

H.R.4137 - Higher Education Opportunity Act

On August 14, President Bush signed into law a bill (H.R.4137, the Higher Education Opportunity Act) to amend and reauthorize the Higher Education Act of 1965 (HEA). Certain key provisions of this legislation have important implications for the emergency management community, especially campus-based EM practitioners. The IAEM US Government Affairs Committee and IAEM Universities and Colleges Committee, for over a year, have followed many proposed bills related to emergency management issues on college and university campuses that were proposed and/or passed by the Senate and House of Representatives; a position paper on critical issues contained within the proposed legislation was issued by the IAEM Board at the Mid-Year Conference when two bills (S.1642 and H.R.4137) passed and were destined for compromise and consolidation.

Highlights of the relevant provisions of the Higher Education Opportunity Act, amending the Higher Education Act of 1965 (HEA), are:

Sec. 488(e)(D) **Emergency Notification** (starts on page 221)

Higher education institutions will now be required to have the capability to immediately notify the campus community of significant emergencies, once the situation has been confirmed as an imminent threat to the health or safety of students, faculty, and staff. This information, along with policies and procedures for mass notification, evacuation, and emergency response must be published and made available to the campus community on an annual basis.

Sec. 801 [HEA new Sec. 821] **Emergency Management Grants** (starts on page 331)

The U.S. Department of Education will develop grant programs for colleges and universities (or consortia of higher education institutions) to pay for up to 50% of campus emergency management projects such as:

- State-of-the-art emergency communications systems, using multiple modes, to notify the campus community during times of emergencies and disasters
- Security assessments
- Training of campus personnel and students
- Coordination with local emergency management organizations and other response agencies
- Establishment of a campus hotline for reporting of students, faculty, and staff who may be a danger to themselves or others
- Access control, surveillance, intrusion detection, and perimeter security technologies and systems
- Coordination with local mental health organizations for provision of crisis response and intervention services for students, faculty and staff

Sec. 801 [HEA new Sec. 822] **Model Plans** (starts on page 333)

The Secretary of Education will continue to consult with the Attorney General and the Secretary of Homeland Security on the development and implementation of model emergency response policies, procedures, and practices.

Sec. 801 [HEA new Sec. 823] **Preparation for Future Disasters** (starts on page 333)

The Secretary of Education will develop a disaster relief plan that addresses the needs of higher education institutions in the event of a Presidential declaration of an emergency, or other natural and man-made disasters. The Department of Education will work with the Department of Homeland Security and other appropriate agencies on this plan, which is intended to assist colleges and universities, and their students and personnel, in the event of a disaster.

Sec. 801 [HEA new Sec. 824] **Disaster Relief Loan Program** (starts on page 333)

A new disaster and emergency relief loan program for higher education institutions will be established to assist with direct and indirect losses resulting from a federally declared disaster or emergency. Such loans would allow for necessary construction, replacement, renovation, and operations needs resulting from such events.

The legislation can be accessed at: http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_bills&docid=f:h4137enr.txt.pdf