

1 AN ACT in relation to 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 Section 2-3.12 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 students ~~pupils~~ and school
12 personnel and 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.

29 Within 2 years after the effective date of this
30 amendatory Act of 1983, and every 10 years thereafter, or at
31 such other times as the State Board of Education deems
32 necessary or the regional superintendent so orders, each
33 school board subject to the provisions of this Section shall
34 again survey its school buildings and effectuate any

1 recommendations in accordance with the procedures set forth
2 herein. An architect or engineer licensed in the State of
3 Illinois is required to conduct the surveys under the
4 provisions of this Section and shall make a report of the
5 findings of the survey titled "safety survey report" to the
6 school board. The school board shall approve the safety
7 survey report, including any recommendations to effectuate
8 compliance with the code, and submit it to the Regional
9 Superintendent. The Regional Superintendent shall render a
10 decision regarding approval or denial and submit the safety
11 survey report to the State Superintendent of Education. The
12 State Superintendent of Education shall approve or deny the
13 report including recommendations to effectuate compliance
14 with the code and, if approved, issue a certificate of
15 approval. Upon receipt of the certificate of approval, the
16 Regional Superintendent shall issue an order to effect any
17 approved recommendations included in the report. Items in
18 the report shall be prioritized. Urgent items shall be
19 considered as those items related to life safety problems
20 that present an immediate hazard to the safety of students.
21 Required items shall be considered as those items that are
22 necessary for a safe environment but present less of an
23 immediate hazard to the safety of students. Urgent and
24 required items shall reference a specific rule in the code
25 authorized by this Section that is currently being violated
26 or will be violated within the next 12 months if the
27 violation is not remedied. The school board of each district
28 so surveyed and receiving a report of needed recommendations
29 to be made to maintain standards of safety and health of the
30 pupils enrolled shall effectuate the correction of urgent
31 items as soon as achievable to ensure the safety of the
32 students, but in no case more than one year after the date of
33 the State Superintendent of Education's approval of the
34 recommendation. Required items shall be corrected in a

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

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

32 The 10 year survey cycle specified in this Section shall
33 continue to apply based upon the standards contained in the
34 "Health/Life Safety Code for Public Schools", which shall

1 specify building standards for buildings that are constructed
2 prior to the effective date of this amendatory Act of 1992
3 and for buildings that are constructed after that date.

4 The "Health/Life Safety Code for Public Schools" shall be
5 the governing code for public schools; however, the
6 provisions of this Section shall not preclude inspection of
7 school premises and buildings pursuant to Section 9 of the
8 Fire Investigation Act, provided that the provisions of the
9 "Health/Life Safety Code for Public Schools", or such
10 predecessor document authorized by this Section as may be
11 applicable are used, and provided that those inspections are
12 coordinated with the Regional Superintendent having
13 jurisdiction over the public school facility. Any agency
14 having jurisdiction beyond the scope of the applicable
15 document authorized by this Section may issue a lawful order
16 to a school board to effectuate recommendations, and the
17 school board receiving the order shall certify to the
18 Regional Superintendent and the State Superintendent of
19 Education when it has complied with the order.

20 The State Board of Education is authorized to adopt any
21 rules that are necessary relating to the administration and
22 enforcement of the provisions of this Section. The code
23 authorized by this Section shall apply only to those school
24 districts having a population of less than 500,000
25 inhabitants.

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