

# "TWEET THE PRESS"

## *Managing Effective Public Communication in the Wake of a School Crisis*

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**ALABAMA**  
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# AS THE BODY COUNT CONTINUES TO RISE...



Mayor Vaughn: [*to reporter*] I'm pleased and happy to repeat the news that we have, in fact, caught and killed a large predator that supposedly injured some bathers. But, as you see, it's a beautiful day, the beaches are open and people are having a wonderful time. Amity, as you know, means "friendship".



# COMMUNICATION CRISIS CREATORS



- ▶ School Shootings
- ▶ Employee/Student Sex Scandals
- ▶ Employees Mocking, Mishandling, or Abusing Students
- ▶ Student on Student Violence, Brawls, Hazing, etc.
- ▶ Lawsuits, Unfavorable Court Rulings
- ▶ Bus Accidents/Serious Sports Injuries/Student Deaths
- ▶ Weather Crises and Aftermath
- ▶ Outrageous Behavior by “Rogue” Employees
- ▶ Termination, Indictment, Controversial Departure of Key School System Leaders
- ▶ Official Mismanagement Determinations/Unfavorable Accreditation, Academic Performance Reports



# COMMON DENOMINATORS


- ▶ All have happened (and will continue to happen)
- ▶ All will trigger immediate and intensive media coverage
- ▶ All require an appropriate public response
- ▶ All have legal implications




# POTENTIAL LEGAL COMPLICATIONS CAUSED BY ILL-ADVISED PUBLIC STATEMENTS

- ▶ Defamation suits (public statements asserting or implying misconduct, dereliction, incompetence, criminal acts, etc.)
  - Statement made by a board member in response to an unfavorable financial audit: *“There’s no way that this audit is correct...those clowns spent less time reviewing our records than it takes me to balance my checkbook!”*
- ▶ Disqualification of board members from participating in related personnel proceedings
  - Statement made by a board member in advance of a termination hearing based on alleged sexual relationship between a teacher and a student: *“Oh, he’ll get his hearing, alright, but there’s no way he’ll be back in any Sinless City school as long as I’m on the Board.”*




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- ▶ Legal challenges to termination or other discipline based on predetermination of guilt and/or violation of “liberty interest” (damage to future employment opportunities)
    - See example 2, above.
  - ▶ Unwitting admission of fault/liability
    - Statement made by a transportation coordinator following a bus accident caused by bad brakes: *“We’ve only got one mechanic to check brakes on 50 busses; he does the best he can to meet his inspection schedule, but he’s only one man.”*



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- ▶ Denial of responsibility that only reassigns it (finger pointing)
    - Statement by principal after student with a gun enters building through side door with defective locking mechanism: *“I’ve reported the lock problem to the maintenance department at least three times this year – maybe now they’ll take these reports seriously.”*
  - ▶ Conflicting statements by different (or the same) board representative(s) (creates credibility problems in subsequent legal proceedings)
    - Statement by maintenance supervisor in response to principal’s statement above: *“We keep a very accurate log of service requests; we don’t have any record of those requests being made.”*



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- ▶ Improper disclosure of confidential information
    - Statement by administrator following a highly publicized (and, of course, videoed) brawl in an unsupervised classroom: *“Unfortunately, the teacher was in the teacher’s lounge at the time because she had just experienced some sort of seizure or psychiatric issue. We hope that she’ll make a full recovery but we’ll carefully evaluate her medical and mental condition before making any decision about whether and when she will return to work.”*
  - ▶ Loss of legal defenses associated with official board deliberation or action
    - Statement to media by board member in response to presentation of negative accreditation report, **but outside of the meeting setting**: *“It’s clear to me that our superintendent has not provided the kind of educational leadership needed to meet accreditation standards, and I haven’t seen any evidence that he has the ability to do so.”*



# RESPONDING TO LAWSUITS AND COURT RULINGS

- ▶ Proceed with caution: What you say *or post* can and will be used against you by lawyers and sometimes by courts
- ▶ Judges pay attention to extemporaneous public statements and postings, probably because they are unguarded and uncoached
- ▶ Use a prepared statement in lieu of a “live” response to the filing of a lawsuit; avoid the perfunctory “no comment” response
- ▶ Never publicly criticize the judge’s integrity or competence; you will face the same judge again



# BENEFITS OF PREPLANNED COMMUNICATION/RESPONSE PROTOCOL

- ▶ Minimizes public anxiety/overreaction
- ▶ Enhances the effectiveness of the system's operational response to the crisis
- ▶ Promotes long-term public confidence in the school system
- ▶ Builds credibility and positive media relations
- ▶ Lowers liability exposure



# ELEMENTS OF THE PROCESS

- ▶ Identify available communication methods and resources (e.g., traditional news media outlets; schoolcast; e-blast; listserv vehicles; social media)
- ▶ Determine relative suitability of various communication tools for particular circumstances (nature of message, time sensitivity, intended audience, etc.)
- ▶ Assign designated staff members to particular functions, communication platforms and establish chain of command for approval (Crisis Communication Team)



# ESTABLISH PUBLIC COMMUNICATION PRIORITIES

- ▶ “Do no harm” (i.e., don’t say or do anything to cause confusion, invite negative speculation, or heighten anxiety)
- ▶ Convey clear, accurate, and current factual information to parents and the public; update as necessary; say no more than is necessary
- ▶ Reaffirm ongoing commitment to student safety and welfare
- ▶ Pledge to fully examine circumstances surrounding or leading to the crisis and to take feasible steps to prevent its recurrence
- ▶ Be proactive when incident likely to trigger public/media interest occurs (get ahead of the story)



# UNDERSTAND MEDIA PRIORITIES AND HOW THEY DIFFER FROM BOARD GOALS

- ▶ Reporters want facts that can be presented from a “human interest” angle, often with drama, pathos, scandal, etc. to add spice to the story; boards want the public to be reassured—not alarmed—by the facts
- ▶ Reporters are typically driven by deadlines and “journalists’ scoop syndrome”—competition to be the first reporter out of the gate with the story; Boards need time to develop a complete factual picture in order to effectively address the situation
- ▶ Reporters tend to focus on what went wrong and who is to blame; so do boards, but boards must also devote attention to preventing a recurrence of the event—a more complex and tedious process that ordinarily extends beyond the typical news cycle



# FIND MIDDLE GROUND WITH THE MEDIA

- ▶ Respect the media's role in serving the public, but control the message and limit "hype" by issuing prepared press releases or public statements
- ▶ Use live interviews and press conferences when necessary to demonstrate district's commitment to addressing the situation; prepare for live presentations by reviewing key themes and points, not drafting scripts
- ▶ Designate a spokesperson for the district generally or for the particular situation, and route all media and public inquiries to that person
- ▶ Consider judicious use of off-the-record conversations
- ▶ Appeal to reporter's sense of fair play, sensitivity to special concerns that attach to minors, students, confidential personnel matters, etc.
- ▶ Show sensitivity to reporters' deadlines and need for some kind of information or statement



# AVOID PUBLIC COMMUNICATION PITFALLS

- ▶ Rushing to judgment
- ▶ “Spinning” bad news
- ▶ Adopting a defensive or adversarial posture
- ▶ Finger pointing
- ▶ Issuing a statement—especially one that includes declarations of outrage—prematurely
- ▶ Getting ahead of yourself or overpromising (“This won’t happen again on my watch!”)
- ▶ Refusing to acknowledge/respond to media/public inquiries
- ▶ Announcing an intent to impose discipline or punitive measures before all the facts are in
- ▶ Multiple “voices” speaking for the district (risking inconsistency and damage to credibility)
- ▶ Assuming a cavalier approach to social media postings



# AVOID POTENTIAL LEGAL PITFALLS

- ▶ Premature (and often incorrect) identification of “wrongdoers” (defamation risk)
- ▶ Disclosure of confidential information (e.g., cases involving student discipline, employee termination, etc.)
- ▶ Public discussion of employee terminations, discipline (deprivation of “liberty interest”)
- ▶ Hasty determination/declaration of guilt/responsibility (due process violation)
- ▶ Inadvertent admission of district responsibility, legal culpability
- ▶ Speculation as to cause of crisis



# IS OUTSIDE HELP NEEDED?

- ▶ Many public relations and crisis management firms have a corporate and/or political orientation that is not necessarily adaptable to the public education setting
- ▶ Lawyers can offer useful guidance, but aren't typically practiced in crafting and drafting easily digestible public communications
- ▶ An in-house media relations/public information specialist can be the best solution of all if the district can afford one