Validation for Private Postsecondary Educational Institutions Fire Safety Provisions

Department of Licensing and Regulatory Affairs
Bureau of Fire Services and
Corporations, Securities and Commercial Licensing Bureau

Educational Corporation (Private College or University):

If the organization desires to be incorporated and offer degrees as a private college or university, they must organize as an educational corporation under Public Act (PA) 327 of 1931, the General Corporation Statute, as amended or receive approval as a foreign corporation under PA 284 of 1972, the Business Corporation Act, which provides the authority for out of state institutions to conduct business in Michigan. The proposed private college or university must demonstrate it meets each area of adequacy as required under Sections 170-177 of the General Corporation Statute. The proposed institution must submit a written proposal that addresses each of the following items:

a) The housing space and administration facilities which it possesses or proposes to provide for its declared field(s) of education are adequate;

b) Its proposed educational program leading to the diplomas or degrees which it proposes to offer is adequate;

c) Its laboratory, library and other teaching facilities which it possess or proposes to provide are adequate;

d) It has or proposes to employ an adequate staff which are fully trained for the instruction proposed, and;

e) At least 50% of its capital, whether of stock or in gifts, devises, legacies, bequests or other contributions of money or property, has been paid in or reduced to possession.

In order to validate the adequacy of items a and c, the organization has to prove compliance with the New and Existing School, College and University Fire Safety Rules. Below is a guideline to follow to verify the adequacy of the housing space (dormitories), laboratories and other teaching facilities such as buildings with classrooms and instructional spaces.

New Building or New College/University Use in an Existing Building:

This type of project will require a plan review submittal and inspection by the Bureau of Fire Services (BFS) based on the New and Existing School, College and University Fire Safety Rules. Existing buildings that are not currently being used as a college or university will be reviewed as a new building for the purposes of fire safety rules. An architect or engineer will have to submit an Application for Fire Safety Plan Examination (BFS-979) and a complete set of architectural drawings for review. Typically, the entire building is reviewed for compliance even if the college is only using a small portion of the building. These projects also often involve the Michigan Building Code or Michigan Rehab Code.

Existing College/University Building (Classroom, Instructional or Dormitory):

This type of project will require verification of one of the following:

1. Provide a copy of the fire safety approval from BFS. This will be on an inspection report (also referred to as the BFS-40 form), which would only be available if the building was reviewed and inspected by BFS in the past. The fire safety approval must be for the entire building, not a single project.

2. Provide a notarized letter from the organization stating that the existing building is in compliance with the New and Existing School, College and University Fire Safety Rules. Dormitories are required to be in compliance with the Dormitory Fire Safety for Schools, Colleges and Universities. Please refer to PA 207 of 1941, the Fire Prevention Code, as amended and the promulgated rule sets.

3. If the organization is not able to verify compliance with the applicable fire safety rules a safety inspection will be required. The Application for Private College/University or School Safety Inspection (BFS-980) is available on the BFS website.

Existing College/University Campus (Multiple Classroom, Instructional or Dormitory Buildings):

This type of project will require verification of one of the following:

1. Provide a copy of the fire safety approval from BFS for each instructional building and/or dormitory. This will be on an inspection report (also referred to as the BFS-40 form), which would only be available if each building was reviewed and inspected by BFS in the past. Each fire safety approval must be for the entire building, not a single project.

2. Provide a notarized letter from the organization stating that the existing buildings are in compliance with the New and Existing School, College and University Fire Safety Rules. Dormitories are required to be in compliance with the Dormitory Fire Safety for Schools,

Colleges and Universities. Please refer to PA 207 of 1941, the Fire Prevention Code, as amended and the promulgated rule sets.

3. If the organization is not able to verify compliance with the applicable fire safety rules a safety inspection will be required for each classroom, instructional or dormitory building. The Application for Private College/University or School Safety Inspection (BFS-980) is available on the BFS website.

Buildings Not Subject to BFS Review:

Non-instructional buildings such as union halls, office buildings or apartments are not subject to the New and Existing School, College and University Fire Safety Rules. This type of project will require verification of one of the following:

1. Provide a copy of a recent Certificate of Occupancy to the Corporations, Securities and Commercial Licensing Bureau (CSCL).

2. If a recent copy of the Certificate of Occupancy is not available, provide a notarized letter stating that the building has not undergone any unauthorized renovations since the Certificate of Occupancy was issued.

3. Provide a copy of the last local safety inspection for the building to CSCL.

New College/University Use in an Existing K-12 School:

This type of project will require verification of one of the following:

1. Provide a copy of the fire safety approval from BFS. This will be on an inspection report (also referred to as the BFS-40 form), which would only be available if the building was reviewed and inspected by BFS in the past. The fire safety approval must be for the entire building, not a single project.

2. Provide a notarized letter from the organization stating that the building is in compliance with the New and Existing School, College and University Fire Safety Rules. Please refer to PA 207 of 1941, the Fire Prevention Code, as amended and the promulgated rules.

3. If the organization is not able to verify compliance with the applicable fire safety rules a safety inspection will be required. The Application for Private College/University or School Safety Inspection (BFS-980) is available on the BFS website.

Please contact the BFS Plan Review Division by telephone at 517-241-8847 or by e-mail at BFSInspectionRequest@michigan.gov with any additional questions you may have.