

1 AN ACT concerning schools.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing  
5 Sections 2-3.12 and 3-14.20 as follows:

6 (105 ILCS 5/2-3.12) (from Ch. 122, par. 2-3.12)

7 Sec. 2-3.12. School building code. To prepare for school  
8 boards with the advice of the Department of Public Health,  
9 the Capital Development Board, and the State Fire Marshal a  
10 school building code that will conserve the health and safety  
11 and general welfare of the pupils and school personnel and  
12 others who use public school facilities.

13 The document known as "Efficient and Adequate Standards  
14 for the Construction of Schools" applies only to temporary  
15 school facilities, new school buildings, and additions to  
16 existing schools whose construction contracts are awarded  
17 after July 1, 1965. On or before July 1, 1967, each school  
18 board shall have its school district buildings that were  
19 constructed prior to January 1, 1955, surveyed by an  
20 architect or engineer licensed in the State of Illinois as to  
21 minimum standards necessary to conserve the health and safety  
22 of the pupils enrolled in the school buildings of the  
23 district. Buildings constructed between January 1, 1955 and  
24 July 1, 1965, not owned by the State of Illinois, shall be  
25 surveyed by an architect or engineer licensed in the State of  
26 Illinois beginning 10 years after acceptance of the completed  
27 building by the school board. Buildings constructed between  
28 January 1, 1955 and July 1, 1955 and previously exempt under  
29 the provisions of Section 35-27 shall be surveyed prior to  
30 July 1, 1977 by an architect or engineer licensed in the  
31 State of Illinois. The architect or engineer, using the

1 document known as "Building Specifications for Health and  
2 Safety in Public Schools" as a guide, shall make a report of  
3 the findings of the survey to the school board, giving  
4 priority in that report to fire safety problems and  
5 recommendations thereon if any such problems exist. The  
6 school board of each district so surveyed and receiving a  
7 report of needed recommendations to be made to improve  
8 standards of safety and health of the pupils enrolled has  
9 until July 1, 1970, or in case of buildings not owned by the  
10 State of Illinois and completed between January 1, 1955 and  
11 July 1, 1965 or in the case of buildings previously exempt  
12 under the provisions of Section 35-27 has a period of 3 years  
13 after the survey is commenced, to effectuate those  
14 recommendations, giving first attention to the  
15 recommendations in the survey report having priority status,  
16 and is authorized to levy the tax provided for in Section  
17 17-2.11, according to the provisions of that Section, to make  
18 such improvements. School boards unable to effectuate those  
19 recommendations prior to July 1, 1970, on July 1, 1980 in the  
20 case of buildings previously exempt under the provisions of  
21 Section 35-27, may petition the State Superintendent of  
22 Education upon the recommendation of the Regional  
23 Superintendent for an extension of time. The extension of  
24 time may be granted by the State Superintendent of Education  
25 for a period of one year, but may be extended from year to  
26 year provided substantial progress, in the opinion of the  
27 State Superintendent of Education, is being made toward  
28 compliance. However, for fire protection issues, only one  
29 one-year extension may be made, and no other provision of  
30 this Code or an applicable code may supersede this  
31 requirement. For routine inspections, fire officials shall  
32 provide written notice to the superintendent of the school  
33 district to schedule a date for the fire safety check.

34 Within 2 years after the effective date of this

1 amendatory Act of 1983, and every 10 years thereafter, or at  
2 such other times as the State Board of Education deems  
3 necessary or the regional superintendent so orders, each  
4 school board subject to the provisions of this Section shall  
5 again survey its school buildings and effectuate any  
6 recommendations in accordance with the procedures set forth  
7 herein. An architect or engineer licensed in the State of  
8 Illinois is required to conduct the surveys under the  
9 provisions of this Section and shall make a report of the  
10 findings of the survey titled "safety survey report" to the  
11 school board. The school board shall approve the safety  
12 survey report, including any recommendations to effectuate  
13 compliance with the code, and submit it to the Regional  
14 Superintendent. The Regional Superintendent shall render a  
15 decision regarding approval or denial and submit the safety  
16 survey report to the State Superintendent of Education. The  
17 State Superintendent of Education shall approve or deny the  
18 report including recommendations to effectuate compliance  
19 with the code and, if approved, issue a certificate of  
20 approval. Upon receipt of the certificate of approval, the  
21 Regional Superintendent shall issue an order to effect any  
22 approved recommendations included in the report. Items in  
23 the report shall be prioritized. Urgent items shall be  
24 considered as those items related to life safety problems  
25 that present an immediate hazard to the safety of students.  
26 Required items shall be considered as those items that are  
27 necessary for a safe environment but present less of an  
28 immediate hazard to the safety of students. Urgent and  
29 required items shall reference a specific rule in the code  
30 authorized by this Section that is currently being violated  
31 or will be violated within the next 12 months if the  
32 violation is not remedied. The school board of each district  
33 so surveyed and receiving a report of needed recommendations  
34 to be made to maintain standards of safety and health of the

1 pupils enrolled shall effectuate the correction of urgent  
2 items as soon as achievable to ensure the safety of the  
3 students, but in no case more than one year after the date of  
4 the State Superintendent of Education's approval of the  
5 recommendation. Required items shall be corrected in a  
6 timely manner, but in no case more than 5 years from the date  
7 of the State Superintendent of Education's approval of the  
8 recommendation. Once each year the school board shall submit  
9 a report of progress on completion of any recommendations to  
10 effectuate compliance with the code. For each year that the  
11 school board does not effectuate any or all approved  
12 recommendations, it shall petition the Regional  
13 Superintendent and the State Superintendent of Education  
14 detailing what work was completed in the previous year and a  
15 work plan for completion of the remaining work. If in the  
16 judgement of the Regional Superintendent and the State  
17 Superintendent of Education substantial progress has been  
18 made and just cause has been shown by the school board, the  
19 petition for a one year extension of time may be approved.

20 As soon as practicable, but not later than 2 years after  
21 the effective date of this amendatory Act of 1992, the State  
22 Board of Education shall combine the document known as  
23 "Efficient and Adequate Standards for the Construction of  
24 Schools" with the document known as "Building Specifications  
25 for Health and Safety in Public Schools" together with any  
26 modifications or additions that may be deemed necessary. The  
27 combined document shall be known as the "Health/Life Safety  
28 Code for Public Schools" and shall be the governing code for  
29 all facilities that house public school students or are  
30 otherwise used for public school purposes, whether such  
31 facilities are permanent or temporary and whether they are  
32 owned, leased, rented, or otherwise used by the district.  
33 Facilities owned by a school district but that are not used  
34 to house public school students or are not used for public

1 school purposes shall be governed by separate provisions  
2 within the code authorized by this Section.

3 The 10 year survey cycle specified in this Section shall  
4 continue to apply based upon the standards contained in the  
5 "Health/Life Safety Code for Public Schools", which shall  
6 specify building standards for buildings that are constructed  
7 prior to the effective date of this amendatory Act of 1992  
8 and for buildings that are constructed after that date.

9 The "Health/Life Safety Code for Public Schools" shall be  
10 the governing code for public schools; however, the  
11 provisions of this Section shall not preclude inspection of  
12 school premises and buildings pursuant to Section 9 of the  
13 Fire Investigation Act, provided that the provisions of the  
14 "Health/Life Safety Code for Public Schools", or such  
15 predecessor document authorized by this Section as may be  
16 applicable are used, and provided that those inspections are  
17 coordinated with the Regional Superintendent having  
18 jurisdiction over the public school facility. Nothing in  
19 this Section shall be construed to prohibit a local fire  
20 department, fire protection district, or the Office of the  
21 State Fire Marshal from conducting a fire safety check in a  
22 public school.

23 Any agency having jurisdiction beyond the scope of the  
24 applicable document authorized by this Section may issue a  
25 lawful order to a school board to effectuate recommendations,  
26 and the school board receiving the order shall certify to the  
27 Regional Superintendent and the State Superintendent of  
28 Education when it has complied with the order.

29 The State Board of Education is authorized to adopt any  
30 rules that are necessary relating to the administration and  
31 enforcement of the provisions of this Section. The code  
32 authorized by this Section shall apply only to those school  
33 districts having a population of less than 500,000  
34 inhabitants.

1 (Source: P.A. 89-397, eff. 8-20-95; 90-811, eff. 1-26-99.)

2 (105 ILCS 5/3-14.20) (from Ch. 122, par. 3-14.20)

3 Sec. 3-14.20. Building plans and specifications. To  
 4 inspect the building plans and specifications, including but  
 5 not limited to plans and specifications for the heating,  
 6 ventilating, lighting, seating, water supply, toilets and  
 7 safety against fire of public school rooms and buildings  
 8 submitted to him by school boards, and to approve all those  
 9 which comply substantially with the building code authorized  
 10 in Section 2-3.12. If such plans and specifications are not  
 11 approved or denied approval by the regional superintendent of  
 12 schools within 3 months after the date on which they are  
 13 submitted to him or her, the school board may submit such  
 14 plans and specifications directly to the State Superintendent  
 15 of Education for approval or denial.

16 The regional superintendent of schools shall submit,  
 17 within 10 working days, a copy of the plans and  
 18 specifications for review by the local fire department or  
 19 fire protection district where the school is being  
 20 constructed or altered if the fire department or fire  
 21 protection district requests such a review. The fire  
 22 department or fire protection district may comment on the  
 23 plans and specifications based on the building code  
 24 authorized in Section 2-3.12 of the Code and, if any  
 25 corrective action must be taken, shall respond to the  
 26 regional superintendent of schools within 15 days after  
 27 receipt of the plans and specifications. The Office of the  
 28 State Fire Marshal may review the plans and specifications at  
 29 the request of the fire department or fire protection  
 30 district. The review must be conducted at no cost to the  
 31 school district. Upon being notified by the regional  
 32 superintendent of schools that corrective action must be  
 33 taken to resolve a violation, the school board shall take

1 corrective action within one year, except that a violation  
2 that presents imminent danger must be addressed immediately.

3 (Source: P.A. 86-1312; 87-984.)