

1. Title

Fire and Life Safety Reviews

2. Policy

Sec. 1 Code Compliance. Buildings owned or leased by The University of Texas System or any of its institutions and used for campus purposes shall comply with the National Fire Protection Association Life Safety Code 101 (NFPA 101) or, when applicable, Code 101A (NFPA 101A) adopted and enforced by the Texas State Fire Marshal's Office of the Texas Department of Insurance, as such codes may be amended or supplanted from time to time. This policy governs acquisitions of real property with buildings to be used for campus purposes, whether the acquisition of the real property interest is by gift, purchase, or lease, and conversions of buildings that are to be used for campus purposes.

Sec. 2 Requirements. It is the policy of the U. T. System and any of its institutions to ensure that, before the U. T. System uses any building for campus purposes, it is in compliance with the applicable fire and life safety code. Consequently, advance inquiry must be made about the fire and life safety features of any building that the U. T. System or any of its institutions proposes to acquire or to convert for campus purposes. Additionally, this policy requires an evaluation of the fire and life safety deficiencies of the building and of the corrective actions or renovations required to remedy the deficiencies.

Sec. 3 When Required. A Life Safety Evaluation shall be performed under the following circumstances:

3.1 Acquisition or Conversion of Buildings for Campus Purposes. Before a decision is made by an institution to acquire real property that has any building(s) to be used for campus purposes, and before a building owned or leased by the U. T. System or any of its institutions that is not used for campus purposes is converted to a building used for campus purposes.

3.2 Conversion of Building for Different Use. A Life Safety Evaluation may need to be performed when an institution proposes to convert a building that is currently used for campus purposes to a different use that is also for campus purposes. The institution's chief business officer shall consult with the institution staff member responsible for campus safety to determine if a Life Safety Evaluation should be performed.

- Sec. 4 Information to be Collected. Before deciding whether to acquire or convert a building covered by this policy, the institution's chief business officer shall direct the institution staff member responsible for campus structures or the institution staff member responsible for campus safety to gather the following preliminary data regarding the building:
- Last or current occupancy type
 - Historic changes in occupancy
 - Approximate age and general use
 - Special hazards or processes
 - Previous fire history
 - Results of previous fire safety inspections
 - Fire safety equipment (original or additional)
 - Functionality and general condition of all fire and life safety features that may be considered inherent to the structure
- Sec. 5 Assessment Checklist. The institution's staff member may elect to complete the [Preliminary Building Risk Assessment Checklist](#) in order to collect some of the preliminary data.
- Sec. 6 Decision to Proceed. Such preliminary data will be forwarded to the institution's chief business officer and the institution staff members responsible for campus structures and safety. If, based upon review of the preliminary data and after consultation with the institution staff members responsible for campus structures and safety, the chief business officer decides to proceed with acquisition or conversion of the building, a Life Safety Evaluation shall be performed.
- Sec. 7 Who Will Perform Evaluation. A Life Safety Evaluation must be conducted by a fire protection-engineering firm, by a qualified campus safety staff member, or by the U. T. System property insurance carrier engineer (if available as an additional service under U. T. System's Comprehensive Property Protection Program). Refer to the Definitions section of this policy for the definitions of qualified campus safety staff member, assembly occupancy, and special structure.
- Sec. 8 Preparation of Report. The person who conducts the Life Safety Evaluation shall prepare and deliver to the chief business officer a written report that notes all deficiencies, if any, that may prevent the building from meeting applicable NFPA 101 or NFPA 101A standards. Unless a donor, lessor, or other outside party agrees to pay for the Life Safety Evaluation, the institution shall pay all costs to perform a Life Safety Evaluation.

- Sec. 9 Corrective Action. Upon review of the Life Safety Evaluation Report, and after consultation with the institution staff members responsible for campus structures and safety, the institution's chief business officer may decide to abandon the acquisition or conversion, to change to a more compatible use, to demolish the structure, or to continue the evaluation of the possible corrective actions and renovations. The continued evaluation should take into consideration the actual costs of the corrective actions/renovations, the indirect costs resulting from the delay in use of the building, and the advantages to be gained by the use of the building. The institution staff members responsible for campus structures and safety will be consulted regarding corrective action/renovation matters. In addition, U. T. System Administration's Office of Facilities Planning and Construction (OFPC) will be consulted regarding corrective action/renovation matters if the magnitude of the corrective action/renovation would normally require management by OFPC.
- Sec. 10 Approval of Corrective Action Plan. If the chief business officer elects to acquire or convert a building for which the Life Safety Evaluation notes NFPA 101 or NFPA 101A deficiencies, the chief business officer shall prepare a plan that outlines when and how all identified NFPA 101 or NFPA 101A deficiencies will be corrected or a plan to implement alternative fire and life safety measures that are satisfactory to the State Fire Marshal. U. T. System Administration's Office of Risk Management shall be available to assist with negotiations with the State Fire Marshal. The chief business officer shall also establish a budget for the corrective action plan or alternative fire and life safety measures plan. The chief business officer shall send a copy of the plan and budget to the Office of Risk Management for informational purposes.

3. Definitions

Assembly Occupancy - as defined by the NFPA, a building (1) used for a gathering of 50 or more persons for deliberation, worship, entertainment, eating, drinking, amusement, awaiting transportation, or similar uses; or (2) used as a special amusement building, regardless of occupant load.

Building Used for Campus Purposes - a building or space within a building that is used by U. T. System or any of its institutions for education, research, patient care, auxiliary enterprises, business functions, or such other related purposes and uses for the furtherance and fulfillment of the missions of the U. T. System or any of its institutions and that is intended for human occupancy.

Institution Staff Member Responsible for Campus Safety - the staff member at an institution who is responsible for campus safety and who may have the job title of

Director of Environmental Health and Safety, University Fire Marshal, or Institution Safety Officer. The term also includes that staff member's designee.

Institution Staff Member Responsible for Campus Structures - the staff member at an institution who is responsible for campus structures and who may have the job title of Director of Campus Planning or Physical Plant Director. The term also includes that staff member's designee.

Life Safety Evaluation - an evaluation to determine a building's compliance with the edition of the NFPA 101 or, when applicable, NFPA 101A, adopted and enforced by the Texas State Fire Marshal's Office of the Texas Department of Insurance at the time of building acquisition or conversion.

Qualified Campus Safety Staff Member - campus safety staff member or university fire marshal with the following qualifications: Board of Certified Safety Professionals - Certified Safety Professional, National Fire Protection Association (NFPA 1031) Certified Fire Inspector, a certification currently recognized by the Texas State Fire Marshal's Office of the Texas Department of Insurance, or a person deemed qualified by the institution's head of Environmental Health and Safety.

Special Structure - as defined by the NFPA, special structures are open structures, towers, water-surrounded structures, piers, vehicles and vessels, underground, and windowless structures.

4. Relevant Federal and State Statutes

[Texas Administrative Code Title 28, Section 34.303 – State Fire Marshal, Standards and Fees for State Fire Marshal Inspection](#)

[Texas Government Code Section 417.008 – State Fire Marshal, Right of Entry](#)

5. Relevant System Policies, Procedures, and Forms

[Preliminary Building Risk Assessment Checklist](#)

6. System Administration Office(s) Responsible for Policy

Office of Risk Management
Real Estate Office

7. Dates Approved or Amended

December 10, 2004
November 1, 2006
June 7, 2011