

## **Campus Fire Safety Right-to-Know language**

This is the language from the *Higher Education Act (HR 4137)* which recently passed Congress and was signed into law.

### **(i) DISCLOSURE OF FIRE SAFETY STANDARDS AND MEASURES:**

#### **(1) ANNUAL FIRE SAFETY REPORTS ON STUDENT HOUSING REQUIRED -**

Each eligible institution participating in any program under this title that maintains on-campus student housing facilities shall, on an annual basis, publish a fire safety report, which shall contain information with respect to the campus fire safety practices and standards of that institution, including –

- (A) statistics concerning the following in each on-campus student housing facility during the most recent calendar years for which data are available:
  - (i) the number of fires and the cause of each fire;
  - (ii) the number of injuries related to a fire that result in treatment at a medical facility;
  - (iii) the number of deaths related to a fire; and
  - (iv) the value of property damage caused by a fire;
- (B) a description of each on-campus student housing facility fire safety system, including the fire sprinkler system
- (C) the number of regular mandatory supervised fire drills;
- (D) policies or rules on portable electrical appliances, smoking, and open flames (such as candles), procedures for evacuation, and policies regarding fire safety education and training programs provided to students, faculty, and staff; and
- (E) plans for future improvements in fire safety, if determined necessary by such institution.

#### **(2) REPORT TO THE SECRETARY -**

Each eligible institution participating in any program under this title shall, on an annual basis, submit to the Secretary a copy of the statistics required to be made available under paragraph (1) (A).

#### **(3) CURRENT INFORMATION TO CAMPUS COMMUNITY -**

Each eligible institution participating in any program under this title shall –

- (A) make, keep, and maintain a log, recording all fires in on-campus student housing facilities, including the nature, date, time, and general location of each fire; and
- (B) make annual reports to the campus community on such fires.

#### **(4) RESPONSIBILITIES OF THE SECRETARY – The secretary shall -**

- (A) make the statistics submitted under paragraph (1)(A) to the Secretary available to the public; and
- (B) in coordination with nationally recognized fire organizations and representatives of institutions of higher education; representatives of associations of institutions of higher education, and other organizations that represent and house a significant number of students –

- (i) identify exemplary fire safety policies, procedures, programs, and practices, including the installation, to the technical standards of the National Fire Protection Association, of fire detection, prevention, and protection technologies in student housing, dormitories, and other buildings;
- (ii) disseminate the exemplary policies, procedures, programs and practices described in clause (i) to the Administrator of the United States Fire Administration;
- (iii) make available to the public information concerning those policies, procedures, programs, and practices that have proven effective in the reduction of fires; and
- (iv) develop a protocol for institutions to review the status of their fire safety systems.

**(5) RULES OF CONSTRUCTION -** Nothing in this subsection shall be construed to -

- (A) authorize the Secretary to require particular policies, procedures, programs; or practices by institutions of higher education with respect to fire safety, other than with respect to the collection, reporting, and dissemination of information required by this subsection;
- (B) affect section 444 of the General Education Provisions Act (the Family Educational Rights and Privacy Act of 1974) or the regulations issued under section 264 of the Health Insurance Portability and Accountability Act of 1996
- (C) create a cause of action against any institution of higher education or any employee of such an institution for any civil liability; or
- (D) establish any standard of care.

**(6) COMPLIANCE REPORT –**

The Secretary shall annually report to the authorizing committees regarding compliance with this subsection by institutions of higher education including an up-to-date report on the Secretary's monitoring of such compliance.

**(7) EVIDENCE –**

Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with this subsection shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce this subsection.