

## ADDITIONAL INFORMATION

### **Fire Safety Reporting**

#### *Statutory Language:*

#### **Section 485 . . .**

#### **(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 (42 U.S.C. 1320d-2 note);

(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.

*Legislative History:*

## **Disclosure on campus fires**

Posted by [atwinsto](#) August 22, 2008 22:30PM

It's been eight years since three freshmen died when a fire swept through their floor at a Seton Hall dorm. Another 58 students were injured, some severely. That tragedy caused university officials across the nation to take inventory of fire safety measures and get a handle on just how much of a problem fires posed on their campuses.

Until now, schools were under no obligation to share that information with students on campus, their parents or prospective students. But an amendment to the Higher Education Act now requires school administrators to compile information on fires and fire safety and make it public.

The new law was the result of a long effort by Rep. Bill Pascrell Jr. (D-8th Dist.), working with Sen. Frank Lautenberg (D-N.J.), to require disclosure of such information.

Under the new law, signed this week by President Bush, college officials must issue a report on fire safety that lists the number of fires and the cause of each, the number of injuries and deaths and the amount of property damage. The report must also include rules on smoking, the use of portable electrical appliances and candles and the number of fire drills annually.

The Pascrell provision requires the secretary of education to provide Congress with a report disclosing just how much of a problem fires pose on college campuses and offering ways to reduce the risks.

Since that Jan. 19, 2000, fire at Seton Hall, 126 others have died in campus fires. The hope is that because of Pascrell's effort, fewer students will die or be injured over the next eight years.

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