

Postsecondary Educational Institution Fire Drill Reporting

(Pursuant to Public Act 481 of 2014)

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INTRODUCTION

Michigan's Fire Prevention Code was amended in 2014. MCL 29.19 et al. The applicable amendments added requirements for fire drills for postsecondary educational institutions that took effect March 31, 2015. MCL 29.19a. Each postsecondary educational institution dormitory is now mandated to hold three (3) fire drills each year. MCL 29.19a(2). The fire drill requirements are as follows:

- One (1) fire drill in the fall semester within 21 days after the start of classes. MCL 29.19a(2)(a);
- One (1) fire drill in the spring semester. MCL 29.19a(2)(b);
- At least one (1) of the fall or spring drills shall be held when school is in session between sunset and sunrise. MCL 29.19a(3); and
- One (1) fire drill in the summer semester if the dormitory is occupied by students during that semester. MCL 29.19a(2)(c).

No other postsecondary educational institution building is mandated to have fire drills.

DEFINITIONS

- Fall semester means the semester in which the majority of scheduled classes are between September 1 and December 31. MCL 29.19a(8)(a).
- Postsecondary educational institution means a degree or certificate-granting public or private college or university, junior college, or community college that is located in this state. The term includes the governing body of the postsecondary educational institution. MCL 29.19a(8)(b).
- Postsecondary educational institution dormitory means a building that is located on the campus of a postsecondary educational institution; is owned, leased, or managed by, or under the direct control of, the postsecondary educational institution; is used to provide housing for more than 16 individuals who are not members of the same family; and does not provide individual cooking facilities for its residents, whether or not meals are provided to any of those residents. MCL 29.19a(8)(c).
- Spring semester means the semester in which the majority of scheduled classes are between January 1 and May 3. MCL 29.19a(8)(d).
- Summer semester means the semester in which the majority of scheduled classes are between June 1 and August 31. MCL 29.19a(8)(e).

INSTRUCTIONAL STAFF TRAINING

All instructional staff are required to be trained in fire drill procedures before the beginning of each academic year. MCL 29.19a(1). This training would include staff in instructional and dormitory buildings regardless of the requirement for conducting drills in the building. The training may be separate or part of the institution's training in their overall emergency response plans.

REPORTING REQUIREMENTS

Beginning in 2016, on or before January 10 of each year, a postsecondary educational institution is required to submit a statement on a Bureau of Fire Services form certifying the institution complied with all of the requirements in the preceding calendar year. MCL 29.19a(5). The Post Secondary Reporting Form is available on the bureau's website at www.michigan.gov/bfs. The report is required to include the following items:

- Submitter information;
- Certification of compliance;
- Instructional staff training information; and
- A record of each drill.

Note: Other drill records, including a record of all emergency procedures training completed by staff, shall be retained and made available to the Bureau of Fire Services upon request per MCL 29.19a(4).

Penalties for violations of the section for conducting drills, conducting training, or submitting required reports are set forth in MCL 29.19a(6) and include:

- The institution is responsible for a civil fine of \$500.00 for a first violation of this section and a civil fine of \$1,000.00 for a second or subsequent violation. A civil fine collected under this subsection shall be paid to the general fund and credited to the bureau for the enforcement of this Act.
- For a second or subsequent violation of this section, the bureau may require a mandatory inspection of the institution's facilities and the preparation of a plan of action report by the bureau or its designee. The institution is responsible for payment of the bureau's costs associated with an inspection and plan of action report, or \$1,000.00, whichever is less.

The Act requires the Bureau of Fire Services to submit a report to the Speaker of the House of Representatives, the Senate Majority Leader, the House and Senate Appropriations Committees, the House and Senate Appropriations Subcommittees on Higher Education and Joint Capital Outlay, and the Department of Licensing and Regulatory Affairs describing each violation of this section by a postsecondary educational institution in the preceding State fiscal year. MCL 29.19a(7).

SUMMARY

Subsequent to the 2014 amendment of the Act, the Bureau of Fire Services took the following measures to ensure that all postsecondary educational institutions were fully educated on the new reporting requirements including:

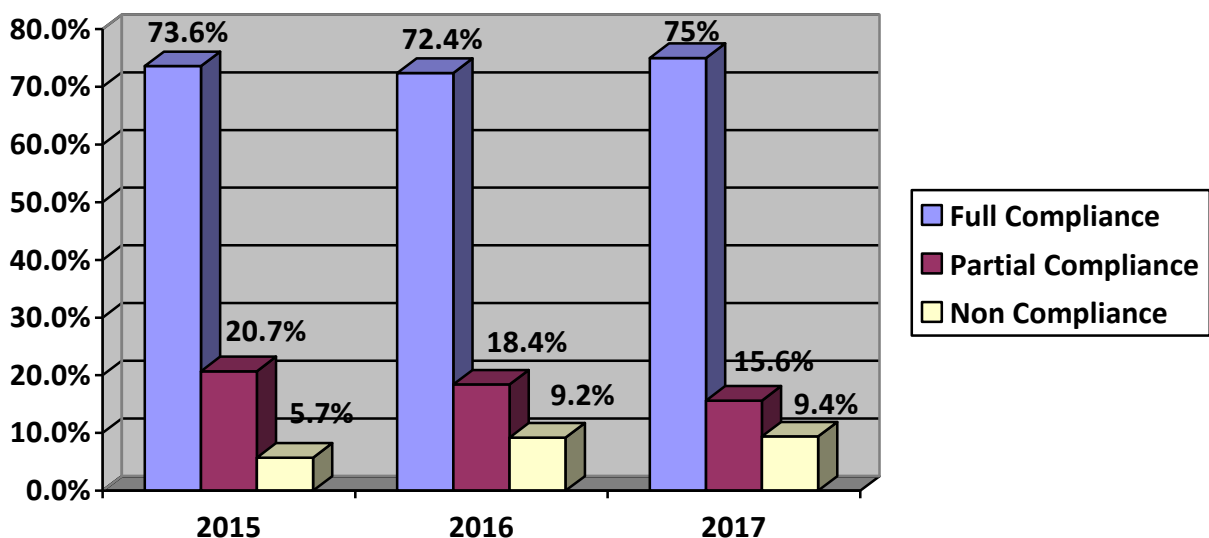
- Established and validated a comprehensive database that identified those postsecondary educational institutions required to comply with the amendments;

- Developed and distributed the necessary reporting forms, procedures and other helpful information (i.e. Frequently Asked Questions) to postsecondary educational institutions;
- Provided follow-up to those postsecondary educational institutions requiring additional support and guidance; and
- Developed a comprehensive tracking mechanism to record compliance of the postsecondary educational institution reporting requirements of the Act.

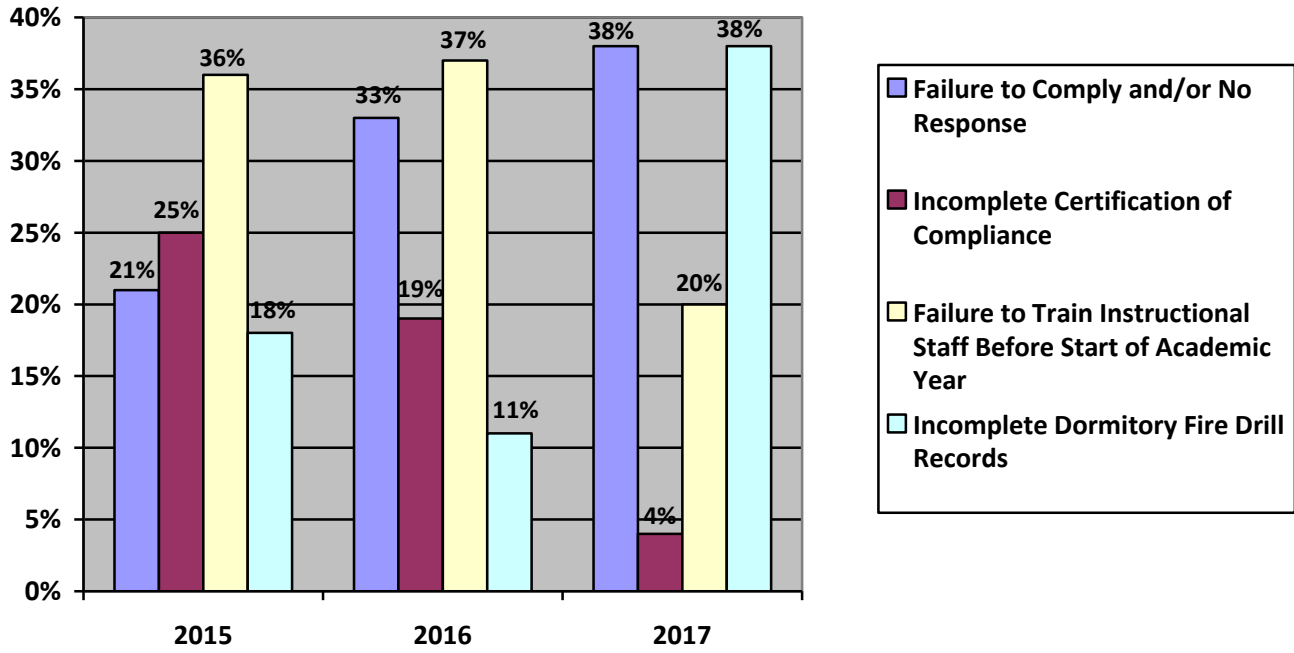
In 2017, 96 identified postsecondary educational institutions were required to comply with the amendments to the Act. A total of nine (9) institutions (9.4%) failed to submit the required form prescribed by the bureau with their 2017 information. Two (2) of these postsecondary educational institutions also did not meet the requirements in 2016. A total of 15 institutions (15.6%) were in partial compliance with various individual requirements of the Act. Overall, a total 72 institutions (75%) were in full compliance with the reporting requirements.

In 2016, the Bureau of Fire Services saw a decrease in compliance from the previous year. Out of the 98 identified postsecondary educational institutions that were required to comply with the amendments, nine (9) institutions (9.2%) failed to comply or submit the required form prescribed by the Bureau of Fire Services with their 2016 information. Additionally, 18 institutions (18.4%) were only in partial compliance with various individual requirements of the Act. Overall, 71 institutions (72.4%) were in full compliance with the requirements of the Act.

By comparison, in 2015 a total 106 postsecondary educational institutions were required to comply with the amendments to the Act. There were six (6) institutions (5.7%) that failed to comply or submit the required form prescribed by the Bureau of Fire Services, 22 institutions (20.7%) that were in partial compliance and 78 institutions (73.6%) in full compliance with the requirements of the Act.



Postsecondary institutions not in compliance include incomplete certificates of compliance, incomplete dormitory fire drill records, incomplete required instructional staff training before the start of the academic year and no response from the postsecondary educational institution.



Note: Refer to the attachment on page 7 for a listing of schools that were found to be in partial compliance or did not comply with the requirements of PA 481.

CONCLUSION

This is the third year since the implementation of the statutorily mandated fire drills, instruction and reporting. Although the Bureau of Fire Services has been lenient in the past, going forward, the bureau will pursue any and all civil fines from violations of the Act. Attachment A contains a list of postsecondary education institutions that have been noncompliant in the past.

Attachment A

The following postsecondary educational institutions were found to be non-compliant as they did not submit the required documentation or respond after repeated attempts to work with them:

- Cleary University*
- Ecumenical Theological Seminary
- Moody Theological Seminary College
- Rochester College
- Van Andel Institute Graduate School
- West Shore Community College
- Western Michigan University - School of Medicine
- Western Theological Seminary
- Yeshiva Gedolah of Greater Detroit*

The following postsecondary educational institutions were found to be partially compliant with the requirements of Public Act 481 however, did not meet the specified requirements listed below.

Incomplete certification of compliance:

- Wayne State University

Required instructional compliance:

- Alpena Community College
- Calvin Seminary
- Henry Ford College – staff trained after school began – October 11, 2017
- Saginaw Valley State University – staff trained after school began – September 29, 2017
- Schoolcraft College – staff trained after school began – December 2017

Incomplete dormitory fire drill records:

- Alma College – No fire drills were conducted between sunset and sunrise.
- Aquinas College – Only one (1) dorm had conducted a sunset and sunrise drill. The other nine (9) dorms did not.
- Concordia University – No fire drills were conducted between sunset and sunrise or within 21 days of the start of school.
- Cranbrook Academy of Art – No fire drills were conducted between sunset and sunrise.
- Finlandia University – No fire drills were conducted between sunset and sunrise.
- Gogebic Community College – No fire drills were conducted between sunset and sunrise.
- Jackson College – One (1) dorm did not conduct a sunset and sunrise fire drill. None of the dorms conducted the fire drills within the first 21 days of the start of school.
- Spring Arbor University – Fire drills were not conducted within 21 days of the start of school.

- Wayne State University – Not all dorms complied with the sunset and sunrise rule, and not all dorms had conducted drills within 21 days of the start of school.

*Indicates repeat non-compliance.