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the Expecting Unexpected

Lessons from the Virginia Tech Tragedy



American Association of State
Colleges and Universities

The Unexpected

How would your campus respond to tragic events such as occurred at Virginia Tech and Delaware State?

Is there a campus crisis plan and has it been tested?

If you are away from campus, are others prepared to respond immediately?

Preparing for the unexpected, conceiving the inconceivable, responding appropriately and quickly, are responsibilities weighing heavily on campus presidents and chancellors. In the aftermath of the Virginia Tech tragedy, Governor Tim Kaine appointed a distinguished panel to assess and advise. The Virginia Tech Review Panel issued a 260-page report with immense implications for all in higher education.

AASCU asked our retired colleague Larry Pettit to assess the report's finding and implications and to prepare a "primer" for campus leaders. Larry's broad background was especially suited for this task. I note his experiences as an institutional president (Indiana University of Pennsylvania), the head of two systems (Montana University System and Southern Illinois University) and assistant to the governor of Montana.

His summary and observations follow. I believe Larry has addressed well the key issues facing campus leaders and trust his observations will prove helpful.



Constantino W. Curris
President

Introduction

FOLLOWING THE MASS KILLINGS AT

Virginia Tech on April 16, 2007, most colleges and universities have begun to review the various elements of their over-all campus security plans, just as many did after the tragedies of September 11, 2001. The Virginia Tech Review Panel, appointed by Governor Timothy M. Kaine, reports that there have been state reviews of campus security in Florida and Louisiana, and excellent campus reviews by the University of Maryland and the University of California. *U.S. News* (September 24) notes that all students who come to the health center at the University of Wisconsin, no matter what the ailment, soon will be automatically screened for depression, and offered treatment if needed. The same article cites both Cornell and Wisconsin as adding counseling offices in residence halls and academic buildings. An *Associated Press* story on the September 22 killing at Delaware State, praised that university for its swift action in shutting down the campus within 20 minutes of the first report of the incident. The reporter proclaimed, "The biggest lesson learned from . . . Virginia Tech is don't wait. Once you have an incident, start notifying the community."

Not all lessons have been learned; ideology and politics will still intrude into the process of making our campuses and society more secure. A New York Times editorial of October 1 commented on a gun-control loophole in the Virginia Tech case: "Despite a history of mental illness, a deranged student easily bought enough guns and ammunition to take 32 (sic) lives and then his own. He was previously deemed dangerous by a judge who ordered him to undergo health care. But this was outpatient treatment, not in-hospital, so his name was never

placed on a federal watch list that might have barred him from buying guns." A few months ago the U.S. House of Representatives voted to close this gap, but when the bill reached the Senate it was blocked (possible under Senate rules) by a single senator from Oklahoma, dubbed by the Times as [the] "premier orator on the preciousness of the Second Amendment." Another lesson we must keep in mind is that the politics of gun control complicates—or perhaps contaminates—the environment as colleges and universities work to reduce or eliminate violence on their campuses.

On the assumption that most presidents will not have time to read the 200+ page report of the Virginia Tech Review Panel, AASCU leadership arranged for this distillation of the report's major findings that bear on what presidents should do in this post Virginia Tech environment.

This paper is organized under six headings: The Importance of University Linkages; The Need to Upgrade and Institutionalize Internal and External Communication; The Importance of Early Detection and Warnings; The Need to Respond Quickly to Incidents; The Need to Centralize and Control Media and Public Relations; and The Necessity of Well Operated Family and Victim Services. The topical approach results in a restructuring of the chronological narrative produced by the Review Panel. There is no attempt here to summarize the entire Review Panel report, rather, the focus is on those matters most appropriate to presidential interest and action. Findings and observations of the Review Panel are accompanied by related observations and suggestions of the author, the latter addressed specifically to presidents and chancellors.

Linkages

At least since passage of the Land-Grant Act, universities have ceased to be the cloistered sanctuaries once intended. The danger nowadays is that a frenzy of activity by a plethora of actors at multiple points of contact may result in the university being “represented” in several arenas by persons unknown to the president, or in a manner inconsistent with the university’s stated goals. Most presidents have a good degree of control over such activity in fund raising and government relations, but it may be more difficult in athletics, or in health policy if there is a medical school involved. In the newly important area of campus security, it is crucial not only that the university maintain the appropriate linkages with relevant community, state and federal players, but also that the president maintain control and arrange for maximum coordination.

Campus police should have an ongoing relationship with local and state police, and with other law enforcement agencies such as the FBI, ATF, and so forth. The Virginia Tech Review Panel found that joint training by the university and local police resulted in saving lives, and they recommend, “Campus police everywhere should train with local police departments on response to active shooters and other emergencies.” The president’s own relationships with the mayor, governor, and local legislators should include discussions about emergency preparedness and response. University student affairs personnel should sustain current and useful relationships with appropriate municipal and state agency personnel in charge of such areas as mental health and emergency medical response. University personnel should become aware of federal programs such as the Department of Health and Human Services’s National Disaster Medical System (NDMS) program. The president and his or her team should confer with the local member of Congress and/or one or both of the state’s U.S. Senators on how best to access federal emergency assistance. Key external players, for example, heads of state or local health agencies or emergency response units, should have an advisory role in the formulation of university emergency preparedness and response plans.

Universities may need to know whether there is a regional Incident Command System (ICS) for the coordination of diverse university and community/state agencies, and whether there is a regional hospital coordination system for emergency response, and if it is linked to a statewide response system.

Linkages among universities themselves (usually through system administration, but in some states

through voluntary coordination) are key in conducting the reconnaissance necessary to identify relevant state services to avoid inundating state officials with information requests. The Virginia Tech Review Panel was critical of state universities in Virginia for the lack of any coordinated review of major security issues, charging “there have been no meetings of presidents and senior administrators to discuss such issues as guns on campus, privacy laws, admissions processes, and critical incident management plans.” Both the community colleges and the independent colleges were lauded for collective action and for meeting with the Panel.

It is reasonable to suppose that for those universities linked within a common system, certain protocols may have to be abandoned in times of emergency. For example, while the system CEO has the right to expect to be one of the first persons called by a campus CEO at the outbreak of an emergency, from that point on an additional layer of decision making becomes dysfunctional. The campus executive should be in charge of the response effort, and should be accorded the privilege of interacting directly with the governor or his representative. The system may have emergency preparedness and response experts whom they can dispatch to assist the campus. While the system must play a leadership and convenor role in directing that each constituent university have an emergency plan that incorporates standard elements and in staging forums on risk assessment, preparedness and response, it would be unwise to expect a “one size fits all” standard plan for all universities within a system. Such variables as urban/rural/suburban setting, community and campus cultures, size and layout of campuses, availability of local support services, and so forth affect these plans.

Communication

It is essential that both internal and external communication channels be identified and institutionalized, with no confusion in an emergency about who calls whom, and with an authoritative resolution of any confusion regarding what communication is or is not allowed under state or federal privacy laws. Universities in each state, acting together, should seek an attorney general’s opinion on what is allowed under the various privacy laws. In the Virginia Tech incident, the review panel found there was widespread confusion about what federal and state privacy laws allow, and that “University officials in the office of Judicial Affairs, ...counseling center, campus police, the Dean of Students, and others

explained their failure to communicate with one another or with Cho's (the assailant) parents by noting their belief that such communications are prohibited by the federal laws governing the privacy of health and education records. In reality, federal laws and their state counterparts afford ample leeway to share information in potentially dangerous situations."

The role of campus police is critical in an emergency, and the police need to be in the relevant communication loops, including involvement in security planning and threat assessment. According to the Review Panel, several campus police chiefs in Virginia complained of not being involved in such planning, and of lacking authority to "access important information on students." In addition, the Panel faulted Virginia Tech because the university police lacked the capability to send an emergency alert message directly to the campus community. Instead, the police had to go through a vice president, who took the matter to the policy group, who, some hours later, made the decision to send a message.

On-scene agencies in an emergency should have a common communications system. We know by now that a major problem at the World Trade Center on September 11, 2001, was that the New York police and fire departments had separate communications systems that were not interactive. The Virginia Tech Review Panel concluded "Local political entities must get past their inability to reach consensus and assure interoperability of their communications systems." In their emergency planning, universities can take the lead in trying to achieve regional interoperability of communications systems in emergency medical services, fire departments and law enforcement.

Emergency communications can be facilitated, according to the Panel, by quickly activating an Emergency Operations Center as an incident unfolds. One responsibility of the EOC, which is to assure that necessary resources are available, is the establishment of a joint information center (JIC) that, in the words of the Panel, "...acts as the official voice for the situation at hand."

A final note on communication: It is almost inevitable in a very serious incident, such as that at Virginia Tech, that governors or their people will wish to control the flow of information to the news media. The public do not trade in nuance. They believe that governors have the same control over state universities as they do over state agencies, and they hold them accountable for what goes wrong on campuses, and for fixing it.

An emergency is not an appropriate context for resisting state authority, and it is wise to defer to the governor and give him or her full support. A president should probably take the initiative and ask the governor how he or she would prefer to handle public information throughout the incident and its aftermath.

Early Detection and Warnings

Risk assessment is a critical element of any emergency plan, and, as the Virginia Tech case gravely illustrates, threats may come from within as well as from without, and may ensue from the psychological deterioration of a single person. The Review Panel noted "widespread confusion about what federal and state privacy laws allow." This confusion, incidentally, creates a setting in which any university would likely have acted as Virginia Tech did. The Panel is critical of Virginia Tech in concluding "During Cho's junior year... numerous incidents occurred that were clear warnings of mental instability. Although various individuals and departments within the university knew about each of these..., the university did not intervene effectively. No one knew all the information [see "Communication"] and no one connected all the dots."

Confusion regarding the degrees of leeway under the Family Educational Rights and Privacy Act (FERPA), that deal with educational records, and the Health Insurance Portability and Accountability Act (HIPAA) that deals with health records, creates a bias towards nondisclosure as university employees opt to protect themselves from prosecution. But, as the Review Panel notes, problems presented by a seriously troubled student require a group effort with optimum sharing of information. Legal and student affairs staff on campus should read Appendix G of the Panel's report, which contains copies of guidance letters from federal officials to universities on interpretation of FERPA and HIPAA rules. Appropriate student affairs staff should also read a short piece, "Red Flags, Warning Signs and Indicators," by Roger Depue, in Appendix M of the Report. As mentioned above, a state's public universities, acting in concert, should seek an authoritative opinion from the state attorney general on how to interpret FERPA and HIPAA, and how to construe related state laws.

The presence of guns on campus, and the ease with which deranged persons are able to purchase guns in some jurisdictions, must be regarded as a warning as universities undertake risk assessment and preparedness. Institutions should revisit their rules on this question, and national higher education associations, such as AASCU, should

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determine what constructive role they can play in helping to close the kind of loopholes that allowed Cho to arm himself (far beyond what would be necessary to kill a deer, for example) in Virginia.

Finally, a university's emergency response plan should include a "threat assessment team" to identify classes of threats and assess the risk of specific problems and specific persons. The Review Panel's report recommends such a team, to include representatives from law enforcement, human resources, student and academic affairs, legal counsel and mental health personnel.

Quick Response

A September 24 article in the *Chronicle of Higher Education* reports that since the Virginia Tech massacre police departments, both on campus and in the communities, "have been consumed with trying to ensure that their emergency-notification procedures are updated." The same article noted that Delaware State, where a shooting incident occurred on September 21, was about to start a campuswide emergency-warning network to be delivered through text messages. It said that many other colleges and universities had already installed such systems or were in the process of buying them. In addition, campus and community police departments have stepped up their joint training exercises.

The Review Panel, in addition to recommending an emergency message system, recommends a single Emergency Response Coordinator (ERC) for a university to reduce confusion and enable a quicker, more streamlined response.

Perhaps the only way to ensure a quick, coordinated response to crisis incidents is to conduct continual training in crisis management. The Panel recommends such training involve "university and area-wide disaster response agencies training together under a unified command structure."

Media and Public Relations

An observation of the Virginia Tech Review Panel is that "For decades, disaster plans have underscored the importance of having a designated public information officer (PIO) who serves as the reliable source of news during emergencies." A university should designate such a spokesperson, with the caveat that in the most serious incidents the university spokesperson may have to work out arrangements with, and defer to if necessary, the governor's PIO. In any event, the university should have a single person in charge of working with news media, families of

victims, emergency medical personnel, and people from assisting federal, state and community agencies.

Not necessarily as an element of the emergency plan, but at the president's discretion, the university should work out how to provide periodic briefings to the governor and legislators, community leaders, and, if a system is involved, to the CEO of the system, and what role the president himself/herself will play in that process.

Part of a public relations strategy in the immediate aftermath of an incident is to work out for the university's constituencies and clientele groups several visible means of reassurance that signal recovery and confidence with regard to future campus safety. Public relations staff should be ready to go into action at the onset of an incident with these goals in mind.

Family and Victim Services

The Virginia Tech incident teaches us that this should be a component of any emergency plan. The Review Panel concluded that "State systems for rapidly deploying trained professional staff to help families get information, crisis intervention, and referrals to a wide range of resources did not work."

Virginia Tech was pretty much on its own in this regard, and attempted to provide services in the absence of any single agency of government that is charged with the responsibility of maintaining a family assistance center in emergency situations. The Panel regards this as an oversight in federal and state policies, commends Virginia Tech for its effort, but faults the university for haphazard and inconsistent implementation. Universities should charge someone, or some unit, with surveying sources of such assistance from various state and federal resources, and establish staff liaison in order to be prepared to access such assistance at the onset of an emergency. The Review Panel made several recommendations with respect to family and victim services, advocating that emergency management plans include a section on victim services, create an in-house victim assistance capability, and link with local victim assistance professionals.

Summary

Universities are in a new political environment. In the past, tragedies that occurred on campus were regarded as unfortunate and perhaps unavoidable, but not the result of lack of planning or inadequate response. Now the quality and effectiveness of our emergency planning, risk assessment and response to incidents will be under scrutiny,

and public remorse over the incident may fade from view much sooner than public discussion of the university's alleged culpability in not preventing the incident or not dealing with it quickly and adequately.

What immediate steps a president should take, or how one prioritizes the foregoing suggestions, will depend on the unique campus situation with respect to security policy and preparedness, and on the municipal and state contexts. At the risk of redundancy, let me submit a few suggestions:

- Get a handle on the breadth and depth of campus expertise—including faculty, staff and students—on matters relating to security planning, preparedness and emergency response. Are there individuals who have had relevant training in the military, or who may still be in reserve units or the National Guard in roles that address these concerns? Are there faculty members involved in research and training projects that relate to detecting, preventing or responding to the various potential crises? Who are the faculty and counseling experts who deal with mental health problems? Do the campus police have a crisis response unit?
- Involve some of these experts in developing or amending your security plan, in training others, and in crisis detection and response. Too often, I believe, we involve faculty as political spokesmen for the faculty or its union, rather than viewing the faculty as our valuable repository of subject matter expertise.
- Make sure there is a mechanism by which the presidents and chancellors in your state can entreat the governor to convene a meeting with all of you to discuss how he or she would have you relate to the governor's office and state agencies on matters of campus security generally, and more specifically when an incident occurs. The most astute governors will already have done this.
- Be certain that you designate a second in command to lead the campus during a crisis that occurs in your absence.
- Develop a mechanism for scheduling and conducting periodic training and drills, both internally and in cooperation with state and local agencies. Be sure to include student leaders and resident assistants.

For the immediate future emergency planning must be one of our most important collective concerns in higher education. I hope this paper constitutes a useful starting point for the continuing dialogue.

—Lawrence K. Pettit

About the Author

Dr. Lawrence K. Pettit received his education at the University of Montana (B.A.), Washington University in St. Louis (M.A.), and the University of Wisconsin, Madison (Ph.D). Dr. Pettit has had dual careers in politics and higher education. Politically, he has served as legislative assistant to U.S. Senators James E. Murray and Lee Metcalf; campaign manager, head of transition team and assistant to Montana Governor Thomas L. Judge, was a candidate in the Democratic primary for the U.S. House of Representatives from Montana, and represented the nation's colleges and universities in Washington, D.C. while on the professional staff of the American Council on Education.



Dr. Pettit was CEO of the Montana University System, Deputy Commissioner for Academic Programs at the Texas Higher Education Coordinating Board, Chancellor of the University System of South Texas (since merged with Texas A&M University), President of Southern Illinois University (titled "Chancellor" at that time), and President of Indiana University of Pennsylvania for 11 years, from where he retired in 2003. He has served as chair of the Commission on Leadership for the American Council on Education, president of the National Association of (University) System Heads, and on many national and state boards and commissions in higher education. Throughout his career, Pettit has been an active participant as speaker and panelist for a number of higher education organizations. He has authored and co-authored a number of articles in political science and higher education, and four books in political science.

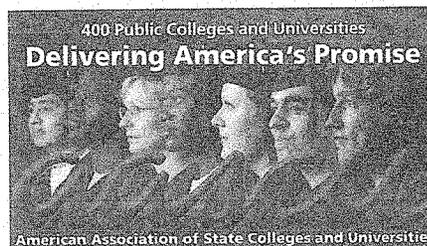
Since retirement, Dr. Pettit, has donated time to nonprofit organizations, and has recently finished writing a memoir on politics

Delivering America's Promise

AASCU's 430 public college and university members are found throughout the United States, and in Guam, Puerto Rico and the Virgin Islands. We range in size from 1,000 students to 44,000. We are found in the inner city, in suburbs, towns and cities, and in remote rural America. We include campuses with extensive offerings in law, medicine and doctoral education—as well as campuses offering associate degrees to complement baccalaureate studies. We are both residential and commuter, and offer on-line degrees as well. Yet common to virtually every member institution are three qualities that define its work and characterize our common commitments.

- I. We are institutions of access and opportunity. We believe that the American promise should be real for all Americans, and that belief shapes our commitment to access, affordability and educational opportunity, and in the process strengthens American democracy for all citizens.
- II. We are student-centered institutions. We place the student at the heart of our enterprise, enhancing the learning environment and student achievement not only through teaching and advising, but also through our research and public service activities.
- III. We are "stewards of place." We engage faculty, staff and students with the communities and regions we serve—helping to advance public education, economic development and the quality of life for all with whom we live and who support our work. We affirm that America's promise extends not only to those who come to the campus but to all our neighbors.

We believe that through this stewardship and through our commitments to access and opportunity and to our students, public colleges and universities effectively and accountably deliver America's promise. In so doing we honor and fulfill the public trust.



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