

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. 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 principal of the school to  
33 schedule a mutually agreed upon time for the fire safety  
34 check. However, no more than 2 routine inspections may be

1 made in a calendar year.

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

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

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

1 Facilities owned by a school district but that are not used  
2 to house public school students or are not used for public  
3 school purposes shall be governed by separate provisions  
4 within the code authorized by this Section.

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

11 The "Health/Life Safety Code for Public Schools" shall be  
12 the governing code for public schools; however, the  
13 provisions of this Section shall not preclude inspection of  
14 school premises and buildings pursuant to Section 9 of the  
15 Fire Investigation Act, provided that the provisions of the  
16 "Health/Life Safety Code for Public Schools", or such  
17 predecessor document authorized by this Section as may be  
18 applicable are used, and provided that those inspections are  
19 coordinated with the Regional Superintendent having  
20 jurisdiction over the public school facility. Nothing in  
21 this Section shall be construed to prohibit a local fire  
22 department, fire protection district, or the Office of the  
23 State Fire Marshal from conducting a fire safety check in a  
24 public school. Upon being notified by a fire official that  
25 corrective action must be taken to resolve a violation, the  
26 school board shall take corrective action within one year.  
27 However, violations that present imminent danger must be  
28 addressed immediately.

29 Any agency having jurisdiction beyond the scope of the  
30 applicable document authorized by this Section may issue a  
31 lawful order to a school board to effectuate recommendations,  
32 and the school board receiving the order shall certify to the  
33 Regional Superintendent and the State Superintendent of  
34 Education when it has complied with the order.

1           The State Board of Education is authorized to adopt any  
2 rules that are necessary relating to the administration and  
3 enforcement of the provisions of this Section. The code  
4 authorized by this Section shall apply only to those school  
5 districts having a population of less than 500,000  
6 inhabitants.

7 (Source: P.A. 92-593, eff. 1-1-03.)