



What is the Campus Fire Safety Right-to-Know Act and How Will it Affect Colleges and Universities?

By Terri Konchesky, MS and Nancy Key, MS, GSP

On August 14, 2008, former President George Bush signed the Higher Education Reauthorization Act into law, which included the Campus Fire Safety Right-to-Know Act (RTK). The Department of Education held a series of meetings involving experts from across the nation to develop the proposed regulations, which were published in the *Federal Register* last summer and expected to be finalized in November 2009. Shortly after finalization, the regulations should go into effect in June 2010.

The RTK was introduced by Representative Bill Pascrell (NJ) and Senator Frank Lautenberg (NJ) following the

In the RTK, schools will make an annual report to the Department of Education on fire safety that will include:

- Number of fires and the cause of each fire
- Number of injuries related to a fire that result in treatment at a medical facility
- Number of deaths related to a fire
- Value of property damage resulting from a fire
- Description of all on-campus student housing fire safety systems
- Number of regular mandatory supervised fire drills
- Policies on smoking, open flames, and portable electrical appliances

However, it is important to note that if a Greek house resides on property owned or controlled by the university, then the fire information for these buildings will have to be reported. According to University of Illinois at Urbana/Champaign Police Chief Barbara O'Connor, who is also a trainer for the Clery Act reporting system, if a school currently reports crime statistics for occupancy then it will also have to report fire statistics for that same occupancy.

WHAT CONSTITUTES "A FIRE"?

The definition of fire needs to be as clear as possible and this is something that the team, brought together by the Department of Education, worked long and hard on developing. One of the concerns was student cooking because more residence halls are outfitted with kitchens and microwaves, which lead to unwanted or nuisance fire alarm activations when smoke arises from cooktops or overdone popcorn. It was felt that only incidents that caused significant damage or resulted in open flames should be reportable.

The fire definition was arrived at after reviewing those used by the National Fire Protection Association and the National Fire Incident Reporting System (NFIRS): "Any instance of destructive burning or uncontrolled open flame that results in combustion of solid, gas, or liquid."

The goal is to capture incidents such as open flaming wastebasket fires or a

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January 2000 Seton Hall University dormitory fire that killed three students and injured 67 others. The objectives of this legislation are to provide parents and students with information about a school's fire safety and establish incentives for schools to establish a higher level of fire safety for their students.

RTK is similar to the Clery Act, which requires schools to report crime statistics to the U.S. Department of Education.

- Procedures for evacuation
 - Training and safety education for students, faculty, and staff
 - Plans for improvement, as needed
- This legislation is intended to cover on campus residence halls only. Administrative, academic, and other buildings on campuses are not included in the reporting. Also not covered are fraternity/sorority houses and other off-campus housing not under the jurisdiction of the schools.

burning piece of paper on a bulletin board. Such fires may show a pattern of behavior indicative of arson. Without reporting and tracking, it would be difficult to note a pattern and intervene before a significant fire occurred.

REPORTING


Reporting is tentatively set to begin in Fall 2010. Schools will need to develop an internal reporting system for fires, no matter how small, so they can begin tracking incidents. The Department of Education was emphatic in that they are not going to create a new reporting system for schools and that an additional module for fire safety reporting will be added to the existing crime statistic reporting system. Since the crime statistic reporting system is well known by schools, the goal is to mirror this to make it as easy as possible for the schools to report.

As for reporting damage, it has been recommended that a range of values be used to eliminate the need for determining an exact cost. Also, the value of damage should be from the fire and fire suppression itself and not the subsequent clean up costs.

BENEFITS TO SCHOOLS

There are a number of specific benefits to tracking fires, large and small. Arson fires often start with a series of small fires and progress to larger or more deadly ones. Identifying small incidents can help to recognize patterns and problems. Authorities can then create solutions and take early intervention steps that will prevent larger incidents from occurring.

Currently, the only public reporting of fire safety data is done voluntarily through the *Princeton Review*, which is inconsistent in its evaluation and is not a transparent reporting system. The RTK levels the playing field by making data on all schools publically available in a uniform manner. This information will help prospective parents and students when selecting a school.

Schools will be able to benchmark their efforts against those of their peers and schools with exemplary programs can showcase their efforts. Strong fire prevention programs also increase property values and reduce insurance premiums. 

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