated as the difference between total research expenditures and medical school-specific research expenditures. Nonresearch expenditures were calculated as the difference between total operating expenditures and total research expenditures. The full list of U.S. institutions was divided into three broad segments: four-year nonprofit institutions, community colleges, and for-profit institutions. Four-year nonprofit institutions were further subdivided along two independent dimensions:

- **Research segment:** Each institution was categorized as having either no research expenditures, low research expenditures (<\$50M), medium research expenditures (\$50M-\$150M), or high research expenditures (>\$150M), based on the NSF HERD survey data (FY2013)
- **Enrollment segment:** Each institution was categorized as being either small (<10K students), medium (10K-25K students), or large (>25K students), based on data from IPEDS Data Center (Fall 2013 head count)

Following this segmentation, compliance percentages based on the 13 sample institutions from the study were applied to relevant expenditures (Exhibit 2). Higher-ed and all-sector

compliance percentages captured in the study were applied to nonresearch expenditures of four-year nonprofit institutions based on enrollment segmentation. Medical school and nonmedical school research compliance percentages captured in the study were applied to the medical school and nonmedical school research expenditures, respectively, of four-year nonprofit institutions based on research segmentation. Compliance estimates from the four-year nonprofit institutions' numerous expenditure segments were summed to reach a total compliance estimate at that institution. Higher-ed and all-sector compliance percentages captured from community colleges and for-profit institutions in the study were applied to total operating expenditures of the nationwide community colleges and for-profit institutions, respectively. A sectorwide estimate was obtained by summing the total estimated cost of compliance for all institutions across the U.S. To further clarify these calculations, an example is included in Exhibit 3.

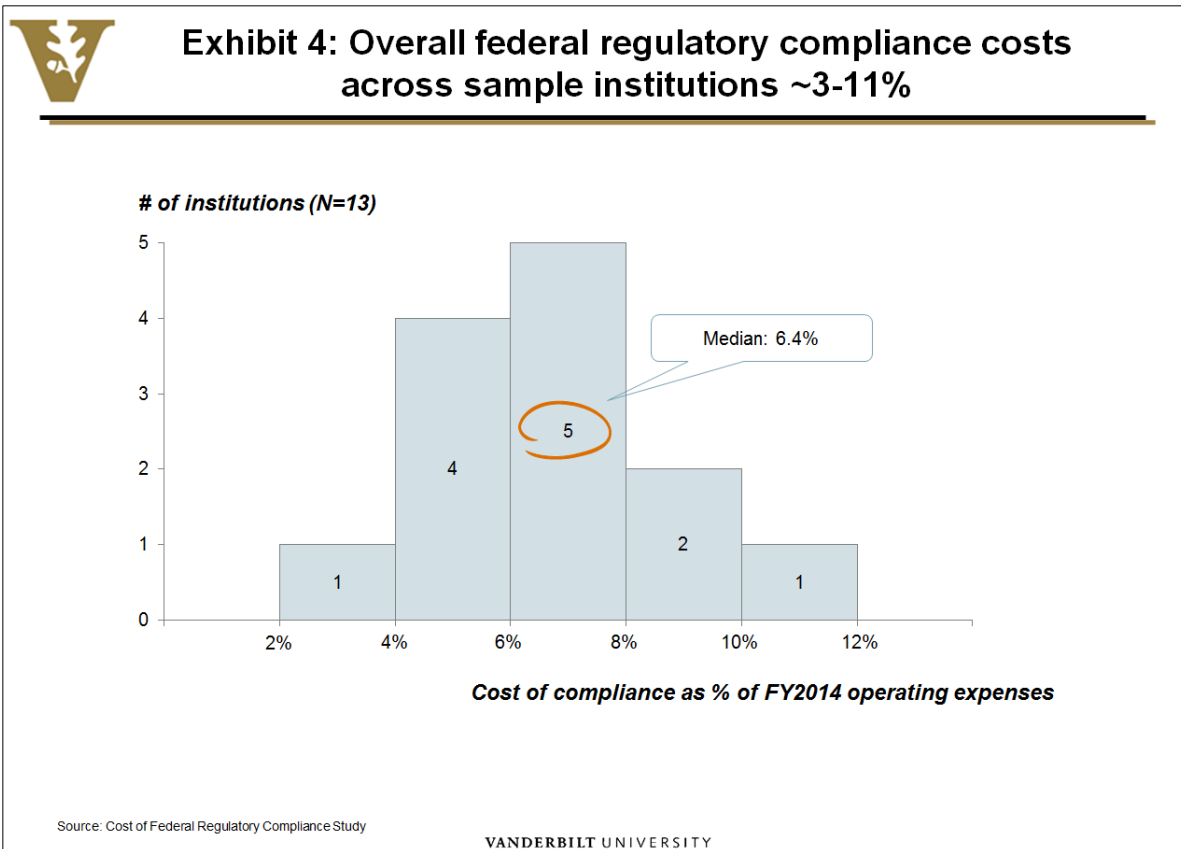




Results

Cost Estimation

Total cost of compliance across all institutions in the study was found to vary between 3 percent and 11 percent of each institution's FY2014 operating expenditures, with a median value of 6.4 percent (Exhibit 4). This variation in overall compliance was found to be driven by two key factors: 1) presence and extent of research at the institution; and 2) scale of expenditures at the institution. Each is discussed in detail below.



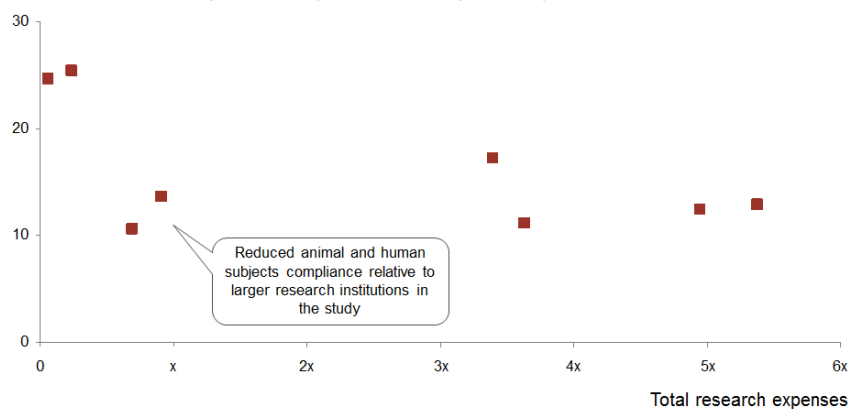
Presence and extent of research: Research-related compliance was found to cost from 11 percent to 25 percent of each institution's research expenditures (Exhibit 5) while compliance with both higher-ed and all-sector regulations was found to vary from 2 percent to 8 percent of each institution's nonresearch expenditures (Exhibit 6). Therefore, the overall cost of compliance was driven, in part, by the presence and extent of research at each institution, with large research entities generally experiencing higher compliance burdens (though not always, given impact of scale; see below). For example, a university with 60 percent of its operating expenditures devoted to research would have an overall compliance that skews toward its research-specific compliance burden figure, while an institution with 10 percent of its operating expenditures devoted to research would have an overall compliance that skews more toward its all-sector and higher-ed compliance burden figure.



Exhibit 5: Mix and scale driving the magnitude of research compliance burden

Research compliance burden by institution (N=8)

Estimated research compliance cost (% of research expenditures)



Source: Cost of Federal Regulatory Compliance Study

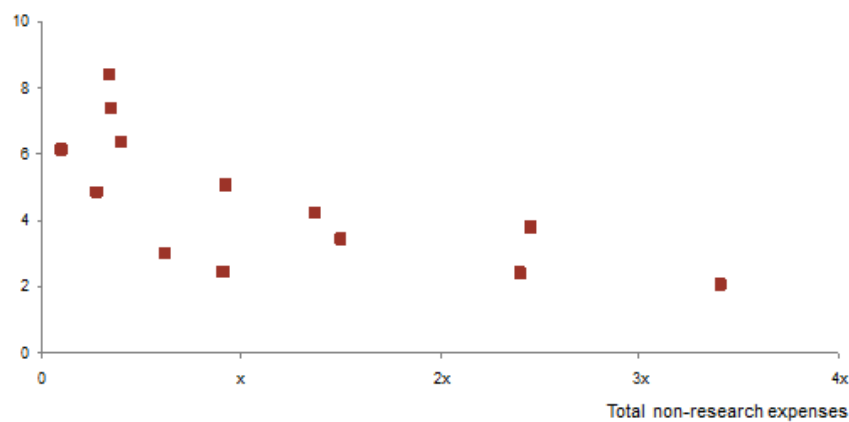
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Exhibit 6: Scaling driving higher-ed and all-sector estimates

Higher-ed and all-sector compliance burden by institution (N=13)

Estimated higher-ed and all-sector compliance costs (% of nonresearch expenditures)



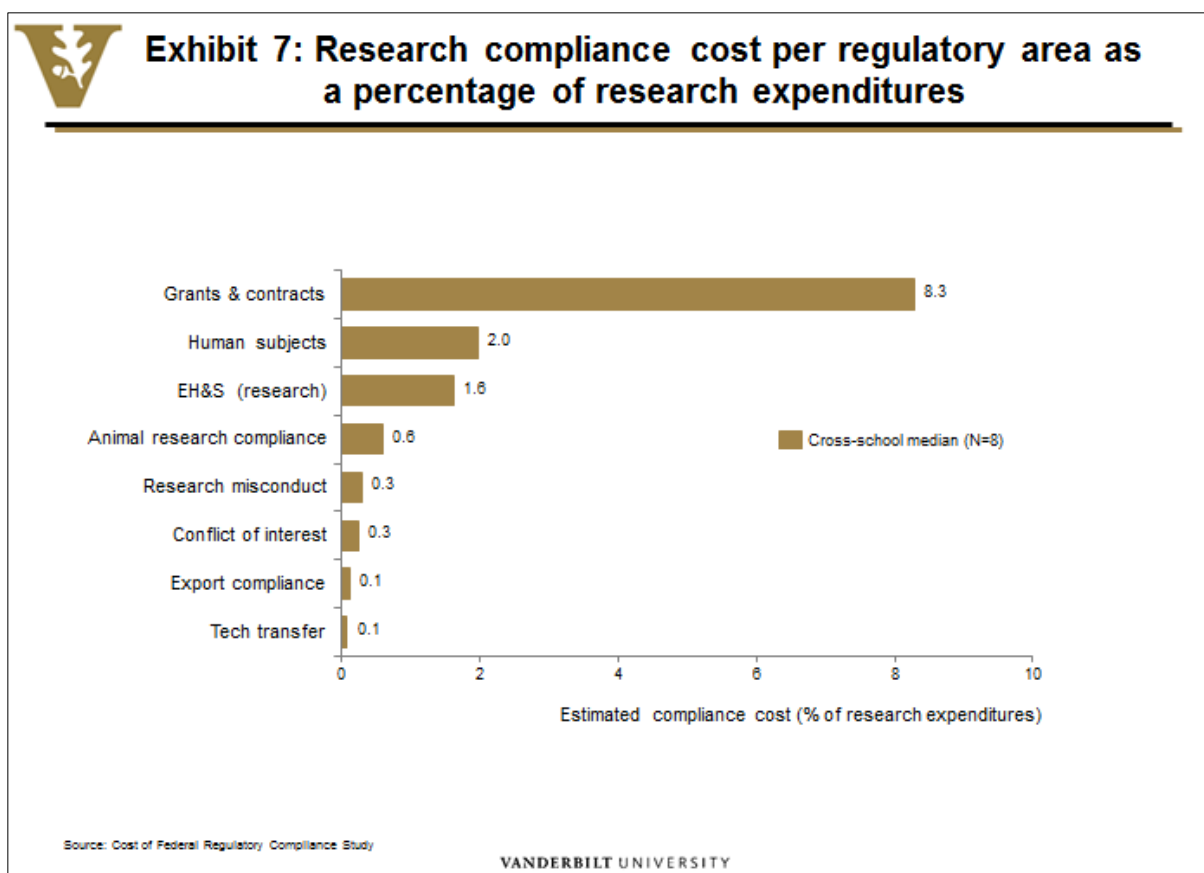
Source: Cost of Federal Regulatory Compliance Study

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Scale of expenditures: The scale of both research and nonresearch expenditures was also found to impact compliance burden. Exhibit 5 demonstrates the emergence of a scale curve in research compliance, in that institutions with relatively low research expenditures experience higher levels of compliance (up to 25 percent of research expenditures), while institutions with relatively high research expenditures exhibit a lower percentage of compliance (11 percent to 17 percent). Fluctuations from the overall research compliance trend line can be largely attributed to variations in the mix of research conducted across the institutions in the study. Research institutions with more biomedical research experienced higher compliance cost per research dollar than institutions with more engineering- and physics-based research. Similarly, Exhibit 6 demonstrates an emerging scale curve in higher-ed and all-sector compliance burden; schools with relatively low nonresearch expenditures tend to experience higher compliance burdens (up to 8 percent) while larger institutions with relatively high non-research expenditures tend to experience lower regulatory burdens (converging near 2 percent). Fluctuations from the overall higher-ed and all-sector trend line were driven, in part, by variations in accreditation burden; the schools in the study with more programmatic accreditors tended to have higher accreditation compliance burden per nonresearch dollar as compared to those with fewer programmatic accreditors. Other school characteristics—such as number of residential students and number of students with financial aid—impacted regulatory area compliance estimates, such as sexual misconduct and financial aid, respectively, creating fluctuations from the overall trend line.

Burden by Regulatory Area

Compliance burden per regulatory area was calculated at each institution throughout the study. Median research-related compliance burden as a percent of each institution's research expenditures are shown in Exhibit 7.

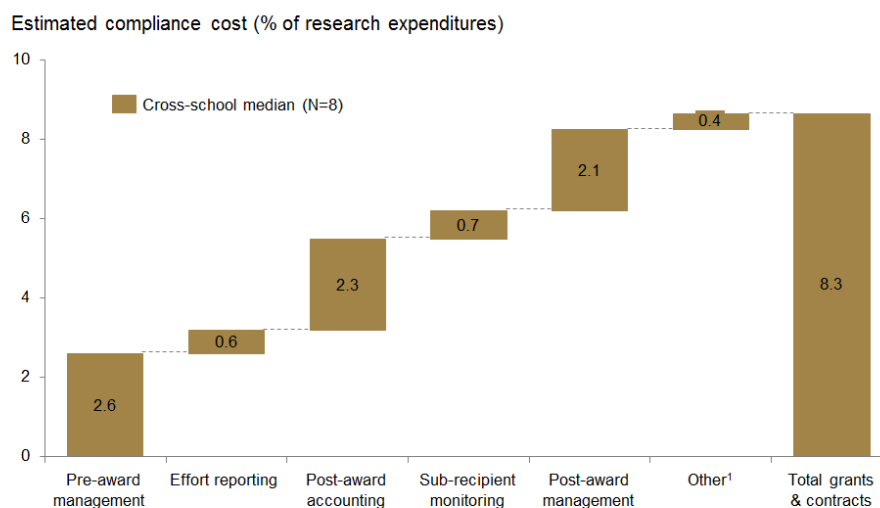


Grants and contracts management was found to yield the highest burden (median of 8.3 percent), while research-related environmental health and safety compliance and human subjects compliance were also found to underlie a substantial cost of compliance (1.6 percent and 1.5 percent, respectively). Variations in burdens above or below the median were largely driven by a mix of research and by scale of expenditures (see above); however, small variations were also observed across institutions in each regulatory area given differences in organizational structure, execution, oversight, and regulation interpretation.

The cost of federal grants and contracts management was collected throughout the study with a greater degree of granularity to better understand the underlying drivers of the high burdens. The breakdown of subcategory compliance burden is displayed in Exhibit 8, with pre-award management (2.5 percent), post-award accounting (2.3 percent), and post-award management (2.0 percent) driving a majority of the compliance burden.



Exhibit 8: Grants and contracts compliance largely driven by pre-award management, post-award activities



1. Includes unclassified activities such as training and oversight

Note: Total does not tie; 8.3 represents the total grants and contracts median of the 8 research institutions, rather than the sum of the medians of the components

Source: Cost of Federal Regulatory Compliance Study

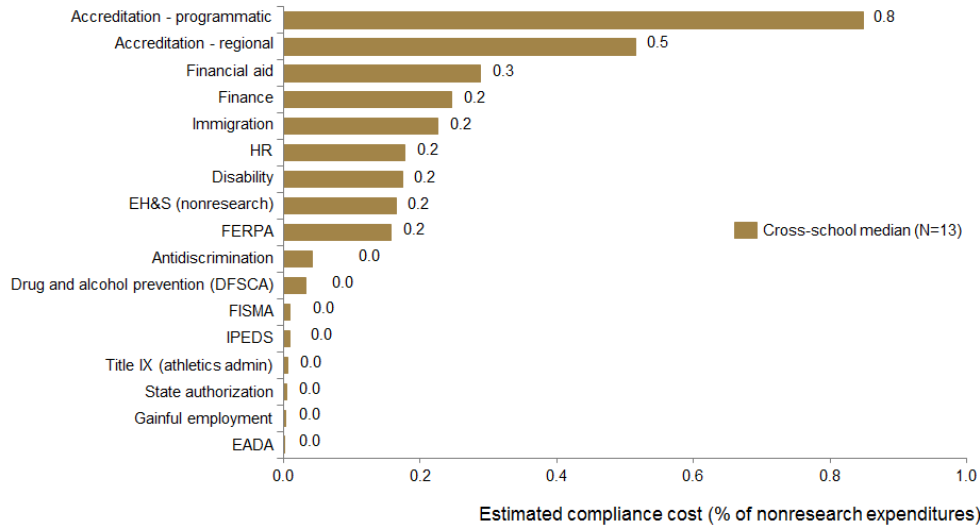
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Exhibit 9 demonstrates the median higher-ed and all-sector compliance burden as a percent of each institution's nonresearch expenditures. Accreditation was found to underlie the highest burden, with programmatic accreditation exhibiting a median burden of 0.6 percent and regional accreditation exhibiting a median burden of 0.5 percent.

Exhibit 10 contains greater detail on the total accreditation burden (regional and programmatic combined). The various other regulatory areas that appear to have relatively low burden (e.g., less than 0.3 percent) are not insignificant in cost when considered at an aggregate level.



Exhibit 9: Higher-ed and all-sector compliance cost per regulatory area as a percentage of nonresearch expenditures



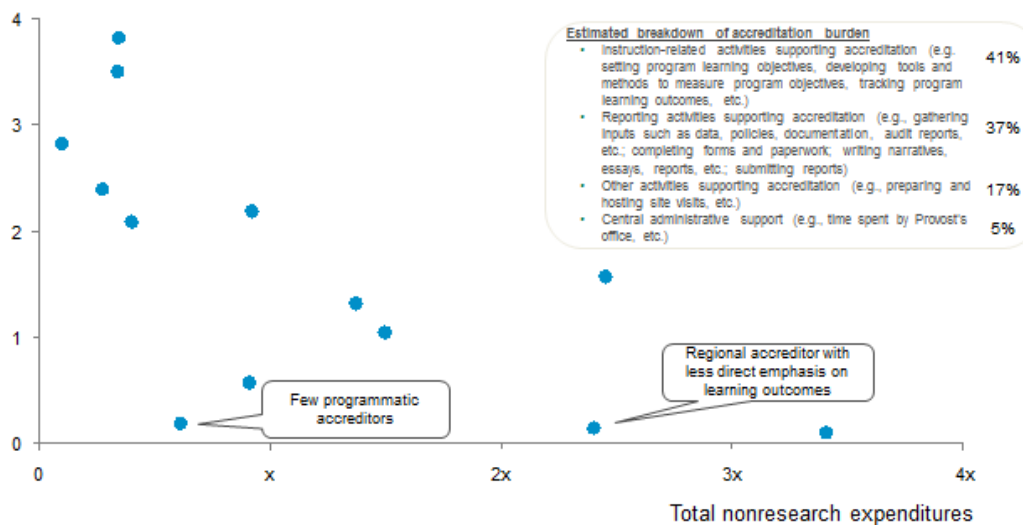
Source: Cost of Federal Regulatory Compliance Study

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Exhibit 10: A few key factors drive accreditation burden e.g., scale, extent of programmatic accreditors and regional accreditor

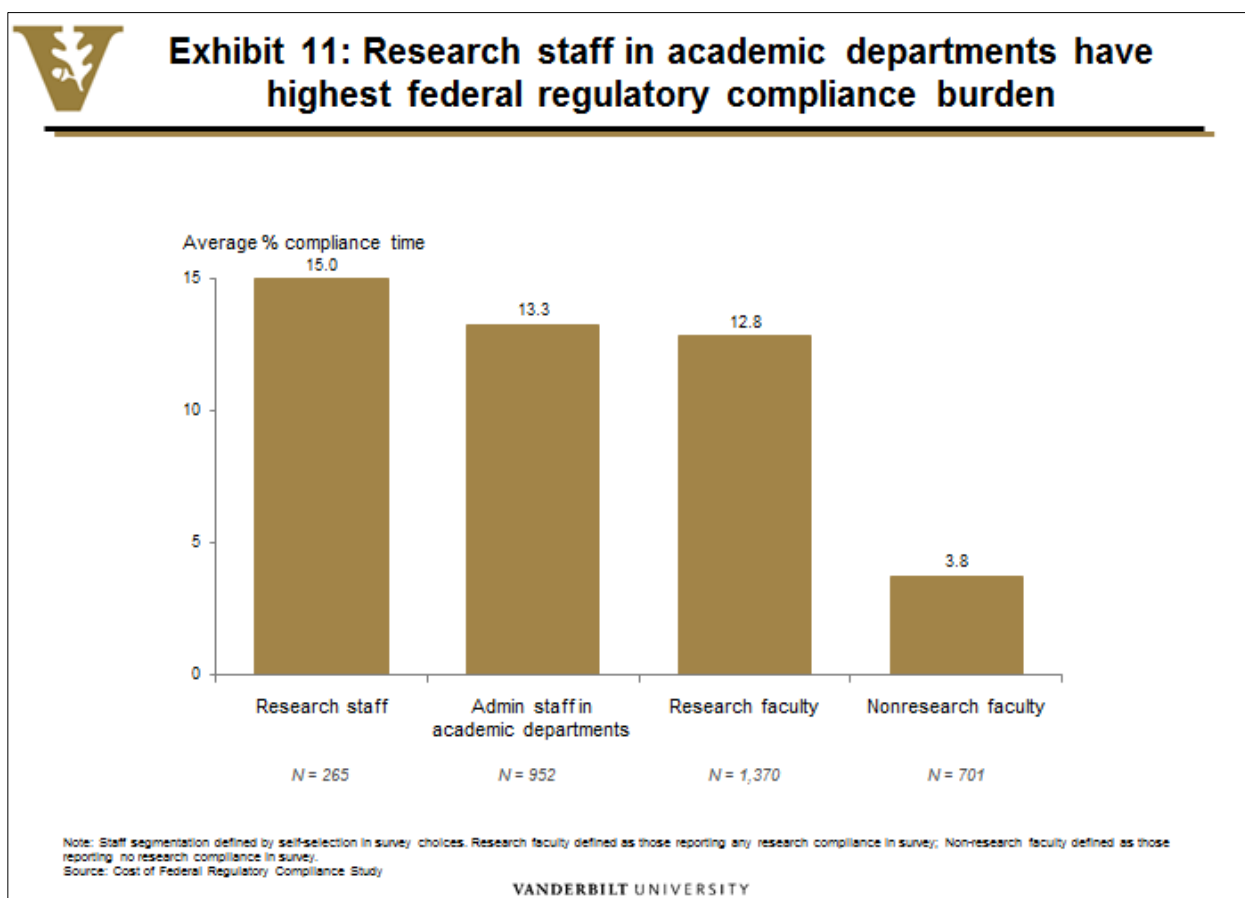
Estimated accreditation compliance cost (% of nonresearch expenditures)



1. Southern Association of Colleges and Schools Commission on Colleges
Note: Includes both regional and programmatic accreditation compliance costs
Source: Cost of Federal Regulatory Compliance Study

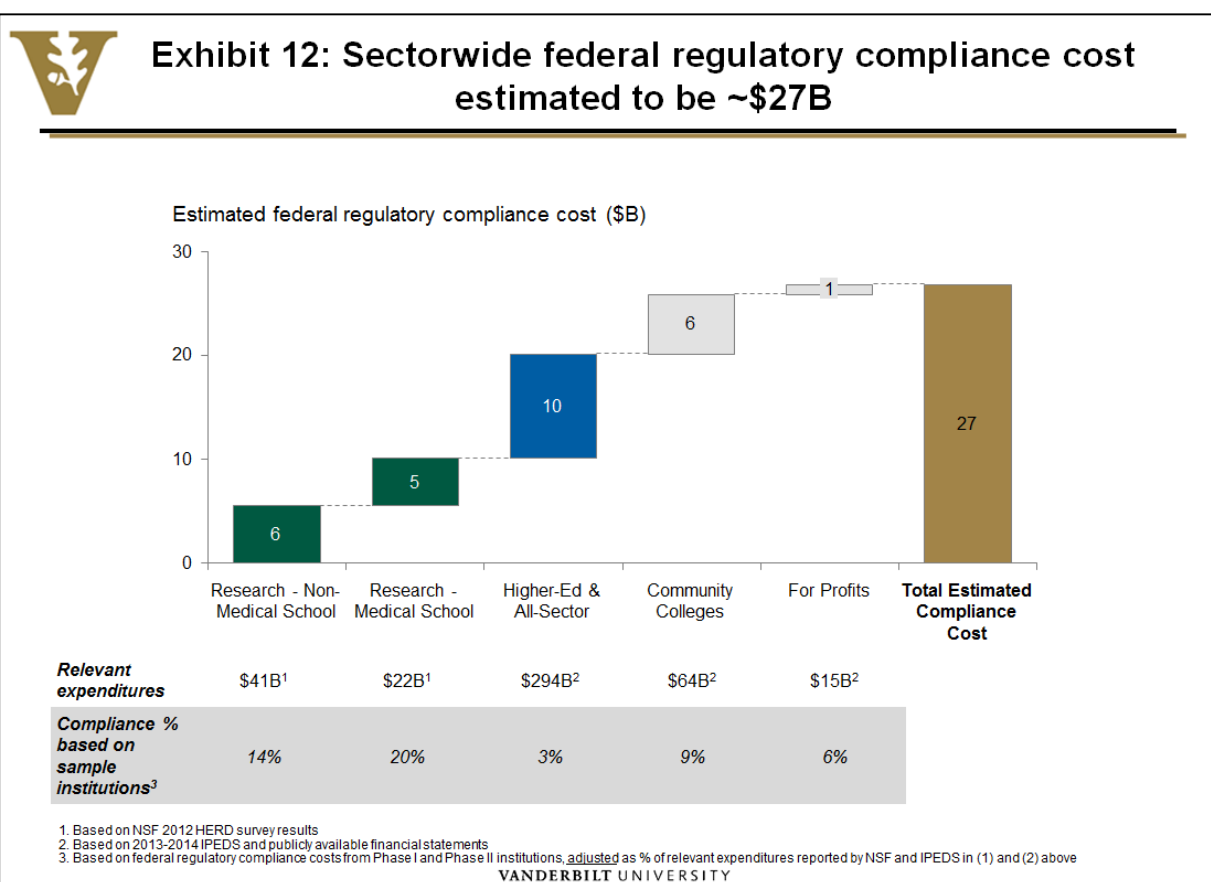
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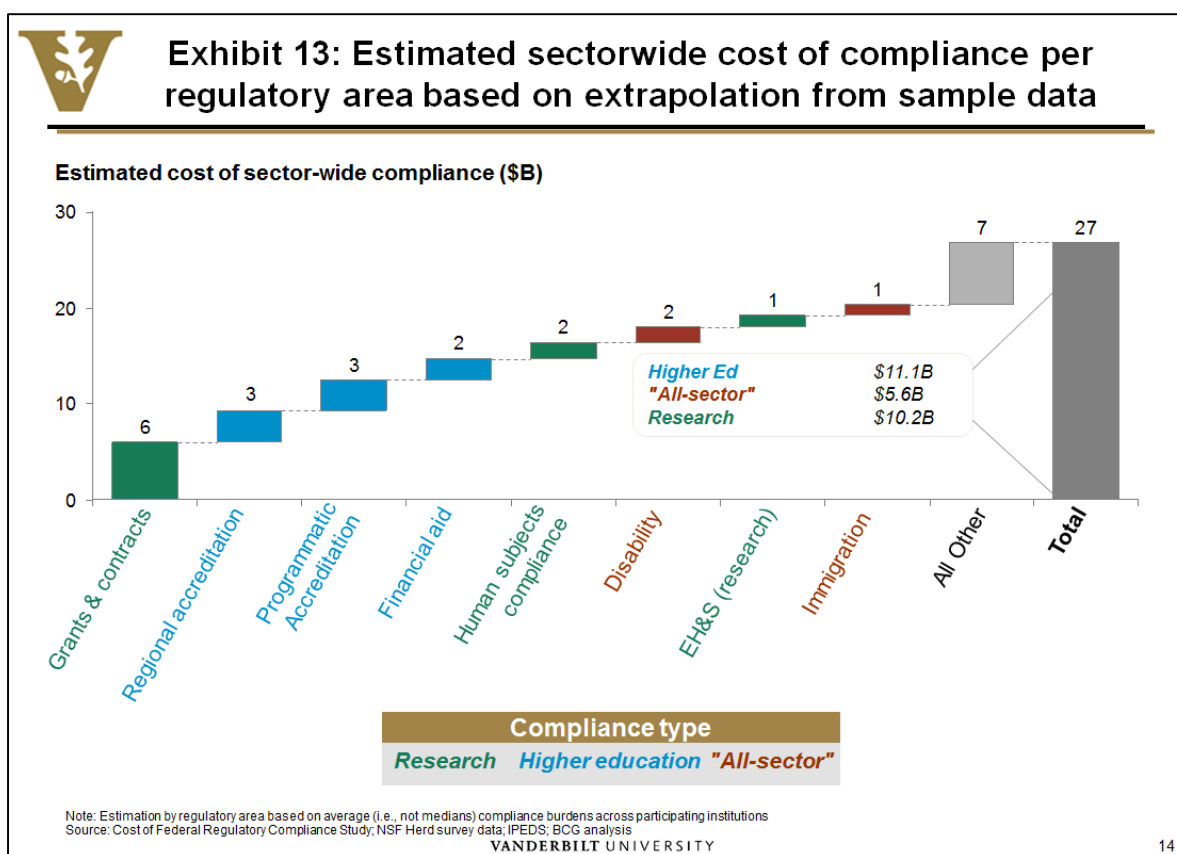
Compliance burden across institutions was driven, in part, by academic departments; faculty and staff in academic departments were found to play a large role in compliance, particularly related to research. Exhibit 11 demonstrates the average compliance burden, as a percent of the individual's total annual work time, reported across the surveyed research institutions in the study (N=8). Research staff were found to have the highest level of compliance (15 percent) out of the segments surveyed, while administrative staff in academic departments and research faculty reported approximately 13 percent total compliance time. Nonresearch faculty (defined as faculty reporting no research compliance in the survey), reported approximately 4 percent total compliance time, largely driven by accreditation-supporting activities.



Sectorwide extrapolation

As demonstrated in Exhibit 12, sectorwide cost of federal compliance was estimated to be \$27 billion, which was found by extrapolating findings from the sample institutions to all institutions of higher education in the U.S. It is estimated that \$17 billion was incurred due to higher-ed and all-sector compliance, while \$10 billion was estimated to be a result of research-related compliance. Community colleges and for-profit institutions were estimated to incur \$6 billion and \$1 billion in compliance costs, respectively, with the rest spent by four-year nonprofit institutions. Exhibit 13 demonstrates the estimated sectorwide cost of compliance for each regulatory area, with federal grants and contracts management requiring the most investment (\$6 billion), and regional and programmatic accreditation close behind (\$3.4 billion and \$3.1 billion, respectively).





* * *

In summary, findings from the thirteen institutions in the study indicate that postsecondary education institutions spent from 3 percent to 11 percent of their nonhospital operating budget in fiscal year 2014 to comply with federal regulations. The range was driven by several factors, including the presence and extent of research at that institution (for which compliance cost per research dollar is relatively high, up to 25 percent) as well as the scale of expenditures given the economies of scale observed across institutions for higher-ed and all-sector compliance as well as research-related compliance. A sectorwide cost of federal compliance was estimated to be \$27 billion based on extrapolation of findings from the sample institutions to all institutions of higher education across the U.S, while a belief audit survey highlighted potential policy priorities

Appendix

Regulatory area	Description of regulatory requirements ¹	Typical offices (not institution-specific, nonexhaustive)	Example activities/costs (not institution-specific, nonexhaustive)	Methodology for measurement
Accreditation: Regional	Title IV financial aid programs require institutions receiving federal financial aid to maintain accreditation from an accreditation body recognized by the U.S. Department of Education (e.g., HLC, MSCHE, NEASC, SACS, WASC – ACCJC, WASC – SCUC) Various requirements including documenting learning objectives and outcomes, retention plan	Provost/ academic affairs Office of assessment or institutional research Academic departments (faculty and staff)	Instruction-related activities supporting accreditation: setting program learning objectives (not course level), developing tools and methods to measure program objectives, tracking program learning outcomes, making program improvements based on outcomes Reporting and documentation activities supporting accreditation: gathering other inputs such as data, policies, documentation, audit reports, etc.; completing forms; writing narratives, reports, etc.; substantive change reporting; submitting reports Other activities supporting accreditation: preparing for or hosting site visits Direct costs: Cost of site visits, conference fees, third party consultants and writers	Costs estimated via interviews/worksheets and faculty/staff survey Schools reported on effort required in three different time frames: • Ongoing (any year without a formal review) • Year leading up to 10-year review (e.g., Reaffirmation for SACSCOC) -> Averaged this across the 10-year cycle • Year leading up to 5-year review (e.g., 5th Year Report for SACSCOC) - > Averaged this across 10-year cycle

Accreditation: Programmatic	In addition to institutional accreditation, particular academic programs may also be accredited by outside entities (e.g., ABA)	Academic affairs/office of assessment Academic departments affiliated with accredited programs	Same as above, related to specific programmatic accreditations	Costs estimated via interviews/worksheets and faculty/staff survey Schools reported on effort required in two different time frames: • Ongoing (any year without a formal review) • Year leading up to the reaffirmation or formal review -> Averaged this across the accreditor's cycle period
Admissions/ recruiting	Institutions participating in Title IV financial aid programs are prohibited from offering incentive compensation to admissions officers Institutions may have Title IV eligibility revoked if they substantially misrepresent their financial charges, the nature of their educational programs, or the employability of its graduates	Marketing/ communications Admissions office General counsel	Compensation plan design, confirming and monitoring accuracy of marketing materials, oversight and policy review Direct costs: Cost of auditing	Interviews and worksheets with central offices
Athletics Equity in Athletics Disclosure Act (EADA), Sports Agent Responsibility and Trust Act (SPARTA)	EADA requires institutions to meet state requirements in any state where the institution offers postsecondary education through distance or correspondence education SPARTA protects student athletes from predatory practices by sports agents	Provost Athletics departments	Administrative and reporting activities; data collection; training, oversight, and policy review	Interviews and worksheets with central offices

Campus safety and security ("Clery Act")	Requires institutions receiving federal financial aid to track and disclose certain crimes on or near campus (including implications for study-abroad programs) Reporting requirements include Annual Security Report (ASR), crime log, policies, "timely warnings," and an Annual Fire Report	Campus security or police department Emergency management Fire department Residential education Health education/student wellness Dean of students/student affairs (e.g., Student conduct) Title IX compliance officer Study-abroad office State systemwide offices	Classification and collection of crime statistics, crime and fire logs, emergency notifications, timely warnings, drills/testing, report preparation and publication, periodic policy/procedure reviews; Training of campus security authorities and other members of campus Direct costs: Software license, mass emergency notification system costs, external training costs, association dues	Interviews/worksheets with central offices Survey of academic faculty/staff to capture training time (some institutions)
Drug and alcohol abuse prevention Drug Free Schools and Communities Act (DFSCA)	Requires institutions receiving federal financial aid to establish drug and alcohol abuse prevention programs for students and employees	Dean of students/student affairs Residential education Student health and wellness Police department/ campus security	Notifications, program reviews, certifications, data collection and reporting, providing training to students and employees Direct costs: External training (for students and employees), media campaigns/ads, cost of student programming	Interviews/worksheets with central offices
FERPA Family Educational Rights and Privacy Act	Protects privacy of student educational records, including grades, test scores, and behavior	Registrar Financial Aid Student Accounts Admissions office IT (security, app development) Faculty/staff (training)	Recordkeeping; waivers and disclosures; providing and receiving training; policy review; answering questions from faculty, staff, students, and parents; IT security programs	Interviews/worksheets with central offices Academic faculty/staff survey to capture training costs

			Direct costs: External training, IT configuration and security costs (e.g. waiver forms, records access configuration)	
Financial aid	Various requirements for participation in federal financial aid, including: verifying eligibility, award notifications, disbursing grants and loans, providing work/study, exit-counseling, "R2T4" (return to Title IV), etc. Includes Title IV, Veterans Affairs, Workforce Investment Act (WIA), and funding from other federal agencies (e.g., Department of Defense)	Financial aid office Registrar's office Student accounts IT /database support for enrollment systems State systemwide offices	Eligibility determinations: need assessment and determination, enrollment verification, "C" flag resolution, satisfactory academic progress, award notification Origination and disbursement: loan notification letters, credit checks, FISAP preparation, corrections to transactions, withdrawal management, R2T4 Entrance/exit counseling: entrance and exit counseling, training Other areas: work-study oversight, management of student accounts, veterans benefits, training, software tools, IT systems, general oversight (e.g., answering questions) Direct costs: Software licenses, external trainings, conference fees, third party verification of	Interviews/worksheets for central offices

			applicant information (e.g., background checks)	
Gainful employment	Requires occupational training programs and all programs at for-profit institutions to meet requirements related to loan repayment to maintain access to federal student aid	Provost/academic affairs Occupational or certificate training programs (e.g., allied health, teacher training) Student accounts/financial aid Career services	Data collection, report preparation, regulatory interpretation	Interviews/worksheets for central offices
IPEDS reporting	Dataset collected for Department of Education, consists of nine survey components including: institutional characteristics, prices, enrollment, financial aid, degree completions, retention, graduation, institutional resources (HR, finance)	Institutional research Registrar's office Financial aid Finance HR IT/database support State systemwide offices	Data collection, report preparation, data validation, implementation of reporting changes (e.g. IT configuration)	Interviews/worksheets for central offices
State authorization	Requires an institution to meet state requirements in any state where it is offering postsecondary education through distance or correspondence education	Office of the Provost/ Academic Affairs Office of distance education State system-wide offices	Interpretation of individual state requirements, preparation of applications and renewals, Direct costs: State fees	Interviews/worksheets with central offices
Sexual misconduct Title IX, Violence Against Women Act (VAWA), Campus SaVE Act (future)	Title IX prohibits discrimination on the basis of sex, requires institutions to take immediate actions to prevent sexual violence and misconduct Title IX and related regulations (Violence Against Women Act (VAWA) specify how sexual misconduct	Title IX coordinator General counsel Dean of students/ student affairs (e.g. office of student conduct) Women's center Campus security or police department Residential education Student health/ wellness Psychological services/counseling Athletics	Receiving and giving training (including extensive prevention programs), issue investigation and resolution, providing counseling to students, policy development and review	Interviews/worksheets with central offices Academic faculty/staff survey to capture training costs

	crimes are investigated, responded to, and reported	Faculty/staff across campus (training) State systemwide offices	Direct costs: External legal fees, external training costs, conference fees, prevention programming fees, third party consultants	
Title IX - athletics Athletics programs and administration	Oversight of athletics dept. teams, expenses, support, and other areas to ensure institution is providing equal athletics opportunity for both genders as outlined by Title IX legislation	Athletics department Title IX coordinator	Evaluation and monitoring of programs, administrative and reporting costs, policy review and oversight	Interviews/worksheets with central offices
Animal research	Compliance with Animal Welfare Act and PHS policy guidelines on treatment of animals in research including IACUC processes, training systems, and compliance working with animals in labs AAALAC accreditation	Institutional Animal Care and Use Committee (IACUC) Office of animal welfare Academic faculty and staff	IACUC time, protocol review, monitoring and reporting, training, maintaining AAALAC accreditation Preparing, submitting, and amending IACUC applications (e.g., informally consulting with IACUC, preparing nonprotocol application components, submitting to IACUC, working with IACUC to achieve approval of first-time submission, reporting changes/updates or discussing compliance with IACUC to make a change to a previously approved protocol) Other general animal research compliance tasks (e.g., time spent reviewing compliance with those in your lab,	Interviews/worksheets for central offices Academic faculty/staff survey to capture individual compliance costs

			semiannual inspection of lab/research facilities, steps taken to provide access for visiting researchers to enter animal facilities, dealing with issues of noncompliance with IACUC) Training Note: Cost of basic care for animals <u>not</u> included (e.g., housing, cleaning cages, water/feeding)	
Conflicts of interest	Compliance with PHS conflict of interest guidelines including annual disclosures and scientific reviews of conflicts for key personnel on PHS grants	Conflict of interest and commitment Management Faculty affairs Academic faculty and staff	Time spent on any conflict of interest disclosures or related activity (include annual/study specific disclosures, reporting on travel, being monitored for a conflict) Time spent in conflict of interest committee meetings, reviews of PHS grants, or participating in the monitoring or management of conflicts Time spent in conflict of interest trainings or presentations	Interviews/worksheets for central offices Academic faculty/staff survey to capture individual compliance costs
Environment, Health and Safety: research-related	Occupational Safety and Health Administration (OSHA) and Environmental Protection Agency (EPA) regulations for laboratory safety	Environmental health and safety Facilities management Academic faculty and staff	General lab waste (chemical, biological, radioactive): time spent collecting, treating, or disposing of waste; recordkeeping; reporting;	Interviews/worksheets for central offices Academic faculty/staff survey to capture

	Including chemical, biological, and radiation waste and safety processes, training, and reporting		general lab safety compliance tasks: lab-specific safety trainings, inventory management, security of hazardous materials, safety data sheet management, internal auditing, surveys, recordkeeping, lab specific safety procedure development Special laboratory facilities with additional regulatory oversight (e.g. High-Containment/BSL-3 Labs, BSL-2+ Labs, irradiator facilities, radiation production Facilities, toxic gas labs and clean rooms): specific safety trainings, documentation, inventory management, security measures, waste handling, lab-specific standard operating procedures Training: time spent in required environment, health, and safety compliance training Direct costs: Hazardous and biowaste removal; third party consultants; external training	individual compliance costs
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Export control	Regulations that prohibit the transfer of items such as information, software, equipment, technical data, and other technology to anyone outside the US without a license from the federal government e.g., International Traffic in Arms Regulations (ITAR), US Munitions List (USML), Export Administration Regulations (EAR), Office of Foreign Assets Control (OFAC) requirements	Export compliance office Research administration office(s) Academic faculty and staff	Export control compliance training; Consulting with export control compliance office and/or pursuing a license or license exemption to stay within export control regulations; policy development and review; answering employee questions Direct costs: License fees	Interviews/worksheets for central offices Academic faculty/staff survey to capture individual compliance costs
Grants and contracts (research)	To apply for and receive federal research funds, applicants must meet pre-award requirements, post-award requirements, and follow accounting rules as specified by uniform guidance/award agencies.	Office of sponsored programs Contracts and grants management Contracts and grants accounting Academic faculty and staff State systemwide offices	Pre-award management: Includes preparing nonscientific sections of the application including biosketches, mentoring plans, and broader impact sections, as well as the time required to prepare for such sections (e.g., developing a mentoring plan). Also includes time spent conforming grant applications to format requirements. Includes activities for both successful and unsuccessful grants Effort reporting: (e.g., certifying that the effort required has been completed) Post-award accounting: (aside from effort	Interviews/worksheets for central offices Academic faculty/staff survey to capture individual compliance costs Note: Faculty and staff were asked about time spent writing grants, but this time was explicitly <u>excluded</u> from total cost of compliance

			reporting; e.g., expenditure monitoring and budget management, reconciliation, financial reporting, grant closeout, and final reports) Subrecipient monitoring: (includes invoicing, scientific review, budget tracking, resolving issues with appropriateness and inconsistent time periods) Postaward management: Separate from from subrecipient monitoring; e.g., prior approval requests, writing and submitting progress reports, following institutional policies for procurement (such as travel, animals, equipment), CPARS, PubMed publication registration, following policies for data safety Training time spent in trainings related to grant and contract management <u>Note:</u> Time spent writing grants was <u>not</u> included in compliance costs Direct costs: A-133 audit, conference fees	
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Human subjects	Compliance requirements for research involving human subjects including institutional IRB requirements and processes and research guidelines for PIs	Institutional review boards (IRBs) Human research protection program Office of research compliance Academic faculty and staff	IRB office time, IRB committee time, protocol review, monitoring and reporting, training Preparing, submitting, and amending IRB applications (e.g., activities such as informally consulting with the IRB, preparing nonprotocol application components, iterating with the IRB, IDE/IND compliance management, and preparing clinical charge intentions with the department of finance) Clinical trial compliance: Includes activities such as QA/QC, performing the informed consent process, patient registration and billing compliance, preparing for FDA inspections, reporting adverse events Other compliance activities such as updating the IRB annually, data and safety monitoring, IRB audits, special population compliance, and commercial sponsor monitoring	Interviews/worksheets for central offices Academic faculty/staff survey to capture individual compliance costs
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			Training: time spent in required human subjects research training Direct costs: IT system maintenance, training	
Research misconduct	Required training and coursework for NIH- or NSF-funded trainees related to responsible practices in research	Office of research compliance/responsible conduct in research Dean of Graduate School Vice chancellor for research /research administration Academic faculty and staff	Training, development of course material, conducting courses, issue investigation and resolution, program management Direct costs: Training	Interviews/worksheets for central offices Academic faculty/staff survey to capture individual compliance costs
Technology transfer and commercialization	Requirements related to Bayh-Dole Act involving disclosures of intellectual property emerging from federal funding and compliance related to medical device development	Technology transfer office Intellectual property licensing office Office of sponsored programs Academic faculty and staff	Invention reporting, ownership elections, training; management of intellectual ownership and disposition issues for research with multiple funding sources	Interviews/worksheets for central offices Note: Central offices were asked to estimate on behalf of faculty/staff in academic departments
Anti-discrimination	Management of programs and policies related to Equal Opportunity, Affirmative Action, Recruitment, Workplace conduct regulations (e.g., Title VII, Equal Pay Act, Age Discrimination and Employment Act, Genetic Information Nondiscrimination Act) Regulation by agencies including Office of Civil Rights (OCR), Office of Federal Contract Compliance Programs (OFCCP) Note: Title IX anti-discrimination included in	Human resources Equal opportunity office Affirmative action office Equity and diversity office General counsel	Training, grievance investigation and resolution, policy development and review, general oversight Direct costs: External counsel, external training fees	Interviews/worksheets for central offices

	"Title IX (athletics)" and "sexual misconduct" categories, Americans with Disabilities Act included under "Disability" category			
Disability Americans with Disabilities Act (ADA)	Requires institutions to provide reasonable accommodations to employees and students with disabilities and imposes accessibility requirements on public accommodations	Disability services office(s) Human resources Residential education and housing Campus planning and construction Student health and wellness Parking and transportation General counsel	Providing reasonable accommodations (e.g., tutorial services, captioning, assistive learning technologies, printing services, physical accessibility, transportation services, handicapped parking), dispute investigation and resolution, policy development and review Direct costs: Facility accessibility costs (operating costs only), cost of reasonable accommodations, third party services Note: Capital expenditures (e.g., construction) were not included in estimates	Interviews/worksheets for central offices

Environment, Health & Safety: non-research-related	Occupational Safety and Health Administration (OSHA) and Environmental Protection Agency (EPA) regulations outside of laboratory safety requirements Includes regulations such as Clean Air Act, Clean Water Act, Asbestos regulations, Hazardous and Solid Waste Amendments of 1984, Mandatory Reporting of Greenhouse Gases, Occupational Safety and Health Act, Toxic Substances Control Act, etc.	Environment, health and safety Occupational health Facilities management Student health services	Giving and receiving training, nonhazardous waste disposal, asbestos removal, pesticide removal, underground storage, hazardous waste disposal, spill prevention plans, obtaining emissions permits; performing safety inspections; complying with FERC, requirements policy review and oversight (including answering student/employee questions) Direct costs: permits and licenses; fees for waste, asbestos, pesticide, etc. removal; external training fees, supplies and expenses (e.g., baghouses, licenses, cooling tower cleaning), services (e.g., gas testing, water discharge chemistry testing, method 9 certification), etc.	Interviews/worksheets for central offices
FEMA grant compliance	Requirements for receiving grants from the Federal Emergency Management Agency (FEMA) to mitigate potential hazards related to natural disasters	Facilities management	Applications for and management of grants, monitoring and reporting	Interviews/worksheets for central offices
Finance	Various regulations including: 990 and 990T reporting Tax-exempt bond compliance Financial solvency metrics	Finance, including comptroller, treasury, accounting, procurement, disbursement development office Student accounts/registrar HR	Preparation of audited financials; tax preparation related to charitable contributions; payroll management; tax-	Interviews/worksheets for central offices

	Accounting standards Charitable contributions International tax Student tax (e.g., 1098 and 1098T)	State systemwide offices	exempt bond offerings and compliance; U.S. income tax preparation; management of employer obligations vis-à-vis U.S. employee taxation; student taxation/1098T/1098E; policy development and regulatory interpretation Direct costs: third party fees (e.g., auditors), tax software	
FISMA Federal Information Security Management Act	Requires government contractors and organizations that collect or operate information systems on behalf of a federal agency to develop, document, and implement information security programs	IT Information security office	Certification of compliance; maintenance of compliant systems; training; incident prevention and response Direct costs: IT infrastructure; security systems (e.g., firewalls)	Interviews/worksheets for central offices
HIPAA Health Insurance Portability and Accountability Act	Health information privacy regulations (relevant for student health services and employees)	Student affairs Student health/wellness Psychological counseling Human resources	Maintenance of compliant systems and processes; policy development and interpretation; training	Interviews/worksheets for central offices
Human resources	Regulations impacting employers, including: Affordable Care Act FLSA (e.g., minimum wage, overtime) FMLA (unpaid protected leave) ERISA (retirement benefits) Employee tax issues Executive compensation Unemployment Labor relations (e.g., unions)	Human resources (benefits, compensation, recruiting, admin, etc.) Payroll State systemwide offices	Advising employees and supervisors; preparation of notices; processing of forms (e.g., W-4); management of wage garnishments; ERISA issues; performance of activities required by individual HR regulatory areas Direct costs: Software license; external training;	Interviews/worksheets for central offices

			third party consultants; external counsel <u>Note:</u> Activities and costs include oversight and administrative, but not taxes, penalties, or benefits	
Immigration	Support of immigration processes including visa sponsorship time and costs; supporting students, scholars, and employees with compliance processes; and time on I-9 forms	International office Human resources Faculty and staff time throughout institution	Collection and review of I-9 forms; visa processing and sponsorship; advising regarding hiring and admissions Direct costs: External counsel; visa filing fees; advisor's manual license; memberships; visa program redesignation, software licenses; external training fees	Interviews/worksheets for central offices Academic faculty/staff survey to capture individual compliance costs