The Dangers of Opportunity: How Leaders in U.S. Higher Education Articulated Policy After "Unite the Right" in Charlottesville

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Abstract

By many accounts—on August 11th and 12th, 2017—a "Unite the Right" rally organized by white nationalists in Charlottesville, Virginia, catalyzed a series of violent events culminating in the injury of dozens of people and the death of three people (Alvarez, 2017; Astor, Caron, & Victor, 2017; Heim, 2017; McKelway, 2017). Subsequently, dozens of college and university leaders across the country released official statements condemning the violence. This study examines 99 of these institutional statements released during or immediately after the crisis in Charlottesville to learn whether these statements informed campus community members of institutional hate and bias policies meant to protect members against acts of hate, bias, and violence, such as the ones witnessed in Charlottesville. Findings reveal only 8% of statements included a directive on how to engage with institutional hate and bias policies, yet over 75% of institutions had hate and bias policies in place. Implications for executive leadership communication and future research are addressed.

Keywords: *higher education; policy; official statements; educational leadership; hate and bias*

Introduction

Charlottesville, Virginia is home to the state's public flagship university, the University of Virginia (UVA), whose leadership canceled conservative and self-defined White supremacist Richard Spencer's speaking engagement in May 2017 on the UVA campus (Wood, 2017). Spencer—a UVA alumnus and self-proclaimed advocate for a white "ethno-state" (Wood, 2017, para. 40)—was credited as being an influential factor in the decision of white nationalists to host the "Unite the Right" rally in Charlottesville over the weekend of August 11th and 12th, 2017 (McLaughlin, 2017). By numerous accounts, a removal of a statue of Confederate Army Commander Robert E. Lee from Charlottesville's Emancipation Park had catalyzed many of the "Unite the Right" protesters, in addition to the cancellation of Spencer's speaking engagement (McKelway, 2017; McLaughlin, 2017).

As many of Spencer's supporters, including "Unite the Right" organizer Jason Kessler and other White nationalists, arrived in Charlottesville and on the UVA campus, bouts of violence and hatred began to erupt, as those on Spencer's side were met by counter protesters on the night of August 11th (McKelway, 2017). Over the course of the weekend, protesters and counter protesters

clashed, ultimately culminating in the injury of dozens of people and the death of three people (Alvarez, 2017; Astor, Caron, & Victor, 2017; Heim, 2017; McKelway, 2017). Shortly after the event, news outlets on both sides of the United States political spectrum—from democrat to republican—considered the "Unite the Right" rally one of the most hateful, bigoted, and violent events to occur in U.S. in the 21st century (Alvarez, 2017; Astor, Caron, & Victor, 2017; Heim, 2017; McKelway, 2017).

As a result of the "Unite the Right" rally and subsequent violence, the University of Virginia itself was thrust into damage control, with university administration delaying classes and urging all educational stakeholders to remain in their places of residence until Virginia Governor Terry McAuliffe's state of emergency was lifted (Alvarez, 2017). From August 11th through August 12th, the University of Virginia and then-UVA President Theresa A. Sullivan issued a series of four statements commenting on the situation in-progress in Charlottesville. In the first statement from August 11th, Sullivan (2017a) claimed "violence displayed on Grounds is intolerable and is entirely inconsistent with the University's values" (para. 2).

The next morning at 10:29 AM, the University released a statement supporting Sullivan's earlier statement and asserting that "The intimidating and abhorrent behavior displayed by the alt-right protestors [sic] was wrong. Those who gather with the intent to strike fear and sow division do not reflect the University's values and will not influence or diminish the University's commitment to inclusion, diversity and mutual respect" (University of Virginia, 2017, para. 1). Four hours later, Sullivan (2017b) again commented, asserting "We strongly condemn intimidating and abhorrent behavior intended to strike fear and sow division in our community. Acts of violence are not protected by the First Amendment" (para. 4).

Finally, roughly four more hours later, Sullivan (2017c) stated that "The safety and well-being of all members of our community is my most important priority as president" (para. 3). However, nowhere in any official university statements released during the Charlottesville crisis—August 11th through August 12th—did President Sullivan or university leadership articulate the processes for engaging with the university's hate and bias incidents policy in the event that a UVA community member felt threatened or was harmed and needed help to protect themselves. In fact, the only mention of university policy in all four statements was the August 12th statement from the University of Virginia (2017) stating, "While University policy speaks to the ability to reserve space inside University-owned facilities, permits or registration to access public and open outdoor spaces are not required" (para. 2).

However, roughly 150 miles away, Towson University took a drastically different approach to articulating institutional hate and bias policies during this crisis. In her official post-Charlottesville statement, Towson University President Kim Schatzel (2017) wrote, "As hallmarks of our democracy, the U.S. Constitution protects and guarantees our rights to free speech and assembly; however, no one should ever feel threatened for their safety or well-being as a result of such expression" (para. 2). This sentiment echoed UVA President Sullivan's (2017b) reference to the First Amendment from her third August 12th statement (para. 4). However, President Schatzel (2017) went one step further, outlining specific action for Towson community members to take in the event of a hate and bias incident akin to the events in Charlottesville:

> In the wake of the terror and violence of this past weekend, it is up to all of us to lead and model civility and respect in our conversations, interactions and relationships with each other. We work actively against hate and bias, and every member of our community is encouraged to immediately report it using our Hate Crimes and Bias Incidents process. (para. 5)

Moreover, Schatzel embedded a hyperlink to Towson's official process for reporting hate crimes and bias incidents, cementing her position in support of institutional policy.

This disparity of policy articulation from institution to institution catalyzed this study. Through a quantitative content analysis (Riffe, Lacy, & Fico, 2015) of post-Charlottesville statements immediately released by 99 postsecondary leaders in the United States (August 11th through August 13th) and a policy analysis (Fischer, Miller, & Sidney, 2007) of these institutions' hate and bias incidents policies, this analysis seeks to answer two questions:

1. Do institutions of higher education articulate how to report a hateful or biased incident on their institutional website?
2. Amidst a crisis filled with violent, hateful, and biased acts—do institutional leaders compose official statements urging their community members to engage with institutional policies meant to deter and remedy these acts?

Answering these questions will inform two salient gaps in the literature: how institutional leaders address their constituencies through official statements and whether institutional policies are made apparent on institutional websites to protect racially and socially minoritized populations experiencing hateful and biased incidents on college campuses across the United States.

Literature Review

This study focuses on two different elements of postsecondary leadership—executive leadership communication with their campus community and the online presence of hate and bias incidents policies to improve campus climate—and therefore requires two separate but equally important reviews of literature. The first will describe theories and conceptions of how modern leaders of U.S. institutions of higher education communicate with campus community members and their broader society. The second will outline the legal precedent framing hate and bias incident policies on college campuses and further action taken by postsecondary leaders to ensure a safe campus climate through the implementation of hate and bias incidents policies.

How Institutional Leaders Communicate with Their Campus Community

Decades of research on higher education leadership has produced many books focused on the topic, but little research has substantially addressed how higher education leaders communicate with their campus community, especially racially and socially minoritized students. In fact, aside from examinations of institutional mission statements of various types (Morphew & Hartley, 2006; Taylor, 2017; Wilson, Meyer, & McNeal, 2012), few studies have analyzed official statements made by institutions of higher education through their executive leaders. Recently, higher education-related news outlets (i.e., *The Chronicle of Higher Education* and *Inside Higher Ed*) have broadly summarized official statements released by postsecondary institutions in reaction to President Donald Trump's rescission of the Deferred Action for Childhood Arrivals (DACA) policy, a policy meant to allow some individuals brought to the U.S. as minors a two-year renewal stay of deportation and eligibility for a U.S. work permit (Adams & Hoisington, 2017; McGuire 2017). However, these broad summaries capture the language of a few official institutional statements without conducting a rigorous investigation of a larger sample connected to extant research. This study seeks to fill this gap in the literature.

Of the general aims of executive leadership communication in U.S. higher education, Tierney (1988) argued, "An organization's culture is reflected in what is done, how it is done, and who is involved in doing it. It concerns decisions, actions, and communication both on an instrumental and a symbolic level" (p. 3). Among members within the institution, Tierney also asserted that "oral discourse predominates among members of the institution. Internal constituencies appear well informed of decisions and ideas through an almost constant verbal exchange of information through both formal and informal means" (p. 12). However, Tierney's (1988) work did not address official institutional statements made by executive leadership in the United States and instead focused primarily on internal communications.

Specific to change leadership in higher education, Rowley and Sherman (2001) posited, "The key to effective campuswide leadership is effective communication, and the keys to effective communication are openness of the process, honesty, building trust, listening, choosing the proper forms for discussion, and agreeing that it may be OK to disagree" (p. 161), arguing that "some methods of communicating are clearly better than others" (p. 186). The authors did not elaborate on these methods of communication, but they asserted that the context for communication should drive its channels (Rowley & Sherman, 2001). Later, Kezar, Carducci, and Contreras-McGavin (2006) argued, "Communication and relational skills posited by many researchers are critical competencies that [higher education] leaders need to spend time developing" (p. 159), suggesting that communicating at the executive level in higher education is a difficult, laborious task requiring leaders to understand their "institutional contexts in which they are involved, particularly institutional culture" (p. 159). Ultimately, Kezar, Carducci, and Contreras-McGavin (2006) asserted communication and relational skills are developed through a focus on "people's perceptions," which can vary from institution to institution and across time and place (p. 159).

Jacobson (2016) suggested that aspiring or new institutional presidents and chancellors should emulate the communication styles of other institutional leaders such as the University of Pennsylvania's Amy Gutmann, who "is in constant communication with her constituencies, ensuring that all members of the community understand her vision for the institution" (para. 6). Jacobson also urged institutional leaders to hire a speech trainer as "best university presidents, CEOs and elected officials all get professional training" (para. 12) and use social media to "provide another medium to disseminate your message with a less formal tone and more casual format" (para. 13). These strategies, according to Jacobson (2016), help facilitate the dissemination of communication to the broadest audience possible. Furthermore, Brennan and Weaver (2017) suggested shifting the burden of communicating with the campus community from the executive leader's shoulders to a specialized team of institutional communicators: "One of the best ways to do this is to remove layers of approval and pre-authorize people to act and communicate immediately" (para. 13).

Finally, to achieve a culture of communication on campus, Boyer (2016) suggested executive leaders view communication tasks as a matter of

> using the right techniques to engage the right audience about a relevant topic at the optimal time. This strategic alliance of communication channel, audience, topic, and timing is what enables certain institutions to create environments with both appropriate transparency and authentic dialogue. (para. 5)

This assertion falls in line with Rowley and Sherman's (2001) notion of context as the driver for communication methods. Touching upon crisis communication strategies employed by executive

leadership, Boyer (2016) also urged all executive leaders to "Develop an emergency-communication plan: In times of crisis or unrest that require more real-time interaction, keeping the line of accessibility open using the president's voice and a planned communication strategy is often the key" (para. 16).

However, no extant research has addressed how executive leadership in U.S. higher education compose and disseminate official statements to their campus community and the broader society. Furthermore, limited research addresses how institutional leaders communicate the parameters of institutional policies in communications with campus stakeholders, especially racially and socially minoritized students, faculty, staff, and community members who are the survivors of hate and bias incidents, representing gaps in the literature.

Institutional Hate and Bias Incidents Policies

Broadly, student affairs professionals in higher education define hate speech as "an imprecise catch-all term that generally includes verbal and written words and symbolic acts that convey a grossly negative assessment of particular persons or groups based on their race, gender, ethnicity, religion, sexual orientation, or disability" (Kaplin & Lee, 2009, p. 1018). However, this definition is problematic given its First Amendment implications. Kaplin and Lee (2009) elaborated:

> Hate speech regulations may prohibit and punish particular types of messages, they may raise pressing free expression issues not only for public institutions but also for private institutions that are subject to state constitutional provisions or statutes employing First Amendment norms or that voluntarily adhere to First Amendment norms. The free expression values that First Amendment norms protect may be in tension with the equality values that institutions seek to protect by prohibiting hate speech. (p. 499)

Moreover, prior to the late 1980s and early 1990s, there was no legal precedent specific to higher education—at the local, state, or federal level—to guide postsecondary institutions and their leadership when crafting hate and bias incident policies (Gould, 2001; Kaplin & Lee, 2009).

Although not a case focused on college or university law but rather U.S. Constitutional law via the First Amendment's freedom of speech, *Chaplinsky v. New Hampshire* (1942) introduced the fighting words doctrine, which are words "which by their very utterance inflict injury or tend to incite an immediate breach of the peace" (p. 572). The Supreme Court's unanimous 9-0 ruling established that such words were not essential to use when articulating someone's opinion or exploring an idea, instead holding that such words are "clearly outweighed by the social interest in order and morality" (p. 572). Yet, multiple legal scholars have contended that the *Chaplinsky* ruling holds that hate speech is protected by the U.S. Constitution's First Amendment, as hate speech is often defined as "advocacy of bigoted views" and not words meant to provoke fighting or violence (Volokh, 2017, para. 8). Ultimately, the *Chaplinsky* ruling has encouraged colleges and universities to attempt to curb potentially-harmful forms of speech, such as fighting words.

In 1989, the University of Michigan unanimously adopted a "Policy on Discrimination and Discriminatory Harassment of Students in the University Environment," which was the subject of inquiry in *Doe v. University of Michigan*. Therein, the U.S. District Court ruled in favor of Doe—an anonymous University of Michigan student—finding that the University of Michigan's policy was overbroad on its face and in application, as the policy was so vague that enforcement of the policy would violate Fourteenth Amendment Due Process rights. Penning the opinion, Judge Cohn (1989) echoed Justice William Brennan's assertion about the First Amendment and breathing

room, suggesting that because First Amendment freedoms need breathing space to exist, the U.S. government may regulate First Amendment freedoms with narrow specificity.

The University's speech code was simply not narrowly tailored. Here, the University of Michigan's failed speech code policy demonstrates just how difficult it is for leaders of institutions of higher education to balance hateful speech and rhetoric with Constitutionally-protected forms of speech and related Constitutional rights.

Just two years later, *UWM Post v. Board of Regents of the University of Wisconsin System* (1991) witnessed the UW Rule—a university policy like the University of Michigan's failed one—be deemed unconstitutional by the U.S. District Court. Akin to *Doe v. University of Michigan*, the court found the UW Rule to be overbroad, vague, and likely to violate due process and free speech rights of University of Wisconsin System students, as the UW Rule was not narrowly tailored and exceeded the scope of the fighting words doctrine articulated in *Chaplinsky*. Both the University of Michigan and University of Wisconsin System cases highlight the difficult line leaders of institutions of higher education must walk between curbing hateful and biased incidents and upholding the First Amendment rights of all campus community members.

Articulating this difficulty, Gould's (2001) study summarized the efforts of postsecondary institutions implementing speech codes on their campuses prior to the year 2000. Therein, Gould found that 100 public and private institutions enacted nearly identical percentages of speech policies from 1987-1992 (publics at 44%, privates 43%), while over 13% of all four-year institution types enacted speech policies that prohibited verbal harassment, verbal harassment of minorities, and offensive speech (p. 359). However, from 1992 to 1997, eleven institutions enacted new campus speech policies similar to those of the University of Michigan's and the University of Wisconsin System's, even though these policies were deemed unconstitutional just a few years earlier. Ultimately, Gould's research articulated the notion that even though legal precedents were established in relation to campus speech policies, many postsecondary institutions enacted speech codes contradictory to these legal precedents. In short, many public and private institutions, as recently as 2001, have successfully adopted and implemented potentially unconstitutional speech codes and hate and bias incidents policies without issue or legal contest. Since Gould's (2001) study, there has been no case law or legal contest made publicly available that challenges the Constitutionality of a postsecondary hate and bias incidents policy, including policies that could be considered campus speech codes (Kaplin & Lee, 2009).

Of executive leadership reaction or rhetoric toward hate and bias incidents, Thorne (2014) argued college presidents often practice a "cancel-and-cling" mentality, as "When something happens on campus that appears to some to be an act motivated by racial, sexual, or homophobic bias, quite a few schools cancel classes and take the occasion to cling to their positions on 'tolerance'" (p. 31). Thorne (2014) continued by asserting that presidents "urge students into activism and make it their mission to eradicate particular biases on campus" and then promote action to respond to the hate or bias incident by "planning activities in their place that will supposedly help the community process what has happened" (p. 31).

Beyond Thorne's (2014) perspective focused on college presidents, little research has addressed how executive leadership for institutions of higher education address hate and bias incidents or their policies with their campus communities, especially racially and socially minoritized individuals, representing a critical gap in the literature. Other institutional stakeholders, including those working in Equal Employment Opportunity offices (Ball, 2013), diversity and inclusion departments (Wong, 2017), and hate and bias response teams (Miller, Guida, Smith, Ferguson, & Medina, 2018) have been found to be valuable sources of support for students, faculty, staff, and

community members who have experienced incidents of hate and bias. However, no extant research has examined official statements released by these sources of institutional support meant to communicate hate and bias policies with the larger campus community.

Methodology

The following sections detail how the researchers gathered data, analyzed data, and negotiated the limitations of the study
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Data Collection of Official Statements

All official institutional statements were gathered from institutional .edu websites: This decision was informed by the massive volume of popular news outlets (i.e., CNN, Fox News, the BBC) covering the situation surrounding Charlottesville and the "Unite the Right" rally. Instead of analyzing news outlets reporting on official statements, the research team decided statements published directly by institutional leaders on institutional websites were the most accurate, authentic sources of institutional communication available. Moreover, all statements in this study were signed by either the institution's president or chancellor, filling the gap in the literature focusing on official statements released by executive leadership in U.S. higher education.

To locate these statements, the researchers employed Google Advanced Search, delimiting the search results using the following protocol:

- find the words college and/or university and/or community college, plus statement, and plus Charlottesville;
- narrow results in English;
- narrow results published on domains within the United States;
- narrow results within last 24 hours;
- narrow results to the .edu domain.

This advanced search was performed ten times every day from August 11th through August 14th to specifically narrow the focus on official institutional statements published immediately during or immediately after the Charlottesville crisis. At the end of the four-day period, the researchers located 99 total statements published on .edu institutional websites.

The decision to delimit the timeframe of the collection of official statements was made understanding bias incidents policies should encourage victims to report the incident as soon as possible (Hughes, 2013), and organizational leadership should issue crisis communication as quickly as possible (Coombs, 2015). Therefore, it is important to learn whether institutional leaders adhered to this sense of immediacy and made their hate and bias incidents policies known in a period during or shortly after hateful and biased activity and violence. All statements and their hyperlinks were uploaded into an Excel database with the following metadata extracted from each statement: publication date, institution, institution type (public or private, two- or four-year), URL, and full text of statement. In total, fifty-one statements came from public four-year institutions, four from public two-year institutions, and forty-four from private four-year institutions.

Data Collection of Institutional Policies

Once the researchers located the 99 official statements, the team revisited each institution's website to explore the institution's presence and articulation of a hate and bias incidents policy. Institutional hate and bias incidents policies were located using each institution's embedded search tool on each institutional website using the keywords "hate and bias policy" or "hate and bias reporting." If this search did not yield an institutional policy for reporting hate and bias, each institution's policy library was analyzed to locate student conduct codes, freedom of expression policies, or violence prevention and threat assessment procedures. When a policy was located, its hyperlink was uploaded to a collaborative Excel database, allowing all members of the research team access and review all institutional hate and bias policies.

Data Analysis

Both sources of data for this project—institutional statements and policies—were made readily available on institutional .edu websites, and the following questions guided the project: 1.) Do institutions of higher education articulate how to report a hateful or biased incident on their institutional website? and 2.) Do institutional leaders compose official statements urging their community members to engage with institutional policies meant to deter and remedy hateful or biased incidents? Given these questions, the researchers performed a quantitative content analysis of the statements and policies (Riffe, Lacy, & Fico, 2015) via grounded theory (Thornberg & Charmaz, 2014).

These methodological approaches were appropriate because of the size of the statement corpus—99 statements, totaling 28,539 words—and the focused, direct nature of the research questions pertinent to institutional statements and policies. Quantitative content analysis involves the "systematic assignment of communication content to categories according to rules, and the analysis of relationships involving those categories using statistical methods," (Riffe, Lacy, & Fico, 2015, p. 3). This sense of systematic assignment of communication content caters nicely to a grounded approach to coding the content, as grounded coding allows for the categorization and recategorization of data as new information becomes available through a collaborative, iterative analysis of the data (Thornberg & Charmaz, 2014). Given the flexibility of both analytic methodologies and the amount of text that required precise, yet mutable coding, quantitative content analysis via grounded theory was appropriate for this project.

To better describe the corpus (collection) of statements and their overall messages delivered to campus community members, two quantitative content analysis techniques were also employed: word count calculations and grade-level readability measuring of the statements. Both the length of a text and its grade-level readability contribute to its effectiveness, as over five decades of readability research has found that the longer and the higher a text's grade-level readability is, the more difficult that text is to read and comprehend (DuBay, 2004). Consider these findings alongside recent research suggesting the average U.S. adult reads and comprehends at between the 7th and 8th-grade level (Clear Language Group, 2018), and it becomes important to assess the length and grade-level readability of English language used in official statements per the suggestion of extant research (Neuhauser et al., 2013; Novak & Biskup, 2011; Temnikova, Vieweg, & Castillo, 2015).

To calculate word count and grade-level readability, Readability Studio—a quantitative linguistics software program—was used. The text of each statement was extracted and then uploaded into Readability Studio, using the Automated Readability Index (Kincaid & Delionbach,

1973), Flesch-Kincaid test (Kincaid, Fishburne, Rogers, & Chissom, 1975), Gunning-Fog test (Gunning, 1952), and the SMOG index (McLaughlin, 1969) to calculate grade-level readability, as these measures were created to specifically analyze different semantic (word choice) and syntactic (sentence structure) elements of nonfiction text. This strategy produces a semantically and syntactically triangulated readability average. This data is displayed in Table 1 in the Findings section of this study.

Although the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (1990) requires institutions of higher education to report hate crimes, institutional policies were analyzed to determine whether an institution currently has a policy in place that facilitates the reporting of hate and bias incidents, including those that do not meet the federal threshold of a hate crime. The federal definition of a hate crime is an act that willfully causes bodily injury, or attempt to do so using a dangerous weapon, because of the victim's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of any person (United States Department of Justice, 2017). Due to legal precedent, the research team decided to analyze hate and bias policies for all types of sanctions, including those that explicitly punish actions beyond fighting words and hate speech. *Chaplinsky v. New Hampshire* (1942) found fighting words to be cause for legal action, while *Doe v. University of Michigan* (1989) and *UWM Post v. Board of Regents of the University of Wisconsin System* (1991) found institutional policies were not narrowly tailored and sanctioned beyond fighting words.

Here, many of the hateful and biased acts witnessed in Charlottesville—the carrying of Nazi flag or the chanting of racial slurs (Heim, 2017)—do not meet the federal threshold for a hate crime and may not meet the federal threshold for fighting words, yet these hateful incidents do affect campus climate in negative ways, especially for the victims of hateful and biased incidents (Hughes, 2013). For instance, Towson University's (2018) hate and bias incidents policies asserted, "In cases of hate crimes, individuals can be punished with fines or imprisonment" (para. 8), while "cases where a student is found responsible of a University policy violation, penalties may include: educational sanctions, probation, and/or suspension/expulsion" (para. 9). Ultimately, the research team was interested in learning if institutional policies actually include mention of sanctions, as previous policies—namely those at the University of Michigan and University of Wisconsin System—were found unconstitutional.

In order for each policy to be coded as an institutional hate or bias incidents policy, it needed to satisfy two criteria: an "officially expressed intention backed by a sanction, which can be a reward or a punishment" (Fischer, Miller, & Sidney, 2007, p. xix) that includes an explicit procedure for campus community members to report the hate or bias incident (Hughes, 2013). During this analysis, the research team analyzed each policy to learn whether the policy included how a hate or bias incident could be reported (binary coding: 1=yes, 0=no) and the sanctions for those found guilty (binary coding: 1=yes, 0=no). Institutions that failed to meet these criteria were coded as not having a hate and bias incidents policy. From these policies, the following metadata was extracted: URL of the policy and the title of the policy. This database is available from the author upon request.

Employing a grounded approach, all 99 statements were initially analyzed without coding the data to gain an understanding of the aims and scope of the statements through an iterative, reflective process meant to develop inductive categories through systematic data analysis (Thornberg & Charmaz, 2014). During this reflective process, the research team gained a better idea of how institutional leaders communicated the Charlottesville crisis to their campus community and beyond, as extant research has not addressed such institutional crisis communication in-depth. As

a result, this exploratory process familiarized the research team with the statements in order to better analyze their content.

Once an exploratory evaluation was completed, the research team decided to code the data to focus on the initial research question, paying special attention to each statement's mentioning of policy or a direct reference to institutional policy using a binary coding strategy (1=yes, 0=no). After the first round, the iterative process of grounded coding revealed two salient phenomena. First, references to the U.S. Constitution or to freedom of speech and/or freedom of expression were apparent in many of the institutional statements. As the U.S. Constitution is the overarching legal signpost for all institutions in this study, each institutional statement was recoded as referencing the U.S. Constitution and/or the First Amendment and freedom of speech/freedom of expression using the same binary coding strategy (1=yes, 0=no). Second, the iterative, grounded coding process revealed a small number of statements did not condemn the violence in Charlottesville by using modifiers with negative connotations to describe the violence, such as unacceptable, intolerable, terrible, and others: statements condemning or not condemning violence were also coded using the binary strategy.

Finally, a third round of coding focused on statements including a reference to institutional hate and bias policy(ies). These statements were coded into two categories: statements that mentioned institutional policy and statements including a direct weblink to the policy and guidelines for reporting hate and bias incidents. Institutional hate and bias information was coded using a binary strategy (1=yes, 0=no), specifically focusing on whether each institution included specific reporting procedures and sanctions for those found guilty.

Limitations

The two primary limitations of this study are the timeframe during which institutional statements were gathered and the mode of communication the research team analyzed. First the researchers gathered statements in the period immediately during and following the series of hateful, biased, violent incidents in Charlottesville, beginning on August 11th and concluding on August 13th by many accounts (Alvarez, 2017; Astor, Caron, & Victor, 2017; Heim, 2017; McKelway, 2017). It is likely that other institutions—including UVA—released official statements commenting on Charlottesville after August 13th, and it is also likely that other institutions released similar statements that were not clearly titled or described as commenting specifically on Charlottesville. Google Advanced Search results were also artificially delimited to .edu domains within the United States. It is possible that other institution types—i.e. for-profit institutions with .org or .com domains—released Charlottesville statements that were not located by the Google Advanced Search. However, this limitation was purposeful, as extant research suggests hate and bias incidents policies should encourage reporting as soon as possible (Hughes, 2013) and that institutional leaders should issue crisis communication as quickly as possible (Coombs, 2015).

Second, this study only analyzes statements from institutional leaders which these leaders published on their institutional websites. It is highly probable these institutional leaders and other members of each institution's community issued official statements through email, across social media platforms, or in-person, resulting in a much larger body of communication than what was apparent on institutional websites. To render the study much more feasible, the research team analyzed statements published on institutional websites instead of attempting to capture all forms of crisis communication being issued by hundreds, if not thousands, of institutions of higher education across the United States and beyond.

Ultimately, this study of this kind does not have a precursor, as no extant research has examined how leaders of institutions of higher education articulate institutional policies during or immediately after a crisis filled with hateful and biased incidents on a college campus or in a college town. Subsequently, the limitations of this study are purposeful and appropriate given the study's feasibility, intentionality, and originality.

Findings

A quantitative content analysis of post-Charlottesville statements published by postsecondary institutions in the United States can be found in Table 1 below.

Table 1
Quantitative content analysis of post-Charlottesville statements published by postsecondary institutions in the United States (n=99)

Average word count (# of words):	279
High	1,024
Low	53
Average readability level (grade level):	14.4
Public	14.4
Private	14.3
Automated readability index	14.3
Flesch-Kincaid test	13.9
Gunning-Fog index	13.8
SMOG index	15.4
Percentage of statements:	
Condemning violence	96.9%
Public	96.4% (of publics in the sample)
Private	97.6% (of privates in the sample)
Referencing institutional policy	15.1%
Public	21.1%
Private	7.1%
Including a weblink to institutional policy	8.1%
Public	12.3%
Private	2.4%
Referencing free speech or expression	37.3%
Public	35.1%
Private	40.5%
Referencing Constitution or 1st Amendment	12.1%
Public	17.5%
Private	4.8%

First, the range of word count and high levels of readability are notable. One statement was over 1,000 words in length, whereas another statement was 54 words. Furthermore, the average statement—across institution types—was likely unreadable by the average adult and many postsecondary students: the average statement was written above the 14th-grade reading level, equating to roughly a 2nd or 3rd year postsecondary student reading level. These high readability levels were owed to both word choice and sentence structure difficulty. The Gunning-Fog Index—which measures sentence structure complexity—was lower (13.9[th]-grade reading level) than the SMOG index (15.4[th]-grade reading level), which measures word choice complexity. Here, official statements were often too difficult for the average U.S. adult and many postsecondary students due to both complex diction and complicated sentence structures, as the average U.S. adult only reads and comprehends between the 7th and 8th-grade level (Clear Language Group, 2018). As a result, institutional leaders may have inadvertently composed a statement that could not be read by a large segment of the U.S. population and beyond, rendering this communication potentially inefficient and ineffective.

In terms of statement content, 96.9% of all statements condemned the violence in Charlottesville, reaffirming and supporting the comments made by then-UVA President Theresa A. Sullivan. Pertinent to policy, 15.1% of statements directly referenced an institutional hate and bias incidents policy, as there was a notable gap between publics (21.1%) and privates (7.1%). This gap was also apparent in statements including a direct link to an institutional hate and bias incidents policy (12.3% of all publics in the study, 2.4% of privates).

Over one-third of all institutional statements—37.3%—referenced the importance of free speech or free expression on a college campus, occurring nearly three times as often as references to institutional hate and bias incidents policies. The gap between publics and privates was reversed in these instances, as slightly more private institutions (40.5%) referenced free speech and free expression than public institutions (35.1%). However, references to the Constitution and the First Amendment—the origins of free speech and free expression rights—were made more frequently by public institutions (17.5%) than private institutions (4.8%). This was a surprise in the findings and will be discussed later in the study.

An analysis of institutional hate and bias incidents policies can be found in Table 2 below.

Table 2
Analysis of institutional hate and bias incidents policies and institutional post-Charlottesville statements (n=99)

Percentage of institutions:	
Not having an institutional hate and bias incidents policy	24.2%
Public	17.1%
Private	7.1%
Not having a policy + mentioning Constitution/1st Amendment	3.0%
Public	3.0%
Private	0.0%
Not having a policy + mentioning free speech/expression	10.1%
Public	7.1%
Private	3.0%
Having an institutional hate and bias incidents policy	75.8%
Public	41.4%

Private	34.4%
Having and referencing an institutional hate and bias policy	10.1%
Public	8.1%
Private	2.0%
Having and referencing a policy + mentioning Constitution/1st Amendment	9.1%
Public	7.1%
Private	2.0%
Having and referencing a policy + mentioning free speech/expression	27.3%
Public	14.2%
Private	13.1%
Statements condemning Charlottesville violence without mentioning an institutional hate and bias incidents policy, the Constitution/1st Amendment, or free speech/expression	52.6%
Public	26.3%
Private	26.3%

Overall, 24.2% of institutions releasing post-Charlottesville statements do not have hate and bias incidents policies per Fischer, Miller, and Sidney's (2009) definition, with a notable disparity between publics (17.1%) and privates (7.1%). Furthermore, institutions that do not have hate and bias incidents policies were less likely to mention the Constitution, the First Amendment, free speech, and free expression (3.0% and 10.1%) than institutions that did have hate and bias incidents policies. For instance, 41.4% of publics and 34.4% of privates in this sample have hate and bias incidents policies, and these institutions referenced either the Constitution or the First Amendment in 9.1% of statements and referenced either free speech or free expression in 27.3% of statements. It was also interesting to learn that more public institutions have hate and bias incidents policies than private institutions. Moreover, having the policy did not automatically translate into a reference of that policy in official post-Charlottesville statements, as public institutions were more likely to reference the Constitution or First Amendment (7.1% public to 2.0% private) and free speech or free expression (14.2% public to 13.1% private) than their private peers.

Over half of post-Charlottesville statements (52.6%) condemned violent behavior and activity without mentioning an institutional hate and bias incidents policy or mentioning the U.S. Constitution, the First Amendment, free speech, or free expression. In a coincidence of the findings, an identical percentage of public (26.3%) and private (26.3%) institutions crafted statements that did not address institutional policy or Constitutional implications of hate and bias incidents on their campuses or elsewhere.

Discussion

Kaplin and Lee's (2009) discussion of the First Amendment and institutional prohibition of hate speech serves to contextualize the findings of this study, particularly their assertion that "The free expression values that First Amendment norms protect may be in tension with the equality values that institutions seek to protect by prohibiting hate speech" (p. 499). Here, it seems that two types of post-Charlottesville statements and two institutional attitudes toward hate and bias incidents policies and their Constitutionality emerge.

The first type of post-Charlottesville statement was one that avoided a discussion of hate and bias incident policies and the Constitutionality of addressing and adjudicating these types of incidents on campus. Over half of the sample—52.6%—seemingly distanced themselves from the difficult conversation of hate and bias incidents policies and their First Amendment complications, rather choosing to condemn violence, perhaps in an effort to appear non-committal in future dealings with hate and bias incidents on campus. Furthermore, equal numbers of public and private institutions omitted institutional policy and discussions of the First Amendment: it seems that the discussion of hate and bias incidents and Constitutional protections is viewed as equally difficult by both types of institutions.

This notion of rhetorical avoidance surrounding the Constitution could be explained by two phenomena. One, the institutional leader is either untrained in policy articulation or did not recognize the tensions between hate and bias incidents policies and the Constitution and therefore chose not to engage in this discussion, akin to Kezar, Carducci, and Contreras-McGavin's (2006) notion that executive-level communication with a campus community is a complex skill that must be developed over time. Two, the institutional leader desired to only condemn the violence without framing the Charlottesville situation as one that contained a wealth of Constitutional entanglement with institutional policy, thus avoiding an institutional explanation of a potentially unconstitutional speech code as Gould's (2001) work suggested. This notion of rhetorical avoidance could be addressed in future research that examines how institutional leaders—presidents, chancellors, CEOs, or the like—discuss the Constitutionality of behavior or policy on their campus.

The second type of post-Charlottesville statement referenced institutional hate and bias incidents policies and addressed—in one way or another—the policy's relationship to the U.S. Constitution, the First Amendment, free speech, or free expression: 36.4% of all statements referenced policy and Constitutional issues. Consider this partial statement from the University of California (2017):

> The First Amendment of the U.S. Constitution grants us all freedom of expression. University campuses in particular are meant to foster an exchange of ideas, and to teach students how to respectfully approach viewpoints different from their own—even when those viewpoints are offensive and hurtful. But the acts of domestic terrorism we saw in Charlottesville represented an assault on our cherished values of diversity, inclusiveness and tolerance. We must continue to speak and act against the shameful behavior we witnessed over the weekend and ensure that our colleges and universities, and our nation as a whole, remain safe and civil for all. (para. 5)

Leadership from the University of Nevada at Reno (2017) offered similar thoughts:

> Equal opportunity, inclusiveness and diversity are core values for the University of Nevada, Reno. We must always encourage a campus environment that supports and respects all members of our diverse learning community. This defining principle includes standing against all forms of bigotry, hatred and racism, as well as providing learning environments that are peaceful and encourage the free exchange of ideas. We also stand for the basic principles of the Constitution, which says we have freedoms to peacefully assemble and to have free speech. (para. 1)

The above statements both mentioned institutional values and stances aligned with diversity or against racism, yet both statements also mentioned freedom of speech and freedom of expression guaranteed by the U.S. Constitution. Statements such as these did not avoid the difficult discussion of institutional "tension" with Constitutional rights as alluded to by Kaplin and Lee (2009, p. 499). It is also paradoxical to learn that public institutions were more likely to have hate and bias incidents policies, even though private institutions have considerably more legal longitude and flexibility in mandating student and community conduct than public institutions do (Kaplin & Lee, 2009). Future research could address the nature of public versus private hate and bias incidents policies and how these policies address and adjudicate incidents of hate and bias on campus across institution types, including community colleges, for-profit institutions, and trade schools.

It is also important to highlight how public institutional leaders were more willing to address the Constitutional entanglement with hate and bias incidents policies than private institutional leaders were. In all, there was a 7% gap between public institutions and private institutions having hate and bias incidents policies, yet public institutions were four times as likely to reference their policies in official statements. Furthermore, 21.3% of public statements acknowledged the Constitution, the First Amendment, free speech, or free expression, whereas only 15.5% of private institutions were inclined to do the same. Helping to explain this phenomenon is Gould's (2001) work that revealed that many public institutions adopted potentially unconstitutional speech codes in the 1990s, even though multiple public speech codes were deemed unconstitutional just years before. Gould (2001) hypothesized that these public campus speech codes were able to remain unconstitutional because of a lack of legal challenge. Therefore, it is possible that leaders of public institutions were more willing to not only mention their hate and bias incidents policy but also address Constitutional concerns because public institution's hate and bias incidents policies have simply not been challenged. As a result, future research could address the Constitutionality of hate and bias incidents policies and whether or not these hate and bias incidents policies have been challenged by students, faculty, staff, or other educational stakeholders, such as regents, trustees, donors, or alumni.

There are also two types of institutions that emerge from the findings of this study: institutions with hate and bias incidents policies (75.8%) and those without (24.2%). It was particularly helpful to have Fischer, Miller, and Sidney's (2007) definition of a policy and Hughes' (2013) insight regarding hate and bias incidents policies as touchstones throughout this study. Fischer, Miller, and Sidney (2009) defined policy as an "officially expressed intention backed by a sanction, which can be a reward or a punishment" (p. xix), while Hughes (2013) argued that hate and bias incidents policies should include an explicit procedure for campus community members to report the hate or bias incident. As a result, nearly one quarter of all institutions in this sample either do not adjudicate a hateful or biased incident through a policy that enforces a sanction, or these institutions do not make clear how campus community members can report a hate or bias incident. This is a particularly relevant finding for student affairs professionals working with racially and socially minoritized students on campus. Hate and bias incidents policies should make their reporting procedures clear (Hughes, 2013), yet nearly 25% of institutions in this study do not heed this advice.

Therefore, future research could focus on how postsecondary institutions—across types—compose their hate and bias incidents policies ways that do or do not impose sanctions against those found guilty of hateful or biased incidents. Also, future research could evaluate how hate and bias incidents are reported on college campuses and whether those procedures are made clear on institutional websites, as this study's sample suggests that nearly 25% of institutions do not make their hate and bias incidents reporting procedures clear on their institutional website.

Implications

Ultimately, considering the evaluation of both institutional statements and policies, public and private institutions were unified by three findings.

First, institutional statements were likely difficult to read by a wide audience. Surely, the violence witnessed in Charlottesville needed to be addressed, and institutional leaders must ensure that their messages reach the widest audience possible. Composing official statements above the 14th-grade reading level does not achieve this goal. Data in this study suggests that institutional leaders should go beyond mere public address training (Jacobson, 2016) and the delegation of public relations tasks (Brennan & Weaver, 2017). Institutional leaders and their support teams should audit written statements meant for public consumption to ensure they are written in inclusive, simple language that all members of a campus community can read and comprehend.

Second, even though this study does not address pre-crisis communication between the institutional leader and their campus community, it is important for institutional leaders to articulate hate and bias incidents policies to their constituencies during times of hateful and biased incidents, even if these incidents are off-campus. A large majority of institutions have hate and bias incidents policies in place (75.8%) but did not address these policies in official statements (15.1%). As the incidents in Charlottesville were undoubtedly hate-filled and biased against marginalized populations on campuses and in our larger society, it is crucial that all educational stakeholders be aware of institutional policies meant to protect them against such incidents and deter their perpetuation. What good can a hate and bias incidents policy do if it is never mentioned? And do all campus community members know where the policy is, what the policy does, and how to engage with the policy? It is unlikely that every campus community member from every institution in this study knows about their institution's hate and bias incidents policy and knows precisely how to report an incident. Therefore, institutional leaders must seize the opportunity—especially during a crisis—to promote institutional policies meant to deter and sanction hate and bias incidents on campus.

Finally, few institutions of either type fully embraced the power of the internet to communicate with their campus community: Only 8.1% of all institutions in the sample embedded a weblink to their institutional hate and bias incidents policy in their official post-Charlottesville statement. As Internet technologies continue to advance, institutional leaders must learn to harness these technologies and streamline their communication processes and articulation of institutional policies. Surely, all policies and their reporting procedures can be uploaded to an institution's website; this also means that these policies can be hyperlinked in official statements, connecting the campus community to the campus itself, no matter where the person may be physically situated. Here, Towson University President Kim Schatzel (2017)—and her tech-savvy ability to hyperlink a policy into her official statement—may have supplied a Towson campus community member with not only the knowledge of institutional policy meant to protect but also the procedures to follow in order to be protected.

Conclusion

Although President John F. Kennedy was incorrect in his belief that the Chinese word for "crisis" means both danger and opportunity (Nguyen, 2014), his sentiment is fitting to summarize this study. In no uncertain terms, the violence perpetrated in Charlottesville from August 11th to August 13th, 2017 constituted a dangerous crisis, especially for the racially and socially minoritized members of our society. Did postsecondary leaders view this danger as an opportunity to disclose

institutional policy meant to protect these members of society? The data gathered in this study suggests they did not. A large majority of institutions in this study have hate and bias incidents policies in place, yet many of these institutions chose not to promote these policies to their campus communities in their official statements, nor did they discuss the Constitution and its many free speech and free expression implications of institutional policies.

In short, the discussion of hate and bias policies alongside the U.S. Constitution must start. Campus community members must be made aware of the legal parameters of their institution's hate and bias incidents policy, heaven forbid a hateful or biased incident is perpetrated against them. And if a hateful or biased act encroaches upon a hate crime, campus community members should know how their institution can assist, inform, and protect them.

Perhaps most important is the necessity for institutional leaders to lead—to communicate—with racially and socially minoritized individuals to deliver the message that their institution will do everything in their power to stand up and protect them from the many hateful and biased acts that the United States of America simply does not stand for. To do this, it is essential for institutional leaders to convey in all official communications that the institution is committed to diversity and inclusion, so that all students feel protected from any danger. Where there is danger, there is opportunity, and institutional leaders should embrace this danger and opportunity with rhetoric that protects through policy.

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