

A Comprehensive Review of the Legislative Response and an Assessment of the Divergent State of Campus Security and Communications Technology post Virginia Tech Massacre

White Paper

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This White Paper is dedicated to the memory of the 32 individuals whose lives were taken from the Virginia Tech community on April 16, 2007.



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I. Executive Summary

The issue of Campus Security is nothing new, yet it continues to garner a lot of attention in the press, especially as students and faculty begin another school year this month. Moreover, in the wake of last April's tragic events at Virginia Tech, many campuses around the country have taken active steps to ensure that they have a mass notification system, or other means, in place to appropriately handle and respond to a similar crisis.

Merely a week after the tragedy at Virginia Tech, the Committee on Homeland Security and Governmental Affairs held a session to address the Security on America's College Campuses. Senator Collins (R-ME), the Committee's Co-Chair along with Senator Lieberman (I-CT), began her comments by saying, "as Cornell University's Director of Campus Security has warned, this type of thing [Virginia Tech] could have happened anywhere. Unfortunately, history confirms that statement is true. Killers have targeted students of all ages...Sadly, this threat is not new..."¹

In the wake of the tragic events that occurred at Virginia Tech, many universities and college campuses across the nation were faced with an immediate harsh reality: the safety of their communities had been compromised and administrators were in serious need of reassuring students, faculty, staff and others that the proper procedures were in place to deal with a similar crisis. Moreover, they needed to communicate that, despite this horrific incident, their campuses were still relatively safe places to be².

This White Paper will explore in detail the legislation that has been presented both on the state and federal levels to guide and assist colleges and universities in how best to respond to an emergency situation in the wake of last spring's Virginia Tech tragedy. In addition, the authors will assess the ways in which several colleges and universities are responding to the legislation and the measures currently being implemented to notify the campus community in the event of an emergency. Finally, the White Paper will expose several critical gaps in the legislation, as well as the implementation by these colleges in the hope of adding further protection to those existing measures.

¹ Senator Susan M. Collins (Committee on Homeland Security and Governmental Affairs) "Security on America's College Campuses", April 23, 2007, 1-2.

² *Toward a Safer Campus*, p. 48, U.S. News & World Report, April 30, 2007



II. Background

On Monday, April 16, 2007, students on the campus of the Virginia Polytechnic Institute and State University in Blacksburg, Virginia awoke to what many figured would be another week full of classes, as they neared the homestretch of the spring semester. As they would soon learn, the day would unfold much differently.

The initial reaction on campus was one of confusion and chaos. As more details emerged in the days following, many scrutinized the Virginia Tech Police Department and its decision to wait more than two hours after the initial killings to notify the entire campus of the serious and dangerous threat³. By that time, it was too late and many students had already made their way to their first class of the morning. The contradictory reports that surfaced – the first notification, sent at 9:26AM, nearly two hours after the initial call to West Ambler Johnston Hall was made, had only indicated that a “shooting incident occurred...earlier this morning. Police are on the scene and are investigating.” Further, the email urged the university community to be cautious, yet there was no reference to an unknown suspect at-large or that anyone had been killed.⁴ As a result of this vague notice, students and faculty continued with their morning routine, unaware that the killer was still on the loose and that they, too, would be potential victims.

In the weeks and months that followed, many reports have been authored as part of the ongoing investigation into, among other things, how this could have been prevented in the first place. Colleges and universities around the country have been inundated with marketing materials from communications companies who claim their products are the one-size-fits-all solution and the need to react quickly has caused many to make haste decisions without doing proper due diligence.

In addition, many states have put together task forces of key personnel to assess the state’s emergency preparedness and to make recommendations for how to improve the existing protocols. Lawmakers on both the state and federal levels have been working to pass legislation to serve as thorough guidelines for postsecondary institutions to use, despite the diverse and complex natures of these communities.

In the following pages, we’ll address each of these issues to highlight the need for continued discussion and research of existing emergency operating plans. Although much has been done to date, much more can still be done to ensure that our nation’s campuses continue to be regarded as safe places to be.

³ Silla Brush, “Schooled by a Sick Tragedy,” *U.S. News & World Report*, April 22, 2007, 50.

⁴ Complaint of Non-Compliance With the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act, August 20, 2007, 2.



III. Legislation

As outlined in the previous pages, many discussions are currently underway on campus communities and in police departments across the country concerning ways to prevent and address an emergency situation on a college campus. In addition, legislative debates have been held on both the state and federal levels on the issue of campus security and, interestingly, many of these pieces of legislation were introduced well before the events that took place last April.

A. New Jersey

In New Jersey, for example, Assemblywoman Lampitt [Camden] and Assemblyman Diegnan [Middlesex] introduced A. 3879, which “directs each institution of higher education to develop and coordinate a comprehensive preparedness plan.”⁵

In addition, A. 136, introduced back on January 13, 2004, requires institutions of higher education to develop campus security plans.

Although these pieces of legislation provide some direction as to the need for a campus security plan, they both fail to indicate the integral pieces of such a security plan or what steps are needed to implement one.

B. Pennsylvania

Likewise, in Pennsylvania, H.R. 232, introduced on April 23, 2007 and adopted on June 27, 2007, urges colleges and universities to incorporate a campus security alert system providing for the orderly, accurate and timely dissemination that may save lives during emergency situations. Moreover, H.R. 232 urges colleges and universities to acquire cellular phone numbers, e-mail addresses and other important personal contact information from all members of the campus community, to activate [the] campus security alert system and immediately close the campus in the event of a shooting of any kind and to alert the local media within one hour of such an event.

On the one hand, the immediacy of the response and notification to the campus community is of utmost importance in this resolution. Furthermore, it adapts to the communications tools (internet, cellular telephone, etc.) being used on college campuses today. On the other hand, unfortunately, the legislation falls short by simply urging Pennsylvania’s colleges to implement these potentially life-saving protocols, rather than making it mandatory for them to do so. Finally, nowhere does it mention state funding needed to assist colleges and universities in the implementation of the recommended alert system.

⁵ http://www.njleg.state.nj.us/2006/Bills/A4000/3879_I1.PDF.



C. Delaware

In Delaware, similar to New Jersey and Pennsylvania above, the House of Representatives passed Bill No. 139 (April 24, 2007) which states that:

“Every public and private post-secondary school, college, and university which has more than one building serving students on the premises shall install and use a siren or sirens that are able to reasonably warn students and faculty members on the premises and nearby residents of serious health or safety issues existing on or near the premises.”

Again, like Pennsylvania above, this legislation falls short on a number of fronts. As seen in many articles post Virginia Tech, a holistic approach to campus security and a comprehensive response are necessary to ensure the safety of the campus community. “Communicating for effective campus public safety involves several inter-connecting spheres of communication and must be approached in a holistic manner...No single method of communication is sufficient.”⁶

In recent weeks, Delaware State University (DSU) was put to the test to see how well it could communicate during an emergency to its campus community. Although two students were injured initially, once the threat had been identified and communicated to the entire campus, no additional injuries were realized. In the days that followed the response to this emergency, many praised DSU in its response to the shootings, the lessons for which came about from the Virginia Tech tragedy. Experts added that it was a textbook example of how to handle a crisis. In addition, DSU employed multiple modes of notifying the campus of the emergency, including phone calls, website updates, personal visits to dorm rooms, and printed notices that were posted to campus buildings and nearby apartments. A DSU spokesman summed it up best by saying, “I think the biggest lesson learned from that whole situation at Virginia Tech is, don’t wait. Once you have an incident, start notifying the community.”⁷

D. United States 110th Congress, 1st Session

In addition to the states’ responses above, both the United States Congress and House of Representatives have proposed several pieces of legislation recently, including *The School Safety Enhancements Act of 2007* (S.1217 and H.R. 2352; April 25, 2007), which aims to improve the safety of elementary schools, secondary schools, and institutions of higher education by, among other things, allowing for the placement and use of surveillance equipment in schools; allowing the use of grant funds to establish hotlines or tiplines for reporting potentially dangerous students and situations and for making capital improvements

⁶ Steven J. Healy, “Best Practices for Making College Campuses Safe”, May 15, 2007, 2-3.

⁷ Officials praise Delaware State’s Response to Shooting, eSchoolNews.com, September 24, 2007.



to make school facilities more secure. Moreover, S. 1217 requires each institution...to conduct an annual campus safety assessment in consultation with local law enforcement officials; and to develop and implement a campus emergency response plan that addresses a comprehensive set of emergency situations...

A second piece of legislation, *The Campus Law Enforcement Emergency Response Act of 2007* (S.1228; April 26, 2007), stated that:

...“each institution of higher education participating in any program...shall develop and distribute as part of the report...

(i) a statement of policy regarding the institution's law enforcement emergency response program; and (ii) statistics concerning the occurrence of law enforcement emergencies on the campus of the institution.

In addition, the statement of policy, as described in section (i) above, shall include:

(C)(i) Procedures students, employees, and others on the campus of the institution will be directed to follow if a law enforcement emergency occurs; and

(ii) Procedures the institution and law enforcement agencies will follow to inform students, employees, and others on the campus of the institution about a law enforcement emergency on the campus and will follow to direct the actions of the students, employees, and others. Such procedures may include e-mail alerts, telephone alerts, text-message alerts, radio announcements, television alerts, audible alert signals, and public address announcements.

Finally, regarding the testing guidelines and notification timeframe, S. 1228 requires that:

(D) Each institution participating in any program...shall test the institution's law enforcement emergency response policy and procedures on at least an annual basis; and

(E) Each institution participating in any program...shall make reports to the students, employees, and others on the campus of the institution, not later than 30 minutes after the discovery of a law enforcement emergency on the campus, through the procedures described in subparagraph (C)(ii).

Unlike the states' legislation, S. 1228, above, is much more specific and includes explicit reference to the timeliness of a notice. One of the major criticisms of the Virginia Tech



massacre was the delayed reaction, at least publicly, by the campus Police Department to notify the campus of the specific threat. S. 1228 clearly identifies this issue and requires all institutions to notify the community within thirty (30) minutes of an emergency. Obviously, as colleges implement their respective emergency response methods, it will be difficult to tell how effectively a timely notice can be disseminated to the campus community. Purdue University in Indiana plans to test its text messaging notification system later this month. Although vendors were quick to make claims of being able to notify the full campus of 50,000 people within minutes, the only proven record was more like 200-300 messages per minute, said Scott Ksander, Purdue's executive director of information technology networks and security.⁸

IV. State Campus Security Task Forces

Immediately following the events at Virginia Tech, many governors across the country hastily formed Task Forces to investigate and assess the condition of their state's colleges' and universities' campus all-hazard emergency preparedness plans in addition to making suggestions for improvement, where needed, of these plans. Several, including Missouri and Kentucky have already released their final reports, while others are due out in the coming months.

A. Missouri

In its recently released final report Missouri's Campus Security Task Force highlighted several guiding principles in its assessment of the state's emergency preparedness plan, including the fact that a one-size-fits-all approach will not work due to the complex and varied nature of the state's colleges and universities. In addition, the Task Force acknowledged the lack of a quick fix to prevent a tragedy similar to the one that took place at Virginia Tech. The report also mentions that while financial resources available to the post-secondary community are extremely limited, institutions of higher learning must share useful safety and security programs freely (i.e. best practice guidelines) and that a lack of funding is not a valid justification to do nothing to enhance campus security.⁹ Having addressed these issues, the Task Force did manage to find a silver lining in stating that there are cost-effective measures that can be taken and implemented to mitigate the chances of a repeat attack on Missouri's college campuses.¹⁰

Furthermore, some of the Task Force's additional recommendations included: a) the utilization of failsafe systems to notify the entire campus community in the event of a crisis; b) the implementation of physical access control mechanisms (ranging from interior locks on classroom doors to controlled-access locks on dormitories) and policies for non-public

⁸ Purdue University Press Release, "Purdue Researchers to study Emergency Text Messaging", August 16, 2007.

⁹ Stein and James, 8-10.

¹⁰ Robert Stein and Mark James (Missouri Campus Security Task Force), *Securing Our Future: Making Colleges and Universities Safe Places to Learn and Grow*, August 21, 2007, 5-7.



buildings and after-hours access to public buildings; and c) the installation of surveillance cameras.

Additionally, the Task Force emphasized the fact that there are tools and resources in place to assist colleges and universities in establishing a comprehensive emergency preparedness plan. Moreover, the Missouri Office of Homeland Security has made available the Emergency Response Information Program (ERIP), a web-based tool whose aim is to help schools and first responders mitigate emergencies and, should an incident occur, to achieve the fastest response thereto. The ERIP also calls for first responders and school officials to coordinate the sharing of data, such as floor plans and images of the state's educational facilities so first responders are equipped with as much information in advance. Finally, courses are available through the Federal Emergency Management Agency (FEMA) on the National Incident Management System (NIMS) and the Incident Command System (ICS).

B. New Jersey

In May 2007, New Jersey Acting Governor, Richard Codey, formed a Campus Security Task Force to identify the specific issues that campus security plans across the state should address and to establish security standards that colleges and universities will be expected to meet and exceed going forward. Additionally, the Task Force will help make colleges and universities aware of the full range of technology available to help them secure their campuses.¹¹ A final report, which, among other things, will include recommendations for an Emergency Communications Plan, as well as mandatory training to respond to active shooter situations, campus lockdown procedures and mental health guidelines, is expected to be released sometime this fall.¹²

C. Oklahoma

Oklahoma's Governor, Brad Henry, created the Campus Life and Safety and Security Task Force after the Virginia Tech shootings. Its report, due in December, will most likely highlight the need for more and better-trained counselors to deal with at-risk students who might have mental-health issues. Interestingly, some state campuses currently have no on-site counselors. Some on the Task Force have suggested that campus police officers should be trained to deal with students with mental-health issues and, more importantly, how to diffuse potentially dangerous situations.

Joseph Harroz, general counsel for the University of Oklahoma, strongly suggested that campuses should develop procedures to deal with students who could prove dangerous to others but who have done nothing to require intervention by police.¹³

¹¹ "Acting Governor Codey Announces Membership of Campus Security Task Force." State of New Jersey, Office of the Governor, May 1, 2007.

¹² Glenn Miller. Telephone Interview. August 22, 2007.

¹³ Susan Simpson, "Campus Security Changes are Urged", NewsOK.com, September 26, 2007.



D. Kentucky

Kentucky's Task Force on Campus Security, formed in November 2006, months before the tragedy at Virginia Tech, released its final report in September 2007. In the report's preface it states "the absolute importance of prevention, protection, and risk management cannot be emphasized too strongly. Awareness, education, and consistent enforcement of safety and security measures must remain constants on our campuses."¹⁴

In its nascent stages, the Task Force's initial goals included the development of recommendations for legislation in 2008; the creation of policies and initiatives for heightened security and safety for the protection of campus residents; and, finally, the establishment of broad initiatives designed to enhance the safety and security across the state.

In the wake of Virginia Tech, Kentucky's Governor formed a separate advisory group to assess and recommend policy changes as they related to emergency management; mass communications; emergency notifications; mutual aid agreements with local and state police agencies; coordinated agency response and enhanced coordination, training and exercises, mental health issues, firearms on campus and best practices for crisis management.

Some of the key findings included in the Task Force's report highlighted the fact that, while fundamental procedures and policies are in place across the state, room for improvement exists to fill in the gaps where vulnerabilities remain. Two of the recommendations of the Task Force included the call for additional funding from the state to address some of the challenges that existed, as well as the need for the creation of a statewide Center for Campus Safety to "address the need for a consistent standard of safety and security among all institutions and promote cooperation, collaboration and information sharing."¹⁵

While each of the above states established its own Task Force to investigate and assess its respective emergency preparedness and campus security, there is a lot of overlap among the reports. This is critical, yet not surprising, since it identifies the lowest common denominator across the country where the federal government can most effectively step in to assist the states with these issues.

¹⁴ Governor's Task Force on Campus Safety, Report to the Governor, September 7, 2007, 1.

¹⁵ Id. at 5-6.



V. Colleges and Universities: Complex Settings Call for Varied Responses

Like the legislative and state responses to the Virginia Tech tragedy, colleges and universities across the country reacted swiftly in the days following the massacre. Unfortunately, most of the time, they acted haphazardly, with limited foresight and due diligence.

Due to the complex nature of the campus communities, any emergency preparedness plan must be tailored to the culture, setting, and physical environment of each campus.¹⁶

We will review below the various measures that several colleges and universities in Pennsylvania and New Jersey, diverse in many ways, are implementing this school year.

A. Stockton College – Pomona, New Jersey

The Richard Stockton College of New Jersey, a mid-sized liberal arts college in Pomona, New Jersey (60 miles southeast of Philadelphia), has been working to revise its Emergency Preparedness Plan to ensure there are no loopholes or gaps in the event of an emergency. In the days that followed the tragedy at Virginia Tech, Stockton's Campus Police web page was updated to notify the public that it had "extensive emergency operations plans that encompass an all hazards approach and" the notice stressed that Stockton "regularly exercises those plans with its local, state and federal partners. Most significantly, the announcement added that Stockton would "review our planning efforts in order to determine if improvements can be made. An Emergency Operations Plan is an ongoing document, regularly slated for improvements as new lessons are learned."¹⁷

Stockton's Chief of Police, Glenn Miller, has been instrumental in ensuring that Stockton's campus remains among the safest in the state. One of the ways in which Glenn and his team put their skills to the test includes an active shooter simulation, which was done at a nearby school in southern New Jersey this summer. In addition, as we've identified above, Stockton sets a model for other college campuses by employing an Emergency Communications Plan, which contains multiple modes of notifying the campus community in the event of an emergency.

A unique feature of Stockton College is its commuter and part-time student body. Therefore, unlike other colleges whose students live on campus, another logistical issue presents itself as it is difficult to know who is present on the campus grounds at a specific time during the day.

Unlike many colleges and universities who make knee-jerk reactions after an emergency and are vulnerable to the marketing hype of many of the communications companies in the marketplace, Stockton has ensured that it will be well prepared for any emergency situation.

¹⁶ Healy, Steven J. "Best Practices for Making College Campuses Safe." May 15, 2007. 1.

¹⁷ <http://intraweb.stockton.edu/eyos/page.cfm?siteID=48&pageID=35>



B. Princeton University – Princeton, New Jersey

Princeton University, a suburban campus in a middle-class community, comprised of over 12,000 students, administrators and working professionals, currently employs multiples means of notifying the campus community in the event of an emergency. Shortly after the Virginia Tech tragedy, Princeton implemented a mass notification system through Connect-ED, which sends campus-wide emails, voicemails and text messages in the event of an emergency. Although this solution is more thorough than what had been in place before, a major limitation remains in that enrollment is still voluntary.

C. Drexel University – Philadelphia, Pennsylvania

Drexel University, situated in West Philadelphia, has recently armed its security personnel with a handheld device loaded with software called DragonForce™, which allows users to send messages, draw images, take photos and stream video to others who are also using the device. Drexel's campus is spread out across multiple city blocks and is very much an open environment.

D. University of the Sciences – Philadelphia, Pennsylvania

Like Drexel, above, the University of the Sciences (USP) in Philadelphia has spent countless hours to upgrade the ways in which its campus security personnel are trained to effectively respond to an emergency situation. Several, cost-effective, changes that have been made already, include the purchase of new brightly-colored uniforms to make security personnel more visible to the rest of the campus community.¹⁸

VI. Outstanding Issues

A. General Overview

Although not a new discussion or news story, the tragedy that occurred on a blustery April morning and the many discussions and articles written since have shed light on an ongoing issue here in the United States – our campuses still do not have the proper resources to prevent this type of massacre from occurring in the future. The sobering truth is that, although we can always do more to improve upon the protocols currently in place, we may never be able to prevent such a tragedy from repeating itself in the future and, if we are to learn from history, we must do away with the notion that such an event can't and won't happen again. In fact, an article written in December 2005¹⁹ echoes this statement. In an article written back in 2005, Linda Watson, CPP, president of Whirlaway Group LLC, an independent security consulting firm based in Charlton, Massachusetts, said, "I don't believe

¹⁸ Ben Gollotti, Telephone Interview, September 24, 2007.

¹⁹ *Failing Grade in Campus Security*, Security Technology and Design, December 21, 2005.



it is possible to shut down acts of random violence in public venues like schools.” She added, “First off, most schools were not designed with security as a primary issue when they were built 40 years ago (the average age of a school in the U.S.). Before you can address safety, you must assess the threats, risks and vulnerabilities that are present inside and out. Knowing that no one solution fits all schools, and taking into account their budgets and/or social and political agendas, each assessment has to be done on a case-to-case basis.” Even further, Watson goes on by saying, “Security product vendors have tapped the school market as one of their hot verticals...“Technology is only part of the answer. We still need to incorporate the most important element of the equation into the mix, and that is the human component.”

B. Coordinated Planning Across Agencies

In order to be most effective in preparing for and responding to a crisis, agencies and their personnel must work together towards the same goal. This is especially critical as it relates to the response time element. The sooner all parties can respond to an emergency, the greater likelihood that injuries will be minimized and a more severe crisis averted.

C. Importance of a Holistic Approach

Despite best efforts, college and university campus police personnel cannot say with one hundred per cent certainty that they can prevent a similar incident in the future. Knowing this should only encourage them to do more to improve upon the systems they currently have in place to respond to these types of events. As we mentioned above in Section III.A., security is but one piece of the equation in dealing with the host of issues presented by today’s campus environment. Most experts argue that a holistic approach, which incorporates everything from employee screening to video surveillance to emergency notification, should be taken to handle the campus security quandary. Unfortunately, the events that took place last April, while serving as a wake-up call, only propelled many colleges and universities to install security technology without considering how the technology fits into the overall [emergency preparedness] plan.²⁰

D. Limited Financial Resources

Despite the need to implement a mass notification system of some kind, many colleges and universities today are unable to do so due to the enormous cost associated with it. Both the Federal and State Governments must also play a vital role in appropriating sufficient funds, through grants or otherwise, to the various colleges and universities to offset the enormous costs involved in upgrading and implementing a state-of-the-art system.

²⁰ Rhianna Daniels, *The Holistically Secured Campus*, August 2007, 3-4.



E. Emergency (Un)Preparedness

Despite numerous articles and reports authored recently, the Virginia Tech tragedy was unpreventable, yet the response methods utilized were flawed and ultimately in need of serious overhaul. Additionally, the Virginia Tech incident exposed a bigger problem for many universities and colleges around the country – many have less-than-adequate emergency preparedness plans in place to deal with a similar event. A plethora of companies have recently released products, making claims to be the panacea for campuses as the one-size-fits-all solution. Unfortunately, technology is but one piece of the puzzle when it comes to solving the campus security crisis before us today and each campus community needs to do an independent assessment of what solution works best for them.

According to a study released last May by the Government Accountability Office (GAO), many school districts in the United States are inadequately prepared to respond to a crisis. Cornelia Ashby, Director of Education, Workforce and Income Security, who testified before the House of Representatives Committee on Homeland Security back on May 17, 2007, highlighted the shocking results of the GAO's report. Among the findings, of those school districts that do have an emergency plan, fewer than half involve community partners when developing and updating these plans. Moreover, many school districts are not training with first responders or community partners whatsoever. Of the challenges school districts claimed they faced in the planning process, many cited a lack of equipment, personnel, and expertise. Since 2003, over \$130 million has been awarded to 400 of the nation's 17,000 school districts to assist in developing a preparedness plan, yet many school districts are unaware that such funds exist to assist in their implementation.²¹

F. Lack of Interoperability

According to the First Response Coalition²², interoperability is defined as the ability of first responders to seamlessly interact with other agencies and departments, sharing information and coordinating their responses to an emergency situation. Unfortunately, due to a multitude of issues, this definition has yet to be realized by the many first responders across the country.

Due to the large scale response needed for the Virginia Tech tragedy, there were many first responders, including local police, EMS, campus police, and others called to the scene, many of whom were unable to communicate with one another, primarily due to the fact that local police and emergency agencies use a variety of radio systems and frequencies... Moreover, radio systems typically do not support mobile data, encryption, geographic information

²¹ Cornelia M. Ashby, Testimony before the Committee on Homeland Security, House of Representatives, Status of School Districts' Planning and Preparedness, May 17, 2007, 2-8.

²² www.firstresponsecoalition.org.



systems (GIS), and other advanced capabilities.²³ Sadly, this is nothing new and, although this has been addressed over the years, progress, if any, has been painfully slow.

According to the findings of an internal report conducted by a Telecommunications Working Group, which was asked to review the Virginia Tech massacre and the Communications Infrastructure, “[The Blacksburg] Police personnel...cited interoperability issues between the town and university radio systems creating problems resulting in limited information and potentially conflicting information while en route [to the Virginia Tech campus].”²⁴

G. Mental Health Screenings and Privacy Issues

One of the major issues that was exposed recently, both in the Missouri Campus Security Task Force’s Report, as well as the Independent Review Panel’s Report that came out of Virginia Tech, concerns privacy laws as they relate to the sharing of mental health records across departments. As we’ve identified above, if someone is committed to following through on a mass murdering spree, there’s not much that can be done to prevent this from occurring.

As the Virginia Tech tragedy highlighted, the campus administration wasn’t aware of the shooter’s history of mental illness, primarily due to the confusion over the state’s privacy laws. Although it’s anyone’s guess that, had this information had been made available, if this tragedy have been averted, it remains clear that this critical information must be shared among agencies, just like a medical record would be shared among doctors.

H. Emergency Notification and Crisis Communication: A Saturated Marketplace

Although the issues presented above are not new, many companies have cited, and even exploited, the Virginia Tech incident in their collateral marketing materials as a means of targeting other campuses around the nation. Many colleges and universities were inundated with e-mails and marketing brochures of the plethora of products immediately following the Virginia Tech incident. Unfortunately, in order to assure their respective campus communities that it was safe, many colleges acted rashly and without doing their due diligence to review the numerous products first before making an appropriate selection. As we highlighted above, each campus community is different and presents a unique challenge for a potential software or mass notification system to work effectively.

Unfortunately, many of the products, taken alone, are inadequate to effectively handle an emergency on the scale that took place at Virginia Tech. As many have highlighted, the best way of communicating during an emergency is through multiple means and technologies. While many are comfortable using the text messaging features of their cell phones, this cannot be the sole method to communicate to a diverse campus community and no system is

²³ Information and Communications Infrastructure: Confidential Presidential Working Paper, August 17, 2007, 2.

²⁴ Id. at 69.



100% effective or reliable, given the time sensitive nature of an emergency. In fact, recent tests performed on Purdue University's campus validate these concerns. On September 24, 2007 Purdue researchers scheduled a test to see just how well their text messaging notification system would work during an emergency. Of the 10,000 people who agreed to participate in the study, the first of its kind, only 30 people, or .3%, didn't receive the notice. For those who were notified, it took seven minutes to reach them. While many had assumed that text messaging was both instant and 100% effective, researchers are now looking into the reasons for which it took longer than anticipated and failed to reach almost three dozen people.²⁵ If this had been a real emergency, these same people would have been unaware of the threat that they faced as they went about their day and could have been victims of another tragedy.

Surprisingly, of those text messaging notification systems being implemented across the country, none are mandatory. Rather, the services are merely opt-in and students and administrators are left to determine if they want to be notified of an emergency. Colleges and universities need to revisit the protocols of these services to make them mandatory so one is forced to subscribe. Opting out should not even be considered. Some may point to the invasion of privacy or even the cost incurred to send and receive text messages, yet with the numbers of today's students using text messaging features to stay in touch with friends, no one should question the need to have everyone subscribe to such a service.

²⁵ Erika D. Smith, "Purdue finds delay in text messaging", The Indianapolis Star, September 25, 2007.



VII. Conclusion

Despite the various best efforts being made across the country today, as evidenced in the preceding pages, many issues still remain and much work is left to be done on every level. As we've addressed above, colleges cannot necessarily foresee or even prevent another similar incident from occurring down the road, but they can ensure that, at the very least, they have an effective and practical emergency preparedness plan in place that meets federal and state recommended guidelines.

In order to do this effectively, many things must be taken into account in advance, including cost implications, the campus environment, the personnel and decision makers necessary to oversee the selection process, and the ease with which the plan and mass notification system can be implemented and, more importantly, tested regularly. Obviously, colleges and universities cannot do this without receiving adequate funding from both the state and federal levels.

As the new school year gets underway, we are already witnessing just how much the Virginia Tech tragedy has taught colleges and universities across the country. Recent incidents on the campuses of Delaware State University, St. John's University, and the University of Wisconsin at Madison have each validated the importance and necessity of having an emergency preparedness plan and mass notification system in place. Through the use of newer technology, including Facebook.com, a social networking site, and text messaging, each of these campuses was able to notify their communities of the emergency immediately. Aside from the initial communication, each of these institutions provided regular updates on the situation, through the use of additional text messages or regular website updates. As a result of proper planning, no one was injured in any of these incidents; however, they each serve as constant reminders of the continued threat that exists today. In addition, they help to raise the awareness level of elected officials, campus administrators, and others exponentially as to the necessity of a mass notification system.

Ultimately, the issue of campus security, although omnipresent, has been brought to the forefront of our nation's psyche and it is only through continued dialogue and debate and, more importantly, funding from the state and federal levels, that college campuses will be better equipped to implement a cost-effective and practical solution to effectively respond to these emergencies. Time will be the truest test of just how well each of our nation's colleges and universities is prepared to identify, communicate and respond to an emergency situation.



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