**Section 180.500 Request for Authorization**

a) A school board desiring to use fire prevention and safety funds shall submit to the regional superintendent, using a format prescribed by the State Board of Education, a Request for Authorization ("request"). The request shall consist of a Statement of Facts and Assurances and a Summary of Financing Requirements and shall be accompanied by the following documents, prepared and certified by a licensed design professional:

1) a Schedule of Violations, including a brief description of each violation and the recommended correction; and

2) a Schedule of Recommended Work Items and Estimated Costs.

b) Financing

1) Fire prevention and safety financing shall only be approved if:

A) the district has levied at its maximum authorized rate for its operations and maintenance fund for the most recent year for which tax rates are available;

B) the district does not have sufficient unrestricted funds in its operations and maintenance fund (Section 17-2 of the School Code [105 ILCS 5/17-2]), its school facility occupation tax fund (Section 10-20.43 of the School Code [105 ILCS 5/10-20.43]), and/or its fire prevention and safety fund (Section 17-2.11 of the School Code [105 ILCS 5/17-2.11]) to pay for the necessary work; and

C) the facility for which fire prevention and safety funds are requested has been issued a General Certificate of Occupancy in accordance with Section 180.230(a) that establishes that the facility was originally in compliance with all applicable codes.

2) In addition to meeting the requirements of subsection (b)(1), a facility for which fire prevention and safety funds are requested that is being replaced under Section 17-2.11(f) of the School Code shall ensure the facility is demolished, sold or boarded up, and in no case used for school purposes.

c) If the regional superintendent finds that the request is complete and approvable, he or she shall so certify and forward the request with the certification to the State Superintendent of Education. If the regional superintendent disapproves the request, he or she shall so certify and return the request with the certification to the local board. *The regional superintendent shall approve or disapprove each request within three months after its submission by a local board.*

d) *A board of education whose request is* *not acted upon within three months may submit the request to the State Superintendent for review.*

e) Except under emergency circumstances as provided for in Section 180.530, *a regional superintendent shall not grant approval to use fire prevention and safety funds for any work which has already been initiated, without the prior express authorization of the State Superintendent.* (Section 17-2.11 of the School Code [105 ILCS 5/17-2.11])

f) If the State Superintendent finds that a request is complete and approvable, he or she shall so certify and return the approved request with the certification to the regional superintendent.

g) Upon receipt of an approved request from the State Superintendent, the regional superintendent shall issue an order to implement the request and forward the request and the order to the originating school board.

(Source: Amended at 40 Ill. Reg. 3059, effective January 27, 2016)