Balancing Privacy & School Safety Within FERPA
By Robert C. Hutchinson

High School Interns –
A Valuable Community Resource
By Jennifer Pearsall

Situational Awareness & How to Obtain It
By Jason Pagan

Crisis Leadership – Doing More With Less
By Terry Hastings

IMR GROUP

Featured in This Issue

Pictured on the Cover: (top row) Hutchinson, Source: ©iStock.com/ BeeBright; Pearsall, Source: ©iStock.com/ogichobanov; (second row) Pagan, Source: ©iStock.com/vanbeets; Hastings, Source: ©iStock.com/ Kesu01
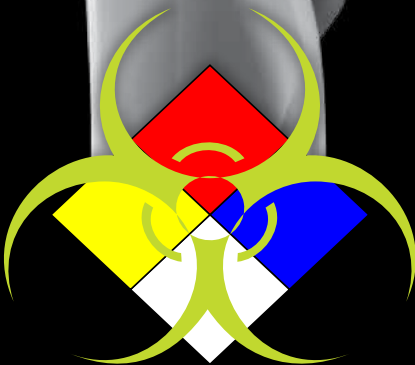
Force Multipliers for Public Safety

By Catherine L. Feinman

As a hurricane approaches, a leader must decide whether to issue an order to evacuate or to shelter in place. When creating active shooter plans, school officials must determine what information can and should be shared to mitigate the threat. To mitigate disaster, each community must consider the unique risks and threats that it faces. As emergency preparedness professionals age, they must engage youths to ensure future resilience. This edition of the *DomPrep Journal* highlights four key force multipliers for promoting public safety: information sharing, crisis leadership, situational awareness, and youth engagement.

The deadly Florida shooting at Marjory Stoneman Douglas High School on 14 February 2018 spurred much discussion on school safety. One topic within these discussions involves privacy and information sharing with regard to school safety. Since privacy laws can restrict which information can be shared, schools must learn how to balance privacy and school safety. Collaboration with leadership, students, parents, and the broader community is a necessary step.

Effective collaboration among all key stakeholders would reduce public resistance and media scrutiny when plans are being formulated or executed. Crisis leaders have little time to make highly consequential decisions, even when data to inform such decisions is lacking. This "doing more with less" approach is not an option, but a necessity. In any crisis, more information and more resources would certainly be helpful, but hesitation could be disastrous and life threatening.

In order to do more with less in a dynamic threat environment, there needs to be better situational awareness. This involves determining environmental elements, understanding the current situation, and foreseeing potential future scenarios. Situational awareness enables leaders to make critical decisions during a crisis – before all pertinent information is retrievable. In addition to crisis leaders and other emergency preparedness professionals, other community members offer valuable resources as well.

Communities can also do more with less when they leverage their underutilized resources. One such resource is youths. As many in the emergency preparedness and response fields retire, it is critical to replenish these resources in future generations. High school students today have many opportunities to engage in internships, Reserve Officers' Training Corps (ROTC) programs, junior firefighter groups, and other preparedness and response organizations. Many would be willing to participate, but are just unaware of these possibilities.

By effectively sharing information, promoting confident crisis leadership, building situational awareness, and engaging youths, communities would be more prepared to face any potential threat. The key actions for emergency preparedness professionals to embrace are share, promote, build, and engage.

Balancing Privacy & School Safety Within FERPA

By Robert C. Hutchinson

On 2 January 2019, the Marjory Stoneman Douglas High School Public Safety Commission (MSDHSPSC) released its <u>initial report</u>. The commission report addressed many critical issues and lesson learned within its 15 chapters. The chapter on information sharing discussed the actual or perceived restrictions from privacy laws such as the Family Educational Rights and Privacy Act (<u>FERPA</u>). The discussion addressed several areas where there is significant confusion and dispute that continues until today, and directly impacts safety and security planning, preparedness, and collaboration.

FERPA, codified under 20 USC 1232g and 34 CFR 99, is a federal law that addresses the privacy of student education records for any school that receives federal funds from an applicable U.S. Department of Education (US DOE) program. The implementation of FERPA can vary from organization to organization, especially with critical subjects such as school resource officers and law enforcement agencies accessing campus security video surveillance systems during daily operations and emergencies.

Without clear definitions and common guidance regarding information sharing, there shall continue to be confusion and conflict that will only hinder coordination, cooperation, and collaboration with all interested parties involved in safety and security in the educational environment.

Understanding FERPA

FERPA is the privacy law most referenced by school districts for the retention and release of education records. FERPA often influences the development and implementation of state and local laws, rules, and regulations for the retention and sharing of information. FERPA provides certain rights to parents and students to include the right to inspect and review education records the school district maintains and correct any misleading or inaccurate information.

According to FERPA, school districts must have written permission from the parent or eligible student to release information from an education record without consent unless it meets one of the following <u>conditions</u>:

- *School officials with legitimate educational interest;*
- *Other schools to which a student is transferring;*
- *Specified officials for audit or evaluation purposes;*
- *Appropriate parties in connection with financial aid to a student;*
- *Organizations conducting certain studies for or on behalf of the school;*
- *Accrediting organizations;*

- *To comply with a judicial order or lawfully issued subpoena;*

- *Appropriate officials in cases of health and safety emergencies; and*

- *State and local authorities, within a juvenile justice system, pursuant to specific State law.*

However, there is a necessity to share information with law enforcement as well as medical and mental health partners within and beyond the FERPA limitations. In a world of fast-evolving critical incidents and threats of violence, there is an immediate need for emergency information sharing for health and safety issues that FERPA may not clearly define or address.

Health, Safety & Law Enforcement

According to [20 USC 1232g](#), the term education record does not include "records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement." Since many schools districts may not have internal law enforcement units, this exemption may not be relevant or very beneficial for information sharing. However, FERPA does address a release of education records for an emergency health or safety exception through "subject to regulations of the Secretary, in connection with an emergency, appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons."

According to the US DOE, it is permissible to utilize FERPA's health and safety emergency exception when:

> *In some situations, school administrators may determine that it is necessary to disclose personally identifiable information (PII) from a student's education records to appropriate parties in order to address a health or safety emergency. FERPA's health or safety emergency provision permits such disclosures when the disclosure is necessary to protect the health or safety of the student or other individuals. See 34 CFR §§ 99.31(a) (10) and 99.36. This exception to FERPA's general consent requirement is limited to the period of the emergency and generally does not allow for a blanket release of PII from a student's education records. Rather, these disclosures must be related to an actual, impending, or imminent emergency, such as a natural disaster, a terrorist attack, a campus shooting, or the outbreak of an epidemic disease.*

The challenge remains with the interpretation of FERPA for an emergency to protect health and safety. The perspective of the educational community can be vastly different than the law enforcement community and general public.

Federal Commission on School Safety

On 18 December 2018, the Federal Commission of School Safety released the Final Report of the Federal Commission on School Safety. The federal commission discussed FERPA and

other regulatory privacy protections in Chapter 17 of the report, identifying that "a delicate balance exists between privacy and security in schools."

The federal report indicates that schools have flexibility to disclose information under FERPA in the context of school safety. According to the [federal report](#):

> *Especially relevant to potential violence at school is FERPA's health or safety emergency exception which permits the disclosure of students' education records, or the PII [personally identifiable information] contained therein, to appropriate parties if knowledge of such information is necessary to protect the health or safety of students or other persons in connection with an emergency.*
>
> *FERPA's health or safety emergency exception specifically permits schools or districts themselves to disclose PII [personally identifiable information] from students' education records in the context of emergencies. However, there are certain circumstances when it may not be practical or expedient for schools or districts themselves to make the determinations and disclosures necessary to address the emergency. These situations might include natural disasters that impact multiple districts across the state, emergencies that disrupt a district's data systems, or emergencies that occur when district personnel are not available. In these limited situations, it is often advantageous for the state education agency to make the disclosure directly, on the school's or district's behalf.*

The challenge may be the definition and perception of an emergency impacting a school district as compared to an evolving threat or public safety concern. A student making verbal or social media threats may not be perceived an as emergency under FERPA, but rather as an investigative matter until it escalates to a higher level. However, it is critical to obtain the necessary information immediately prior to the escalation of the threat or concern. The delay in information sharing could result in the loss of an opportunity to mitigate or interdict an act of violence.

MSDHSPSC Initial Report

According to the MSDHSPSC initial report, the determination if a record or document is an education record under FERPA depends on how and for what purpose the school district creates and maintains the record or document. The school district may create policies and procedures to define an education record for its purposes.

A school district may err on the side of over-restricting the sharing of education records to adhere to its interpretation of FERPA to evade possible financial penalties. The loss of access to federal funding is a significant concern for the violation of FERPA, but as the [commission found](#):

> *FERPA does not create a private right of action to compel compliance by educational institutions. Instead, FERPA ties institutional compliance to its*

privacy requirements through federal funding. The ultimate threat for non-compliance by educational institutions is that the U.S. Department of Education may respond by withholding federal funding. To date, the Department of Education has never withheld funding for FERPA violations.

The commission also addressed the restrictions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and State of Florida privacy laws. The initial report indicated that it was unlikely that a school district that provided protected health information to a law enforcement agency would be affected by HIPAA requirements, especially if acting in good faith. Florida state law provides additional capabilities and guidance for the sharing of educational information.

Interagency Agreements

In Florida, FERPA has been codified into state law in Florida Statute Chapter 1002. Sections 1002.22(2) and 1002.221 restrict the release of education records according to FERPA and Florida law. To adhere to state and federal laws, school districts can develop interagency agreements with various partners to share information for the purpose of identifying and delivering services to a juvenile (student).

Unfortunately, there can be great confusion regarding the information that school districts will release through these interagency agreements. Law enforcement often anticipates information sharing for a broad array of threats and public safety concerns regarding the security of all students and staff. Law enforcement requires immediate, but limited, information around the clock to identify and assess threats and suspects to mitigate possible concerns. This is especially true with social media threats and postings since the majority seem to occur at night and on weekends when students have expanded access to their technology.

School districts often interpret information sharing between the school district and criminal justice system to only provide services for the student post-arrest and pre-adjudication as identified in the interagency agreements. However, this defined period and limited information sharing does not support the critical period before the violence or arrest – the opportunity to mitigate the threat and possibly the arrest.

The interagency agreements do not necessary address other critical information that requires immediate sharing or access to include video

©iStock.com/BeeBright

surveillance systems on school campuses. Video surveillance may not be relevant for pre-adjudication services, but is critical for safety, security, and responses to interdict a threat.

Access to Video Surveillance

Regrettably, there can be continued disagreement between school districts and law enforcement agencies if video surveillance systems are classified as education records under FERPA or safety and security resources. One perspective is that video surveillance systems are site safety or security systems that enhance the ability to observe and protect students and staff by expanding observation capabilities. Another perspective is that video surveillance systems are education records that may not be openly shared with law enforcement for it could be used in the possible profiling of students to document alleged criminal activity. In addition, there is disagreement if a distinction exists between accessing and viewing live video as compared to recorded video.

According to the [federal report](#):

> *Police departments often seek access to school surveillance footage to help ensure school safety – only to have schools claim it is an education record protected by FERPA and therefore deny the request. However, FERPA's definition of "education records" excludes those created and maintained by a school's law enforcement unit for a law enforcement purpose. If a school's security department or campus police maintains the school's surveillance video system and, as a result, creates surveillance footage for a law enforcement purpose, FERPA would not prevent sharing the surveillance footage with local law enforcement. Smaller schools without an existing law enforcement unit or security department can still utilize this exclusion by designating a school official, such as the vice-principal, as the school's law enforcement unit for this purpose.*

These divergent perspectives have resulted in delays for outside law enforcement agencies gaining daily and emergency access to video surveillance systems. If video surveillance systems were identified as law enforcement records or another classification as a policy decision, they would be exempt from FERPA restrictions.

Beyond Video Surveillance

Other issues beyond access to video surveillance for consideration include confirmation that a student is on a school campus for law enforcement purposes. There appears to be disagreement, at times, if the mere presence of a student on campus is an education record and cannot be shared with law enforcement for the location and arrest of the student:

- Does it matter if the law enforcement agency has an arrest warrant or probable cause for the arrest?
- Does it matter if it is a felony or misdemeanor violation?

- Should access be provided to the student for simply questioning regarding a serious felony investigation during school hours not involving child abuse with the student as a victim or witness?

Perspectives also disagree if these are actually FERPA or privacy issues that legally restrict school districts from sharing this information with law enforcement or it is an intentional method of hindering law enforcement from executing a lawful arrest or action at the school.

A US DOE opinion through a letter to a community college in Alabama in or about 1997 examined FERPA and subpoena service. The rather dated opinion focused on the nondisclosure of information from education records and guidance relating to subpoena or court order service. During the interpretation, US DOE provided guidance to include the following information:

> *FERPA does not prohibit the institution from locating a student for a law enforcement officer or anyone else if a staff member happens to know where the student is and, therefore, does not have to release or retrieve the information from an education record, such as the student's recorded class schedule, in order to do so. Otherwise, there is nothing in FERPA that would prevent law enforcement officials or other persons from serving subpoenas on students at school.*

This guidance addresses class schedules as education records and does not directly speak to arrest warrants and probable cause for arrests. However, it does provide valuable information in a nebulous area. The complexity of the issue would benefit from additional research and consideration along with uniform guidance on a state and national level.

Federal Recommendations

The federal report identified the three following privacy and information sharing recommendations for the federal government:

- *The U.S. Department of Education (ED), should provide technical assistance to clarify that FERPA's "school official" exception may permit disclosures of disciplinary information about students to the appropriate teachers and staff within the school.*

- *ED should work with Congress to modernize FERPA to account for changes in technology since its enactment.*

- *ED should clarify that limited disclosures of PII [personally identifiable information] from students' education records by state education agencies (SEA) under the health or safety emergency exception are permitted, when done on behalf of the school(s) or district(s), and in compliance with other FERPA requirements when the SEA is best positioned to respond to the emergency.*

The federal report also identified two recommendations for state and local communities to include reviewing their state privacy laws regarding information sharing in the context of emergency situations to promote school safety.

MSDHSPSC Findings

The initial report identified three significant findings regarding privacy laws affecting information sharing:

- Based on the testimony before the Commission and discussion among Commission members, it is evident that there is significant misunderstanding and overapplication of several privacy laws, including FERPA and HIPAA. The misunderstanding and overapplication of privacy laws is a barrier to necessary and successful information sharing.

- Many aspects of educational privacy laws fail to consider appropriate exceptions for an incident such as where full public disclosure of prior conduct, especially misconduct, is beneficial and necessary. The inability for public disclosure of probative information and the attendant information void leads to misinformation and distrust that erodes public confidence in the system and it officials. If there is to be an erosion of public trust, it must be based on fact and not speculation because information is hidden from the public eye.

- It is unclear what actually constitutes an educational record under FERPA, including whether recorded video surveillance is an educational record.

Lessons Learned (or Not)

It now remains to be seen how the governor and legislature in Florida will respond to the findings from the MSDHSPSC initial report, especially the three findings above regarding information sharing. It also remains to be seen how Congress and the nation will respond to the federal report. There are lessons to be learned and questions to be answered for a common operating picture and proper coordination.

In the meantime, official guidance and assistance from US DOE would provide much needed clarity regarding FERPA pending any future case law or statute modifications on state and federal levels. The current stalemate in the interpretation and application of FERPA is having negative consequences for all involved parties and not enhancing safety and security in certain preventative areas.

Robert C. Hutchinson was the chief of police for the Broward County Public Schools, Special Investigative Unit from 2016 to 2019. He was the former deputy special agent in charge and acting special agent in charge with the U.S. Department of Homeland Security (DHS), Homeland Security Investigations in Miami, Florida. He retired in 2016 after more than 28 years as a special agent with DHS and the legacy U.S. Customs Service. He was previously the deputy director and acting director for the agency's national emergency preparedness division and assistant director for its national firearms and tactical training division. His writings, interviews, and presentations often address the important need for cooperation, coordination, and collaboration between the fields of public health, emergency management, and law enforcement. He received his graduate degrees at the University of Delaware in public administration and Naval Postgraduate School in homeland security studies.

High School Interns –
A Valuable Community Resource

By Jennifer Pearsall

New York City Emergency Management (NYCEM) has designed an internship program specifically tailored for high school students. The agency shares its lessons learned to help other agencies understand why such efforts are important, how the program works, and what steps agencies can take to start their own intern programs. Engaging at the high school level helps recruit a valuable yet underutilized resource and promotes overall community resilience.

Emergency managers and other preparedness professionals have an obligation to help communities prepare before disaster strikes. As the field of emergency management continues to expand and take on more significance, one of the most vital elements is preparing the next generation of emergency managers. The NYCEM Internship program provides an opportunity for high school students to gain experience in the field and forge potential careers.

"The internship program exposed me to several careers in the emergency management field that I wasn't familiar with," said Edwin Ruiz III, senior at Urban Assembly School for Emergency Management. "The experience I gained from my supervisors and professionals in the field was very valuable."

To ensure student voice was in every aspect of the program, the inaugural interns developed the following mission statement for the program:

The NYC Emergency Management High School Internship Program is designed to develop students' college and career-ready skills and provide opportunities that expose the intern to multiple facets of emergency management.

Students who intern with NYCEM expand their knowledge of emergency management, and connect with professionals in the field. They also begin to determine if emergency management is a field they want to pursue after high school. During the program, interns gain real-life work experience such as communication skills – including the proper use of phone and email. Depending on the unit a student works in, he or she could gain technical skills such as computer reimaging, creation of a training storyboard, or aspects of a good strategic plan. In addition, every student leaves the program with a completed presentation and LinkedIn account.

"New York City Emergency Management's high school internship program helped me gain real-world experience," said Angelica Santiago, senior at Urban Assembly School for Emergency Management. "From creating a LinkedIn account to working on our own emergency management presentation – these are skills I know I will carry with me in my professional career." (See Figure 1)

Fig. 1. New York City Emergency Management tours warehouse and back up emergency operations center location with interns. During the visit, interns also met with members of New York Taskforce 1 Urban Search and Rescue team. (*Source:* NYC Emergency Management, 5 April 2018)

However, students are not the only ones who benefit from the internship. Supervisors gain skills, like learning how to breakdown complex processes into a user-friendly language.

> *"Participating as a supervisor in the internship program helped me improve my presentation skills," said New York City Emergency Management Disability, Access and Functional Needs Desktop Support Technician Torey Rowe. "Breaking down complex technical terms into a user-friendly language is a skill I improved during my time with the interns."*

Fig. 2. DAFN Desktop Support Technician Torey Rowe and Urban Assembly School for Emergency Management Senior and intern Adeel Khan work together on a communication activity during onboarding. (*Source:* NYC Emergency Management, 10 July 2018)

In addition to skills, two of the most common remarks from supervisors at the end of the program involve how the intern brings a fresh perspective to the team, and how the team becomes energized by them (see Figure 2).

How the Program Works

Every idea, activity, and project in the program works toward achieving at least one of three goals:

- Exposing interns to at least three different emergency management career opportunities.
- Having interns self-identify an improvement in at least 10 college and career-ready skills, using a pre- and post-form.
- Ensuring interns leave with at least one completed project.

The first step in developing the program is identifying supervisors – or mentors. Supervisors can include entry-level employees or executives. Once supervisors are identified, the next project is to outline "wish-list" tasks – for example, the need for an extra person to help with basic technology requests, training development for future high school interns, or document redesign to be more visually friendly. This type of project removes the fear of meeting deadlines, while also giving the intern a meaningful assignment.

Next, the interns have the power of choice, with high-school-appropriate job descriptions that specify what interns would be working on and what tools they would use to accomplish the task. After a group interview, interns rate their desired jobs in order of preference. The goal is to provide them with their first choice, but also to verify with the supervisor that they accept the intern. In addition to the supervisor's projects, the program coordinator provides the interns with a list of tasks to work on, which include developing a LinkedIn profile, finding professional articles in the career of their interest, and creating a presentation of learning.

During the internship, professional development opportunities are provided and teachable moments encouraged. These include simple tasks such as filling out timesheets, and emergency management specific assignments such as site visits and listening to interagency conference calls for incidents. As an additional step to ensure growth and avoid frustration, the program coordinator checks in with each intern once a week for 20-30 minutes to review their goals, talk about current projects, and answer any questions. This provides some of the most meaningful time with the interns (see Figure 3).

2018 High School Internship Timeline

DATE	TIME	TOPIC
1. *Monday, July 9	10:30am – 4:00pm	Orientation part 1, Intro to Agency, Goal Setting
2. Tuesday, July 10	10:30am – 11:00am	Orientation part 2, Skill building, LinkedIn
	11:00am – 12:30pm	Setting Expectations and Teambuilding (everyone)
3. Tuesday, July 17	10:30am – 2:30pm	PD: NYCEM Warehouse Tour
4. Wednesday, July 18		Check In
5. Tuesday, July 24	10:30am – 12:30pm	PD: Department of Education Tour
6. Wednesday, July 25		Check In
	11:00am – 12:00pm	PD: Pre-Season Coastal Storm Call
	1:00pm – 2:00pm	PD: Agency 101: MTA HQ
	2:00pm – 2:30pm	PD: Chat with FDC Calvin Drayton
7. Wednesday, August 1	11:00am – 12:00pm	Work-Based Learning Site Visit
		Check In
8. Tuesday, August 7	1:00pm – 2:00pm	PD: Mock Presentation of Learning (POL)
		Check In
9. Tuesday, August 14	1:00pm – 2:00pm	PD: Career Roundtable Discussion
	2:00pm – 4:00pm	Intern Debrief
10. Wednesday, August 15		**Last Day**
	12:00pm – 12:30pm	Interns Prep
	12:30pm – 1:30pm	Presentation of Learning & Celebration (everyone)
11. Wednesday, August 22 Training	1:00pm – 1:45pm	Post HS Internship – Supervisor Feedback & Debrief

* = Intern's first day with supervisors will be Tuesday, July 10th
PD = Professional Development

The NYCEM High School Internship Program is designed to develop students' college and career-ready skills and provide opportunities that expose the intern to multiple facets of Emergency Management.

Fig. 3. NYC Emergency Management's High School internship timeline outlines the tentative schedule of the interns during the program. (*Source:* NYC Emergency Management, 2018)

Steps to Develop the Internship Program

NYCEM has identified five key steps for a successful internship program:

1. *Create a regular email to the interns and supervisors:* A template is used to send a weekly email that includes program updates, requests, tasks the interns are working on, important dates, a question to ask the supervisor, a question to ask the intern, pictures from the past week, as well as an attached timeline.

2. *Build a timeline:* The timeline is created before the first day, and updated as changes occur or activations happen. Every program cycle includes: a tour of NYCEM's backup location; site visits with other agencies; a career roundtable discussion with NYCEM staff; and internal trainings with other emergency management professionals.

3. *Begin with an orientation and program kick off:* Day one begins with the interns and the internship program coordinator. The first day includes an orientation to the agency as well as practice with Outlook to schedule meetings, create a signature, and even develop a LinkedIn profile. Day two is a half-day program with the interns and their supervisors. They discuss an overview of the program as a group, have the interns go through a communication teambuilding activity with their supervisors, and generally ensure everyone understands the expectations. This method builds a solid foundation for future learning.

4. *Create a pre- and post-skills form:* On the first day and last day, interns self-identify their comfortability with several tasks – for example, using Outlook email, working with others, admitting when they made an error, and knowing when to search the internet for an answer versus when to ask someone a question. Using the skills form, interns rate their comfortability handling each task. Once completed, the supervisors receive a copy of the form, which guides

Fig. 4. New York City Emergency Management Deputy Commissioner Calvin Drayton, Assistant Commissioner of Training Anita Sher, Interagency Training Coordinator Jennifer Pearsall with interns and Urban Assembly School for Emergency Management students and staff during their presentation of learning and end of program celebration. (*Source:* NYC Emergency Management, 10 May 2017)
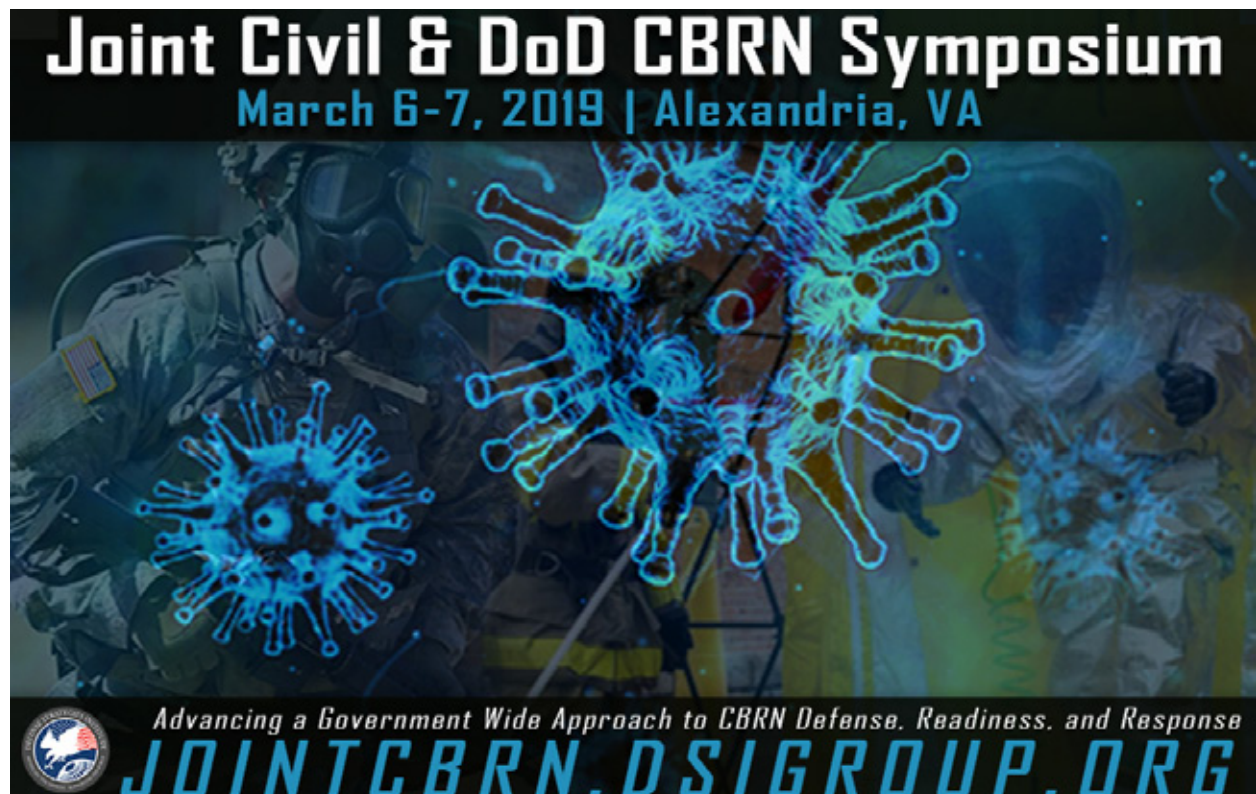
them on the type of support and training each intern needs to fulfill his or her goals. It also shows the supervisors, but more importantly the interns, how much they grow throughout their internship.

5. *Ask for feedback:* In their last week, interns complete a post-evaluation form. They provide feedback on the program, their supervisors, and the intern program supervisor. In addition, they share suggestions on improvements to the program. Each year, before the start of the internship program, NYCEM takes into consideration the feedback received to continually improve the program.

"In the end, the high school internship program is impactful, engaging, and rewarding to everyone involved," said New York City Emergency Management Assistant Commissioner of Technology Eric Smalls. "I look forward to continuing to support the program because we're making a difference in young people's lives."

Any questions regarding how to start a new or improve an existing high school internship program should be emailed to the NYCEM Academy at NYCEMAcademy.oem.nyc.gov (see Figure 4).

Jennifer Pearsall is an interagency training coordinator at the New York City Emergency Management (NYCEM) Department, a three-time AmeriCorps alumna, and an active American Red Cross volunteer. She has deployed to various notable natural disasters including Hurricane Maria in Puerto Rico in 2017, Louisiana flooding in 2016, and twice to Oklahoma for tornadoes in 2015. She manages the Employee Mentor Program at NYCEM as well as designs, coordinates, and teaches various classes to employees and agency partners. At NYCEM, she coordinates with the Urban Assembly School for Emergency Management (UASEM) with activities and programs like the NYCEM High School Internship Program, providing speakers for Career Week, and giving NYCEM tours. She is a member of the Planning Section, the Service Center Support Team, and is cross-trained in operations liaison. She is pursuing an M.S. in Emergency Management from John Jay College of Criminal Justice. She holds a B.A. in Public Relations from the University of Central Oklahoma.

Situational Awareness & How to Obtain It
By Jason Pagan

Emergency management is a dynamic field filled with numerous personalities managing ever-changing environments. Some emergency managers handle disastrous events on a yearly basis compared with others who go their entire careers without facing a single disaster. They maneuver unique political landscapes, manage robust emergency management offices, or work in offices of one. In any setting, one of the critical tools found within the emergency manager's toolbox is maintaining situational awareness.

With much diversity in experience, education, and work environment, emergency managers must learn how to successfully handle situations effectively and efficiently and how to effortlessly make the right decisions at the right moments. When thrust into a disastrous environment, emergency managers' ability to effectively obtain and maintain situational awareness becomes an added advantage for navigating the unknown.

Defining & Applying Situational Awareness

Situational awareness is defined by the authors of "Designing for situation awareness: An approach to user-centered design" as "being aware of what is happening around you and understanding what that information means to you now and in the future." The authors go on to outline three levels that factor into obtaining situational awareness:

- Level 1 – perception of the elements in the environment;
- Level 2 – comprehension of the current situation; and
- Level 3 – projection of the future events.

By navigating all three phases, emergency managers can better obtain and maintain situational awareness and respond accordingly. However, being trapped in any single level can lead to a poor decision-making process.

There are many examples of the concept of situational awareness being applied to the emergency management field. Some move through the three levels instinctively, whereas others must learn this skill. For example, if a Category 3 hurricane were projected to hit the eastern shore of the United States in three days' time, an emergency manager for a small community in the path of the hurricane would be alerted and may do the following:

- Immediately begin perceiving the situation and any related environmental elements (Level 1);
- Begin to comprehend how these perceptions connect to form an overall picture of the current situation – what a Category 3 hurricane would look like once it makes landfall in relation to community components such as functional needs populations, current resources, mutual aid agreements that are in place, etc. (Level 2); and
- Understand the potential for severe flooding and damages and for people to be stranded without power for days unless immediate action is taken (Level 3).

According to the _Washington Post_, on Monday, 10 September 2018, Hurricane Florence (Category 4) was expected to make landfall either Thursday night or Friday morning (14 September 2018). The Carolinas and Virginia issued evacuation orders for 1.25 million people almost 5 days before the storm was expected to make landfall. The governors of Virginia and Maryland had declared states of emergency while also activating 6,000 members of the National Guard. South Carolina Governor Henry McMaster recognized that the storm and preparations for it may be an inconvenience to his constituents but erred on the side of caution. After considering its potential impact on South Carolina, he evacuated 187 miles of the coastline.

> **_Rick Rescorla evacuated more than 2,700 employees and visitors before the second plane crashed into the South Tower, where his office was located._**

The potential impact of Hurricane Florence and the multiple responses by governors prior to its arrival are an example of how to effectively move through the levels of situational awareness and respond appropriately. Although the storm affected mostly the Carolinas, the governors of Virginia and Maryland responded proactively to projected future impacts with their decisions to declare state emergencies and activate the National Guard. At the time of those projections, Florence was still unpredictable as to when and where it would make landfall.

The potential impact coupled with the amount of time and resources needed to evacuate outweighed the need to wait and see which area Hurricane Florence would reside in and impact the most. Each governor acted given the information at hand and the environment. In contrast, the evacuation order for Hurricane Katrina was given just one day before Katrina made landfall, illustrating how easily decision makers can get stalled in Level 2 – not being able to comprehend the storm's force and its impact.

Situational Awareness Development

Describing situational awareness is easier than obtaining it. Like most emergency preparedness elements, situational awareness is about preparation. Research has shown two factors contributing to how easily and quickly one can obtain situational awareness during an incident: experience and communication. In 2004, researchers Ann Blandford and B. L. William Wong described veteran dispatchers moving quickly from Level 1 to Level 3, anticipating resource needs quicker than their respected incident commander in the field during a dynamic high-stress situation. They observed various 911 operators and stated that, with more experienced operators, an instinctive decision can be made rapidly during an unplanned event.

If the situation is perceived as worsening, the operator can easily move through all three levels of situational awareness to quickly project into the future and anticipate needs. Being at Level 3 (projection), the operator can then recall a similar past situation in which additional resources were used. Projecting the need and recalling a related situation, the operator thus acts accordingly, sending an additional medical transport unit before the incident commander requests it. Such experience allows the operator to move through the levels more quickly to anticipate needs and act accordingly.

For emergency managers in areas not known for disasters or those who have not developed that level of experience, training and exercises can compensate for the shortage of real-world experience. Training helps develop experience to move through the three levels to adequately anticipate needs and assist the decision-making process. Training implants similar exercises or training experiences that can quickly and rapidly be recalled during an incident. More training and exercises lead to more rapid movement from Level 1 to Level 3.

Communication is also key to obtaining effective situational awareness because of a disaster's need for interdisciplinary relationships between organizations, individuals, or a combination of both. For example, first responders must obtain on-scene information from emergency dispatchers to determine safe avenues of approach. Emergency dispatchers require information from the first responders to project and manage resources to send to the scene. Organizationally, emergency operations centers need to acquire information from the incident command post and dispatchers to help visually depict the scene and assist in making the best decisions possible to provide assistance. Communication – from perception to comprehension to projection – allows all parties to know and understand the environment and situation.

The story of Rick Rescorla is an example of obtaining and maintaining situational awareness through experiences and exercises. Rescorla, an Army Veteran, worked as head of corporate security for Morgan Stanley in the South Tower of the World Trade Center during 9/11. For years, he routinely ran drills with Morgan Stanley employees and warned the Port Authority and Morgan Stanley of security weaknesses the towers posed. He did not hesitate when Flight 11 crashed into the first tower. He relied on his past experiences to understand the situation was dire and ignored the Port Authority order for him and his employees to shelter in place. He then evacuated more than 2,700 employees and visitors before the second plane crashed into the South Tower, where his office was located. Rescorla was last seen on the 10th floor of the South Tower continuing to look for anyone left behind. His body was never found. His previous Army experiences and years of evacuation experience through training and drills at Morgan Stanley helped him develop situational awareness and saved many lives.

Conclusion

Situational awareness requires an understanding of the following: the definition of situational awareness; how to move through the three levels for obtaining optimum situational awareness (perception, comprehension, and projection); and how best to obtain and maintain the concept through experience and communication. Being able to project the future and comprehend the environment are critical for situational awareness. An inability to move through the three levels can lead to decisions that are less effective or less efficient. Emergency management is an all-inclusive field that requires robust decision-making in a fast-paced environment. Situational awareness is a critical component for overcoming challenging scenarios, mitigating risk, and saving lives.

Jason Pagan is an emergency management professional with over 8 years of experience. Currently, he serves as an associate for The Olson Group Ltd., planning, developing, designing, and executing various types of emergency management centric exercises. In his previous position as a program manager at Valley Health Systems (VHS), he was responsible for the management of day-to-day operational tasks in support of safety and emergency management. He holds an M.S. in HLS – Public Health Preparedness from Penn. State University and a B.S. in Emergency Management from NDSU. He is also certified as a Professional Emergency Manager from Virginia (VaPEM).

Crisis Leadership – Doing More With Less
By Terry Hastings

During a crisis, leaders must be able to adapt and operate in an uncertain environment. In doing so, leaders are required to make more consequential and challenging decisions with less information and less time to decide. They also have fewer options to consider and likely garner more scrutiny for their actions. This examination of key case studies provides current leaders with lessons learned from effective and ineffective leadership decisions in the past.

Crisis leadership involves making decisions, sometimes life or death decisions, with limited or incomplete information. For example, the Obama Administration's decision in 2011 to go after Osama Bin Laden in Pakistan was based on incomplete information in that the CIA could not confirm with certainty that Bin Laden was in the compound. If the raid had gone wrong – in addition to the potential for U.S. casualties – the fallout would have consumed the remainder of President Barack Obama's tenure.

Information & Time Limitations

In another example of presidential crisis decision-making, on 9/11, President George W. Bush authorized the military to shoot down commercial aircraft if necessary. The president initially thought that Flight 93 may have been shot down based on his order, but he later learned that the passengers stormed the cockpit as hijackers flew the plane toward Washington, D.C.

During a crisis, there is limited time to decide and implement a course of action. Classic examples of this include the decision (or indecision) to evacuate due to hurricanes, wildfires, or other disasters. During Hurricane Katrina in 2005, for example, New Orleans Mayor Ray Nagin did not order a mandatory evacuation of the city until less than 24 hours before the storm's landfall. That decision likely resulted in further loss of life according to the Congressional Committee tasked with investigating Katrina. On the contrary, Captain Chesley "Sully" Sullenberger's decision to land his plane on the Hudson River serves a more recent and immediate example of crisis decision-making that resulted in lives saved. As these examples demonstrate, time is fleeting during a crisis.

In addition to having limited information and limited time to decide, there are often fewer options during a crisis. In many cases, leaders must make binary yes or no decisions and do not have the benefit of multiple options to consider. For example, during the manhunt for the Boston Marathon bombers in 2013, the Federal Bureau of Investigation (FBI) had to decide whether to release images of the subjects. Releasing the images could have aided the investigation, but it might have also forced the bombers to flee or strike again knowing that authorities were closing in. However, not releasing them would have meant that the FBI was withholding a critical piece of evidence and possibly putting the public at greater risk. Ultimately, the FBI decided to release the images, at least in part because the media and amateur sleuths were already crowdsourcing their own images. In fact, the New York Post wrongly identified two "suspects" on its cover, further prompting the FBI to release images of the

Tsarnaev brothers. Incidentally, the New York Post ultimately settled a lawsuit brought by the two people who were wrongly identified.

Depending on the size and scope of the crisis, leaders can also expect a great deal of scrutiny from the media, the public, and various oversight bodies. The Flint Water Crisis, which began in 2014, is a case study in this type of intense scrutiny. There has been tremendous public outcry associated with the water crisis, and Michigan Governor Richard Snyder and numerous other public officials have been subject to intense media scrutiny. There have also been congressional hearings, investigations, and even criminal charges associated with the crisis.

©iStock.com/Kesu01

Applying a Leadership Concept to Future Crises

A crisis upsets the status quo and pushes leaders to their limits, but leaders can rely on a variety of crisis leadership concepts. Harvard's meta-leadership concept is one worth exploring. Meta-leadership involves three components. The first component is emotional intelligence – understanding self and how to come out of the "emotional basement" during a crisis. The second aspect of meta-leadership is the ability to "size-up" a situation, often with limited or incomplete information. The final component is connectivity, or multi-directional leadership, to include leading down the formal chain of command, up to supervisors, across to peer organizations, and beyond to outside entities. Meta-leadership is a proven framework that can help leaders to better navigate a crisis.

Regarding decision making with limited information, leaders should also keep Colin Powell's "40-70 rule" in mind. Powell, a retired four-star general and former U.S. Secretary of State, believes that leaders need to make decisions when they have 40%-70% of the available facts and information. Accordingly, anything less than 40% of the information is not enough to make a decision, but waiting until there is more than 70% would only delay the decision-making process and could result in missed opportunities. Powell contends that leaders need to have intuition and trust their instincts once they feel like they have reached the 40%-70% threshold.

Doing more with less is never easy, but it is particularly challenging when it comes to crisis leadership and the decision-making process. However, the good news is that there are crisis leadership concepts to consider and skills that can be developed to better position leaders to survive, and thrive, during a crisis.

Terry Hastings is the senior policy advisor for the New York State Division of Homeland Security and Emergency Services and an adjunct professor for the College of Emergency Preparedness, Homeland Security and Cybersecurity at the State University of New York at Albany.

UNLABELED LEAKING BARREL

FLIR Griffin G510

The FLIR Griffin G510 GC-MS enables responders to confidently identify unknown chemical threats. It is the ultimate chemical detection toolbox, with guided controls and simple threat alarms. Completely self-contained and mission-ready, the G510 is built for everyone and everywhere.

Download FLIR's Chem Guidebook to learn more about ID tools like the G510: flir.com/chemguidebook

◆FLIR®