**Section 401.220 Health and Safety Requirements**

a) Illinois Facilities

Responsible staff at every Illinois facility subject to this Part shall maintain and make available for review a copy of the most recent inspection report, which shall be no more than 36 months old, issued by the State Fire Marshal or, if the State Fire Marshal's report is unavailable, an inspection report for the facility from a local governmental agency that is no more than 12 months old, neither of which shall indicate violations, or, as applicable, the following:

1) For purposes of this subsection (a), a program operated within a facility that houses public school students or is otherwise used for public school purposes shall not be considered to be located in a "facility subject to this Part" because 23 Ill. Adm. Code 180 (Health/Life Safety Code for Public Schools) applies.

2) To the extent that evidence of compliance is routinely issued by State or local fire, building or health authorities, or is required to be issued by the regional superintendent of schools, Illinois facilities' staff shall maintain and make available that evidence of compliance with applicable codes. Any documentation shall clearly identify the issuing authority.

b) Illinois and Out-of-State Facilities

1) Responsible staff at every facility subject to this Part shall develop a written policy and procedure for safeguarding students' privacy and dignity during toileting, diapering, and other activities of personal care, as appropriate for the student population served. Facility staff shall adhere to the policy and procedure at all times and shall make copies available upon request.

2) Responsible staff at every facility subject to this Part shall develop a written policy addressing the administration of medication to students who may require it. Each facility's policy shall conform to the requirements set forth in Sections 10-20.14b and 10-22.21b of the School Code. Facility staff shall adhere to this policy at all times and shall make copies available upon request.

3) Every facility subject to this Part and all materials used by students shall be maintained in a clean, sanitary and safe condition.

4) Smoking and the use of tobacco products by students shall not be permitted on the campus of any facility subject to this Part.

5) The policies of every facility subject to this Part shall allow visitation at any time, with or without prior notice, by personnel from the State Board of Education or the contracting public school district of any enrolled student.

c) Out-of-State Facilities

To the extent that evidence of compliance is routinely issued by state or local fire, building or health authorities, out-of-state facility staff shall maintain and make available that evidence of compliance with applicable codes. Any documentation shall clearly identify the issuing authority.

(Source: Amended at 42 Ill. Reg. 6471, effective March 21, 2018)