

2008), see section 3 of Pub. L. 111-39, set out as a note under section 1001 of this title.

PART L—STUDENT SAFETY AND CAMPUS  
EMERGENCY MANAGEMENT

**§ 1161I. Student safety and campus emergency management**

**(a) Grants authorized**

**(1) In general**

From the amounts appropriated under subsection (f), the Secretary is authorized to award grants, on a competitive basis, to institutions of higher education or consortia of institutions of higher education or consortia to pay the Federal share of the cost of carrying out the authorized activities described in subsection (c).

**(2) Consultation with the Attorney General and the Secretary of Homeland Security**

Where appropriate, the Secretary shall award grants under this section in consultation with the Attorney General and the Secretary of Homeland Security.

**(3) Duration**

The Secretary shall award each grant under this section for a period of two years.

**(4) Limitation on institutions and consortia**

An institution of higher education or consortium shall be eligible for only one grant under this section.

**(b) Federal share; non-Federal share**

**(1) In general**

The Federal share of the activities described in subsection (c) shall be 50 percent.

**(2) Non-Federal share**

An institution of higher education or consortium that receives a grant under this section shall provide the non-Federal share, which may be provided from State and local resources dedicated to emergency preparedness and response.

**(c) Authorized activities**

Each institution of higher education or consortium receiving a grant under this section may use the grant funds to carry out one or more of the following:

(1) Developing and implementing a state-of-the-art emergency communications system for each campus of an institution of higher education or consortium, in order to contact students via cellular, text message, or other state-of-the-art communications methods when a significant emergency or dangerous situation occurs. An institution or consortium using grant funds to carry out this paragraph shall also, in coordination with the appropriate State and local emergency management authorities—

(A) develop procedures that students, employees, and others on a campus of an institution of higher education or consortium will be directed to follow in the event of a significant emergency or dangerous situation; and

(B) develop procedures the institution of higher education or consortium shall follow to inform, in a reasonable and timely manner, students, employees, and others on a campus in the event of a significant emergency or dangerous situation, which procedures shall include the emergency communications system described in this paragraph.

(2) Supporting measures to improve safety at the institution of higher education or consortium, such as—

(A) security assessments;

(B) security training of personnel and students at the institution of higher education or consortium;

(C) where appropriate, coordination of campus preparedness and response efforts with local law enforcement, local emergency management authorities, and other agencies, to improve coordinated responses in emergencies among such entities;

(D) establishing a hotline that allows a student or staff member at an institution or consortium to report another student or staff member at the institution or consortium who the reporting student or staff member believes may be a danger to the reported student or staff member or to others; and

(E) acquisition and installation of access control, video surveillance, intrusion detection, and perimeter security technologies and systems.

(3) Coordinating with appropriate local entities for the provision of mental health services for students and staff of the institution of higher education or consortium, including mental health crisis response and intervention services for students and staff affected by a campus or community emergency.

**(d) Application**

Each institution of higher education or consortium desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

**(e) Technical assistance**

The Secretary shall coordinate technical assistance provided by State and local emergency management agencies, the Department of Homeland Security, and other agencies as appropriate, to institutions of higher education or consortia that request assistance in developing and implementing the activities assisted under this section.

**(f) Authorization of appropriations**

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.

(Pub. L. 89-329, title VIII, § 821, as added Pub. L. 110-315, title VIII, § 801, Aug. 14, 2008, 122 Stat. 3408; amended Pub. L. 111-39, title VIII, § 801(6), July 1, 2009, 123 Stat. 1956.)

AMENDMENTS

2009—Subsec. (a)(1). Pub. L. 111-39, § 801(6)(A), substituted “subsection (f)” for “subsection (g)”.

Subsec. (c)(1)(B). Pub. L. 111-39, §801(6)(B), substituted “in a reasonable” for “within a reasonable”.

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-39 effective as if enacted on the date of enactment of Pub. L. 110-315 (Aug. 14, 2008), see section 3 of Pub. L. 111-39, set out as a note under section 1001 of this title.

**§ 1161I-1. Model emergency response policies, procedures, and practices**

The Secretary, in consultation with the Attorney General and the Secretary of Homeland Security, shall continue to—

- (1) advise institutions of higher education on model emergency response policies, procedures, and practices; and
- (2) disseminate information concerning those policies, procedures, and practices.

(Pub. L. 89-329, title VIII, §822, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3410.)

**§ 1161I-2. Preparation for future disasters plan by the Secretary**

The Secretary shall continue to coordinate with the Secretary of Homeland Security and other appropriate agencies to develop and maintain procedures to address the preparedness, response, and recovery needs of institutions of higher education in the event of a natural or manmade disaster with respect to which the President has declared a major disaster or emergency (as such terms are defined in section 1161I-3 of this title).

(Pub. L. 89-329, title VIII, §823, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3410.)

**§ 1161I-3. Education Disaster and Emergency Relief Loan Program**

**(a) Program authorized**

The Secretary, in consultation with the Secretary of Homeland Security, is authorized to establish an Education Disaster and Emergency Relief Loan Program for institutions of higher education impacted by a major disaster or emergency declared by the President.

**(b) Use of assistance**

The Secretary shall, subject to the availability of appropriations, provide loans under this section to institutions of higher education after the declaration of a major disaster or emergency by the President. Loan funds provided under this section may be used for construction, replacement, renovation, and operations costs resulting from a major disaster or emergency declared by the President.

**(c) Application requirements**

To be considered for a loan under this section, an institution of higher education shall—

- (1) submit a financial statement and other appropriate data, documentation, or evidence requested by the Secretary that indicates that the institution incurred losses resulting from the impact of a major disaster or emergency declared by the President, and the monetary amount of such losses;

(2) demonstrate that the institution had appropriate insurance policies prior to the major disaster or emergency and filed claims, as appropriate, related to the major disaster or emergency; and

(3) demonstrate that the institution attempted to minimize the cost of any losses by pursuing collateral source compensation from the Federal Emergency Management Agency prior to seeking a loan under this section, except that an institution of higher education shall not be required to receive collateral source compensation from the Federal Emergency Management Agency prior to being eligible for a loan under this section.

**(d) Audit**

The Secretary may audit a financial statement submitted under subsection (c) and an institution of higher education shall provide any information that the Secretary determines necessary to conduct such an audit.

**(e) Reduction in loan amounts**

To determine the amount of a loan to make available to an institution of higher education under this section, the Secretary shall calculate the monetary amount of losses incurred by such institution as a result of a major disaster or emergency declared by the President, and shall reduce such amount by the amount of collateral source compensation the institution has already received from insurance, the Federal Emergency Management Agency, and the Small Business Administration.

**(f) Establishment of loan program**

Prior to disbursing any loans under this section, the Secretary shall prescribe regulations that establish the Education Disaster and Emergency Relief Loan Program, including—

- (1) terms for the loan program;
- (2) procedures for an application for a loan;
- (3) minimum requirements for the loan program and for receiving a loan, including—
  - (A) online forms to be used in submitting a request for a loan;
  - (B) information to be included in such forms; and
  - (C) procedures to assist in filing and pursuing a loan; and

(4) any other terms and conditions the Secretary may prescribe after taking into consideration the structure of other existing capital financing loan programs under this chapter.

**(g) Definitions**

In this section:

**(1) Institution affected by a Gulf hurricane disaster**

The term “institution affected by a Gulf hurricane disaster” means an institution of higher education that—

- (A) is located in an area affected by a Gulf hurricane disaster; and
- (B) is able to demonstrate that the institution—

- (i) incurred physical damage resulting from the impact of a Gulf hurricane disaster; and
- (ii) was not able to fully reopen in existing facilities or to fully reopen to the pre-