

Performance Audit Report

Emergency Preparedness at Valley City State University Report No. NP-003-16c

October 10, 2017

**JOSHUA C. GALLION
STATE AUDITOR**

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Transmittal Letter

October 10, 2017

State Board of Higher Education
Members of the North Dakota Legislative Assembly

We are pleased to submit this performance audit. The subject matter of this audit included certain aspects of emergency operations at Valley City State University.

We conducted this audit under the authority granted within North Dakota Century Code Section 54-10-30. Included in the report are the audit scope and objectives, findings and recommendations, and management responses.

The in-charge auditor for this audit was Alec Grande, CPA. Craig Hashbarger, CPA, CIA, CFE was the audit manager. Inquiries or comments relating to this audit may be directed to the audit manager by calling (701) 239-7274. We wish to express our appreciation to the staff and management of Valley City State University for the courtesy, cooperation, and assistance they provided to us during this audit.

Respectfully submitted,

/S/

Joshua C. Gallion
State Auditor

Executive Summary

Introduction

Emergency operations and continuity of operations plans are essential elements of an institution's security policy. The purpose of our audit was to determine the nature and extent of Valley City State University policies and procedures regarding emergency preparedness. Following is a description of the objective and an overview of the findings.

Objective

- Does Valley City State University have an effective strategy regarding the development and implementation of an emergency preparedness plan?

We determined VCSU has developed an emergency operations plan; however, several opportunities for improvement were identified regarding the development and implementation of the plan. We also identified VCSU has developed and implemented a continuity of operations plan.

- Valley City State University lacks a formalized emergency operations risk assessment process (Page 8)
- Valley City State University lacks documented goals and objectives regarding emergency operations. (Pages 8-9)
- Valley City State University lacks formal emergency training and plan exercise requirements for the emergency operations plan. (Page 10)
- Valley City State University lacks a process for periodically reviewing and revising its Emergency Operations Plan. (Page 11)

Background Information

Introduction

Institutions of higher learning, as with any other public or private entity, are at risk of being impacted by a variety of emergencies, ranging from natural disasters such as floods, blizzards and tornadoes, to fires, active shooter incidents, and pandemics. These disasters can, and do result in injury and loss of life, as well as damage to infrastructure and business interruptions.

Emergency Management Plans

In recognition of the importance of North Dakota University System's (NDUS) preparedness for potential emergencies, the North Dakota State Board of Higher Education adopted Policy 906 (SBHE 906) effective May 16, 2012. SBHE 906 establishes the requirement for all NDUS institutions to "develop and implement comprehensive Emergency Management Plans." SBHE 906 defines an emergency management plan as "a comprehensive, integrated plan that addresses emergency preparedness, emergency management, disaster and emergency response and recovery, mitigation, and continuity of operations."

The federal government also recognizes the importance of robust emergency management plans in the nation's colleges and universities. Accordingly, in 2013 the US Department of Education, in cooperation with six federal agencies, developed a Guide for Developing High Quality Emergency Operations Plans for Institutions of Higher Education (IHE Guide). The IHE Guide recognizes that "postsecondary institutions are entrusted to provide a safe and healthy learning environment for students, faculty, and staff who live, work and study on campus."

The Federal Emergency Management Agency (FEMA) states that emergency preparedness "establishes organizational readiness to minimize the adverse impact of these events by means of active responses to protect the health and safety of individuals and the integrity and functioning of physical structures." (Fundamentals of Emergency Management chapter 9 AEMRC). In other words, the purpose of an emergency management plan is to save lives, prevent or mitigate injury, and prevent or reduce damage to critical infrastructure. An emergency management plan also facilitates timely recovery and restoration of organizational functions.

The term "emergency management plan" is used by SBHE 906, and "emergency operations plan" is used by FEMA and the IHE guide. Both terms can be used interchangeably for purposes of this report, but for the sake of clarity we will use the term "emergency operations plan," or "EOP."

Continuity of Operations Plan

In addition to risks of injury, loss of life, and property damage, emergencies can also cause an interruption of the organization's essential functions. SBHE 906 defines Continuity of Operations as "a plan to assure the capability exists to continue essential agency or institution functions across a wide range of potential disasters or emergencies." In other words, a continuity of operations plan (COOP) is a plan in which the institution identifies its essential functions and identifies the means to carry out those functions if an emergency event occurs.

In 2009, FEMA, in coordination with its non-federal partners, issued Continuity Guidance Circular 1 (CGC 1), *Continuity Guidance for Non-Federal Entities*. CGC 1 states that “continuity planning facilitates the performance of essential functions during...emergencies or other situations that may disrupt normal operations.”

While a COOP is an important component of an EOP, the mission, goals and objectives of a COOP are not necessarily the same as those of the EOP. The EOP addresses all aspects of prevention, protection, mitigation, response and recovery, while a COOP focuses on continuing to carry out essential functions of the entity during and after an incident.

The following example illustrates the differences between an EOP and a COOP: If there were a fire in Valley City State University’s Rhoades Science Center, applicable elements covered by the EOP might include detailed evacuation instructions, emergency call information, and other information necessary to prevent and mitigate loss of life, injury and property damage. The COOP, on the other hand, might identify instruction of students as an essential function ordinarily performed in the Rhoades Science Center. It might also identify alternate locations in which classes can continue to be held until either the building is restored to working condition, or more permanent alternate facilities can be located.

Objectives, Scope and Methodology

Purpose and Authority

This performance audit of Valley City State University (“VCSU”), emergency preparedness plans has been conducted by the Office of the State Auditor pursuant to authority within North Dakota Century Code (“NDCC”) Chapter 54-10.

Performance audits are defined as engagements that provide assurance or conclusions based on an evaluation of sufficient, appropriate evidence against stated criteria, such as specific requirements, measures, or defined business practices. Performance audits provide objective analysis so management and those charged with governance and oversight can use the information to improve performance and operations, reduce costs, facilitate decision making by parties with responsibility to oversee or initiate corrective action, and contribute to public accountability. The purpose of this report is to provide analysis, findings and recommendations with respect to the audit objectives.

Objective of the Audit

The objective of our audit was to answer the following question:

- Does Valley City State University have an effective strategy regarding the development and implementation of an emergency preparedness plan?

Audit Scope

We conducted this performance audit in accordance with *Generally Accepted Government Auditing Standards*. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Three sources of criteria were primarily used in developing our findings and conclusions.

SBHE 906, effective May 16, 2012 was implemented with the intention of “meeting federal and state emergency preparedness requirements.” SBHE Policy 906 identifies several requirements for all NDUS institutions with respect to the development and implementation of emergency operations plans, including specific elements required to be included in each plan.

The IHE Guide, developed in 2013 in cooperation with various federal agencies, is a source of “good practices and matters to consider for planning and implementation purposes.” It is not considered to be a source of laws or regulations; rather, it is a source of overarching principles, best practices and implementation guidance to enable institutions of higher learning to develop and implement effective emergency operations plans.

CGC 1, developed by FEMA in 2009 and most recently revised in July 2013, “provides direction to the non-Federal Governments for developing continuity plans and programs.” It is a source of best practices and implementation guidance for continuity of operations plans.

The subject matter for this objective consisted primarily of the Valley City State University emergency preparedness policies and procedures in place as of October 31, 2016.

Methodologies Used

Our objectives were broken down into two individual sub-questions based on best practices and SBHE requirements regarding the emergency management planning process and the emergency management plan itself.

Relevant Laws, Policies, Contracts and Agreements

The most significant applicable policy relating to emergency preparedness is SBHE Policy 906.

SBHE Policy 906.1 states *“The Chancellor and each institution president are responsible for ensuring that the NDUS Office and each institution develop and implement comprehensive Emergency Management Plans, including emergency preparedness and continuity of operations, in order to meet federal and state requirements and NDUS and institution needs.”*

While not specifically tested in the scope of this audit, the IHE Guide incorporates several federal laws in its guidance. The most significant of these is the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (better known as the Clery Act). The Clery Act includes IHE notification responsibilities, focusing on emergency notification and timely warning requirements. It also includes requirements for reporting crime statistics and security-related policies, as well as performing a minimum number of tests of the institution’s “emergency response and evacuation procedures.”

Audit Results

Statement of Objective and Conclusion

The objective of our audit was to answer the following question:

- Does Valley City State University have an effective strategy regarding the development and implementation of an emergency preparedness plan?

We determined VCSU has developed an emergency operations plan; however several opportunities for improvement were identified regarding the development and implementation of the plan. We also identified VCSU has developed and implemented a continuity of operations plan.

We communicated certain matters of lesser significance in a separate letter to management.

Audit Methodologies

To accomplish our objective, we conducted inquiries of members of management responsible and/or knowledgeable about emergency operations and security at VCSU. We also reviewed documented emergency operations policies and procedures, continuity of operations plan, and meeting minutes of the loss control committee where applicable.

Findings, Recommendations, and Responses

Collaborative planning team

The IHE Guide recommends the formation of a “collaborative planning team” for developing and implementing the EOP. The IHE Guide recommends the team include representatives from throughout the institution of higher education (IHE), as well as student and faculty representatives as applicable. This helps to ensure the interests of all significant stakeholders are represented. The IHE Guide also suggests the planning team should include first responders, local emergency managers or others who “have roles and responsibilities in IHE emergency management before, during, and after an incident.”

SBHE Policy includes similar requirements of its institutions. SBHE 906.4 requires EOPs to include “establishment of an institution emergency management task force or committee, chaired by the institution’s chief emergency officer.” SBHE 906.4 also requires the EOP include “a mechanism for coordinating with the local emergency managers and local responders for the jurisdiction in which an institution is located.”

Furthermore, the IHE Guide states that “Each person involved in the development and refinement of the plan should know his or her role and responsibilities in the planning process.” These roles ensure that team objectives are met and members are held accountable. SBHE 906 requires “identification of and assignment of responsibilities to officers and employees in different units and various levels within the institution,” as well as “clear and complete statements of assigned responsibilities.”

VCSU has a loss control committee which acts as the Institution's collaborative planning team. The committee has representation from different departments and is led by Jessica Frerich, Safety Coordinator. The meeting minutes for the committee outline specific conversations with regards to emergency preparedness topics and issues. VCSU outlines the roles and responsibilities for committee members in its emergency operations plan.

Risk Assessment

Upon assembly of the collaborative planning team, SBHE policies and the IHE Guide recommend a formal risk assessment of potential emergency events. This facilitates an appropriately tailored emergency operations plan which allocates each institution's limited resources to the highest risk threats.

SBHE 906.5 states, in part, that "[emergency operations plans] may also include...a threat analysis and risk assessment of potential natural, technological and adversarial hazard which may impact an institution."

According to the IHE Guide, the emergency operations planning team "first needs to understand the threats and hazards faced by the IHE and surrounding community." In order to develop an appropriately tailored emergency operations plan, management should use its internal expertise, as well as that of outside experts as appropriate, to identify a range of potential threats. Upon identifying those potential threats, management should evaluate the risk of each threat or hazard. According to the IHE guide, management should consider the probability a threat or hazard may occur, severity of the impact, time to warn students and other stakeholders, and how long the threat may last. Such assessments may take many forms and involve a wide variety of tools and methods.

Because the nature of certain risks may change over time, the IHE Guide states risk assessments should not only occur upon initial development of the plan, but also on an ongoing basis to "inform updates and revisions to the plan."

We determined VCSU has not conducted formalized risk assessments to identify potential threats or hazards to the institution.

Recommendation 1-1

We recommend Valley City State University implement a formal risk assessment process to identify and evaluate potential emergency events.

VCSU response can be found on page 12-13 of this report.

Goals and Objectives

The IHE Guide recommends the planning team develop goals and objectives for each significant emergency threat and hazard based on the formal risk assessment. The IHE Guide recommends development of at least three goals for each applicable threat and hazard, indicating the desired outcome before, during, and after the emergency event. The goals should outline "what personnel and other resources are supposed to achieve." Each identified goal should include one or more objective(s), which, per the IHE Guide, are "specific, measurable actions that are necessary to achieve the goals."

The following is an example identified in the IHE Guide of possible goals for an IHE with respect to the threat of fire. These are only examples and are not intended to serve as a substitute for the judgment of the collaborative planning team.:

- Hazard Goal Example 1 (*before*): Prevent a fire from occurring in IHE-governed student housing facilities.
- Hazard Goal Example 2 (*during*): Protect all persons from injury and property from damage by the fire.
- Hazard Goal Example 3 (*after*): Provide necessary medical attention to those in need.

The IHE guide provided the following example objectives related to these goals:

- Objective 1.1 (*before*): Provide fire prevention training to all students and resident advisors who use combustible materials or equipment.
- Objective 2.1 (*during*): Evacuate all persons from the building immediately.
- Objective 3.1 (*after*): Immediately notify fire department and EMS personnel of any fire in a student housing facility.

VCSU management has not yet developed formal goals and objectives with respect to emergency threats or hazards.

Recommendation 1-2

We recommend Valley City State University establish formalized goals and objectives for handling threats and hazards to prepare for emergency situations.

[VCSU Response can be found on page 13 of this report.](#)

Develop the Emergency Operations Plan

The IHE Guide states that, upon identification of the EOP goals and objectives, the planning team should “develop courses of action for accomplishing each of the objectives identified.” In other words, the team should identify and document the specific action items necessary to accomplish the previously determined goals and objectives.

SBHE 906 requires emergency operations to include “Procedures for shelter-in-place, evacuations, bomb threats, fires and explosions, chemical spills, tornadoes, floods, winter storms or other natural disasters, etc.” The extent to which these individual threats and hazards, as well as other potential emergencies, are addressed within the EOP should be based upon the planning team’s individual risk assessment.

VCSU has documented procedures in the EOP for several potential emergencies such as severe weather and shelter-in-place among others.

Implement the Emergency Operations Plan (EOP)

Both SBHE 906 and the IHE Guide provide guidelines for implementing the EOP.

SBHE 906.4 requires each EOP to include “minimum training requirements...and assignment of training responsibilities. It also requires the EOP to include “minimum exercise requirements and assignment of exercise responsibilities.” The IHE Guide also emphasizes the importance of both training and exercises.

Training, as defined by the IHE Guide, involves the following: 1) Hold at least an annual meeting “to educate all parties on the plan;” 2) Visit evacuation sites; 3) Distribute relevant documents regarding the plan to involved parties; 4) Post key information (such as evacuation routes and shelter-in-place locations) throughout building(s); 5) Familiarize the campus community with the EOP and community partners; and 6) Train campus community members on necessary skills to enable them to carry out the EOP.

Neither SBHE 906 nor the IHE Guide specify what constitutes appropriate minimum training. This would be a determination to be made by management based on the nature of individual roles and responsibilities. Some possible sources of training may include, but not limited to: online training provided by FEMA under the National Incident Management System (NIMS) (training.fema.gov/nims); online training provided by the US Department of Education Readiness and Emergency Management for Schools (REMS) Technical Assistance Center (rems.ed.gov); in-house training regarding aspects of the Institution’s EOP or other related topics.

In its EOP, VCSU states, “Members of those divisions and departments with specific responsibilities identified in this Plan receive additional training to ensure their safety and security when responding to various emergencies.” However, there currently are no documented minimum training requirements for individuals with roles in carrying out the EOP.

Exercising the EOP is separate from training. The IHE Guide defines “exercises” as follows: “Exercises provide opportunities to practice with community partners including first responders and local emergency management as well as to identify gaps and weaknesses in the plan.” In other words, exercising the plan involves practicing the implementation of the plan under various emergency scenarios. Exercises typically include some combination of tabletop exercises, drills, functional exercises, and full-scale exercises.

VCSU conducts periodic exercises and drills, primarily for the purpose of complying with the Clery Act. VCSU conducts exercises regarding various incidents which include fire drills, active shooters, first aid, etc. However, VCSU’s EOP currently does not include defined “minimum exercise requirements” as required by SBHE 906 policy.

Recommendation 1-3

We recommend Valley City State University develop and incorporate minimum training and plan exercise requirements into its comprehensive EOP.

VCSU Response can be found on pages 13-14 of this report.

Maintain the Plan

As with any statement of policy or procedures, the EOP should include a process for reviewing, revising, and maintaining the plan. As the planning team learns new information and insight, or risks related to certain events increase or decrease in risk, the plan should be modified accordingly.

SBHE 906 includes several requirements related to maintaining, reviewing and updating the EOP. SBHE 906.4 requires each plan to include “a process to review and update the Plan as necessary, not less frequently than every four years.” After an actual incident, SBHE 906.4 requires “after action meetings...and development of plans to address identified issues or shortfalls.”

The IHE Guide recommends that each part of the plan be reviewed and revised at least once every two years. It suggests that an IHE may find it useful to review specific portions of the plan rather than reviewing the entire plan all at once. It also recommends each institution consider reviewing and updating the plan after certain events such as actual emergencies, formal exercises, changes in key personnel, or changes in threats or hazards.

VCSU does not currently have a formal process for periodically reviewing and revising its emergency procedures.

Recommendation 1-4

We recommend Valley City State University implement policies for periodically reviewing and revising emergency preparedness plans, policies, and procedures. The policy for reviewing and revising the EOP should provide for updates arising from actual emergencies, drills or exercises (and subsequent after-action meetings). It should also ensure all parts of the plan are reviewed at least every two years.

[VCSU Response can be found on page 14 of this report.](#)

Views of Responsible Officials (Provided by VCSU)

**Valley City State University
Performance Audit Report:
Emergency Preparedness
Recommendations and Responses
September 6, 2017**

Background:

Policy 906.8 contains the following language: *The chancellor and institution presidents shall, **subject to funding and staffing constraints**, develop and implement plans under which the system and institutions substantially shall comply with these Policy 906 requirements by July 1, 2014.* (emphasis added)

Emergency preparedness is important. During the past biennium, we have been engaged in several activities, subject to funding and personnel, to advance Emergency Preparedness, to include:

- ❖ Updated the emergency operations plan to better define roles and responsibilities of the emergency response team.
- ❖ Updated the campus notification system.
- ❖ Produced and distributed an emergency quick reference book in every office and classroom.
- ❖ Improved the safe operating procedures manual.
- ❖ Designated and posted signage for emergency gathering points.
- ❖ Conducted several safety trainings and e-mail safety campaigns.
- ❖ Met regularly with the Valley City/Barnes County Emergency Planning Committee.
- ❖ Began planning a city-wide emergency training session.
- ❖ Had ongoing meetings with the Chief of Police and Fire Departments.
- ❖ Invited a representative from Homeland Security to visit our campus to assess risks.

In addition to the responses found below, VCSU will continue to exert effort toward ongoing continuous improvement directed toward emergency preparedness within the constraints of funding and staffing.

Recommendation 1-1

We recommend Valley City State University implement a formal risk assessment to identify and evaluate potential emergency events.

VCSU Response:

Agree. VCSU has aligned its Emergency Operations plan around typical scenarios faced by institutions of higher education and in alignment with environmental dangers due to our location. Our campus emergency coordinator is part of a city and county emergency planning group which meets regularly for assessment and planning purposes. Our emergency protocols include building collapse, civil disorder, contagious/infectious/pandemic disease, active shooter, evacuation, fire, flood, tornado, severe weather, hazard materials, data compromise, and power failure.

During the past biennium, to improve our risk assessment process, we invited a representative from Homeland Security to visit our campus for the specific purpose of a formal, professional risk assessment. Although the visit was made and discussion informed practice, a promised formal report has not been received.

VCSU will continue to exert effort toward ongoing continuous improvement, in partnership with the city of Valley City and Barnes County, directed toward risk assessment within the constraints of funding and staffing.

Recommendation 1-2

We recommend Valley City State University establish formalized goals and objectives for handling threats and hazards to prepare for emergency situations.

VCSU Response:

Agree. Although VCSU has established protocols for handling threats and hazards in emergency situations (as outlined in our emergency procedures documents which is posted in every office, classroom, and public space), our process does not currently follow the recommended IHE Guide process. As noted in this report, the IHE Guide is not a part of the SBHE policy.

VCSU will continue to exert effort toward ongoing continuous improvement through formalized goals and objectives for handling threats within the constraints of funding and staffing.

Recommendation 1-3

We recommend Valley City State University develop and incorporate minimum training and plan exercise requirements into its comprehensive EOP.

VCSU Response:

Agree. VCSU has undergone table top exercises to include severe weather, active shooter, and general emergency preparedness. These exercises have been evaluative in nature. We also have debriefed real-time incidents to include cyber-security and homeland security threats. We continue to participate in the planning of a city/county-wide exercise (planning began last spring).

Additionally, VCSU is developing and tracking minimum standards for NIMS training as well as other emergency training programs. This recommendation coincides with the VCSU Strategic Plan with a target completion date October 2018.

VCSU will continue to exert effort toward the development and implementation of minimum training and exercise requirements within the constraints of funding and staffing.

Recommendation 1-4

We recommend Valley City State University implement policies for periodically reviewing and revising emergency preparedness plans, policies, and procedures. The policy for reviewing and revising the EOP should provide for updates arising from actual emergencies, drills, or exercises (and subsequent after-action meetings). It should also ensure all parts of the plan are reviews at least every two years.

VCSU Response:

Agree. The VCSU Emergency Management Team meets periodically throughout the year to discuss the current state and next steps for the continuous improvement for emergency preparedness. This practice will persist with a continued focus providing updates arising from actual emergencies (see response to recommendation 1-3), drills, and exercises. VCSU will continue to exert effort toward implementing policies for periodically reviewing and revising emergency preparedness plans, policies, and procedures within the constraints of funding and staffing.