**Section 180.530 Emergencies**

For purposes of this Section, *an emergency is a situation that presents an imminent and continuing threat to the health and safety of students or other occupants of a facility, requires complete or partial evacuation of a building or part of a building, or consumes one or more of the 5 emergency days built into the adopted calendar of the school or schools or would otherwise be expected to cause such school or schools to fall short of the minimum school calendar requirements.* [Section 17-2.11 of the School Code]

a) If the estimated cost of the emergency is less than the amount stated in Section 10-20.21(a)(xi) of the School Code, the school district may begin the work before receiving authorization from the State Board of Education in accordance with the procedures set forth in Section 17-2.11 of the School Code and Section 180.500 of this Part.

b) If it is determined that fire prevention and safety financing will be required to address an emergency whose projected cost exceeds the amount specified in Section 10-20.21(a)(xi) of the School Code, the district superintendent or other authorized person shall notify the regional superintendent and the State Superintendent of Education or designee of the nature of the emergency and the steps to be taken. The regional superintendent and the State Superintendent or designee shall give preliminary authorization to proceed and provide any special instructions that may be pertinent. Formal confirmation of this authorization is required and shall be pursued as outlined in subsections (b)(1) through (4).

1) The board of education, either at a regular meeting or at a special meeting called for that purpose, shall adopt a resolution declaring:

A) The existence of an emergency;

B) Whether funds needed to address the emergency are available;

C) Whether the work must be bid or the board desires to exempt itself from the bidding requirements on the basis of the emergency determined in accordance Section 10-20.21(a)(xiv) of the School Code;

D) What interim measures are contemplated to sustain operations;

E) The number of members of the board and the numbers voting in favor of and against the motion to adopt the resolution.

2) Proper application for use of fire prevention and safety funds (see Section 180.500) must be initiated and prosecuted by the district within 90 days of approval of the preliminary authorization. The board's resolution in subsection (b)(1) must be dated and signed by the president and secretary of the board and the district superintendent. An electronic copy of the resolution along with the fully signed preliminary authorization must be uploaded and attached to the electronic application for the use of fire prevention and safety funds.

3) The work undertaken shall in all respects conform to the requirements of this Part and such other standards as may be applicable to the situation.

4) Final approval of the use of fire prevention and safety funds will be predicated on the finding that the facts enunciated in the board resolution are or were substantially true.

(Source: Amended at 49 Ill. Reg. 1774, effective January 30, 2025)