

1                                    AMENDMENT TO SENATE BILL 22

2            AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 22 by replacing  
3 everything after the enacting clause with the following:

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 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

1 district. Buildings constructed between January 1, 1955 and  
2 July 1, 1965, not owned by the State of Illinois, shall be  
3 surveyed by an architect or engineer licensed in the State of  
4 Illinois beginning 10 years after acceptance of the completed  
5 building by the school board. Buildings constructed between  
6 January 1, 1955 and July 1, 1955 and previously exempt under  
7 the provisions of Section 35-27 shall be surveyed prior to  
8 July 1, 1977 by an architect or engineer licensed in the  
9 State of Illinois. The architect or engineer, using the  
10 document known as "Building Specifications for Health and  
11 Safety in Public Schools" as a guide, shall make a report of  
12 the findings of the survey to the school board, giving  
13 priority in that report to fire safety problems and  
14 recommendations thereon if any such problems exist. The  
15 school board of each district so surveyed and receiving a  
16 report of needed recommendations to be made to improve  
17 standards of safety and health of the pupils enrolled has  
18 until July 1, 1970, or in case of buildings not owned by the  
19 State of Illinois and completed between January 1, 1955 and  
20 July 1, 1965 or in the case of buildings previously exempt  
21 under the provisions of Section 35-27 has a period of 3 years  
22 after the survey is commenced, to effectuate those  
23 recommendations, giving first attention to the  
24 recommendations in the survey report having priority status,  
25 and is authorized to levy the tax provided for in Section  
26 17-2.11, according to the provisions of that Section, to make  
27 such improvements. School boards unable to effectuate those  
28 recommendations prior to July 1, 1970, on July 1, 1980 in the  
29 case of buildings previously exempt under the provisions of  
30 Section 35-27, may petition the State Superintendent of  
31 Education upon the recommendation of the Regional  
32 Superintendent for an extension of time. The extension of  
33 time may be granted by the State Superintendent of Education  
34 for a period of one year, but may be extended from year to

1 year provided substantial progress, in the opinion of the  
2 State Superintendent of Education, is being made toward  
3 compliance. However, for fire protection issues, only one  
4 one-year extension may be made, and no other provision of  
5 this Code or an applicable code may supersede this  
6 requirement. For routine inspections, fire officials shall  
7 provide written notice to the principal of the school to  
8 schedule a mutually agreed upon time for the fire safety  
9 check. However, no more than 2 routine inspections may be  
10 made in a calendar year.

11 Within 2 years after the effective date of this  
12 amendatory Act of 1983, and every 10 years thereafter, or at  
13 such other times as the State Board of Education deems  
14 necessary or the regional superintendent so orders, each  
15 school board subject to the provisions of this Section shall  
16 again survey its school buildings and effectuate any  
17 recommendations in accordance with the procedures set forth  
18 herein. An architect or engineer licensed in the State of  
19 Illinois is required to conduct the surveys under the  
20 provisions of this Section and shall make a report of the  
21 findings of the survey titled "safety survey report" to the  
22 school board. The school board shall approve the safety  
23 survey report, including any recommendations to effectuate  
24 compliance with the code, and submit it to the Regional  
25 Superintendent. The Regional Superintendent shall render a  
26 decision regarding approval or denial and submit the safety  
27 survey report to the State Superintendent of Education. The  
28 State Superintendent of Education shall approve or deny the  
29 report including recommendations to effectuate compliance  
30 with the code and, if approved, issue a certificate of  
31 approval. Upon receipt of the certificate of approval, the  
32 Regional Superintendent shall issue an order to effect any  
33 approved recommendations included in the report. Items in  
34 the report shall be prioritized. Urgent items shall be

1 considered as those items related to life safety problems  
2 that present an immediate hazard to the safety of students.  
3 Required items shall be considered as those items that are  
4 necessary for a safe environment but present less of an  
5 immediate hazard to the safety of students. Urgent and  
6 required items shall reference a specific rule in the code  
7 authorized by this Section that is currently being violated  
8 or will be violated within the next 12 months if the  
9 violation is not remedied. The school board of each district  
10 so surveyed and receiving a report of needed recommendations  
11 to be made to maintain standards of safety and health of the  
12 pupils enrolled shall effectuate the correction of urgent  
13 items as soon as achievable to ensure the safety of the  
14 students, but in no case more than one year after the date of  
15 the State Superintendent of Education's approval of the  
16 recommendation. Required items shall be corrected in a  
17 timely manner, but in no case more than 5 years from the date  
18 of the State Superintendent of Education's approval of the  
19 recommendation. Once each year the school board shall submit  
20 a report of progress on completion of any recommendations to  
21 effectuate compliance with the code. For each year that the  
22 school board does not effectuate any or all approved  
23 recommendations, it shall petition the Regional  
24 Superintendent and the State Superintendent of Education  
25 detailing what work was completed in the previous year and a  
26 work plan for completion of the remaining work. If in the  
27 judgement of the Regional Superintendent and the State  
28 Superintendent of Education substantial progress has been  
29 made and just cause has been shown by the school board, the  
30 petition for a one year extension of time may be approved.

31 As soon as practicable, but not later than 2 years after  
32 the effective date of this amendatory Act of 1992, the State  
33 Board of Education shall combine the document known as  
34 "Efficient and Adequate Standards for the Construction of

1 Schools" with the document known as "Building Specifications  
2 for Health and Safety in Public Schools" together with any  
3 modifications or additions that may be deemed necessary. The  
4 combined document shall be known as the "Health/Life Safety  
5 Code for Public Schools" and shall be the governing code for  
6 all facilities that house public school students or are  
7 otherwise used for public school purposes, whether such  
8 facilities are permanent or temporary and whether they are  
9 owned, leased, rented, or otherwise used by the district.  
10 Facilities owned by a school district but that are not used  
11 to house public school students or are not used for public  
12 school purposes shall be governed by separate provisions  
13 within the code authorized by this Section.

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

20 The "Health/Life Safety Code for Public Schools" shall be  
21 the governing code for public schools; however, the  
22 provisions of this Section shall not preclude inspection of  
23 school premises and buildings pursuant to Section 9 of the  
24 Fire Investigation Act, provided that the provisions of the  
25 "Health/Life Safety Code for Public Schools", or such  
26 predecessor document authorized by this Section as may be  
27 applicable are used, and provided that those inspections are  
28 coordinated with the Regional Superintendent having  
29 jurisdiction over the public school facility. Nothing in  
30 this Section shall be construed to prohibit a local fire  
31 department, fire protection district, or the Office of the  
32 State Fire Marshal from conducting a fire safety check in a  
33 public school. Upon being notified by a fire official that  
34 corrective action must be taken to resolve a violation, the

1 school board shall take corrective action within one year.  
2 However, violations that present imminent danger must be  
3 addressed immediately.

4 Any agency having jurisdiction beyond the scope of the  
5 applicable document authorized by this Section may issue a  
6 lawful order to a school board to effectuate recommendations,  
7 and the school board receiving the order shall certify to the  
8 Regional Superintendent and the State Superintendent of  
9 Education when it has complied with the order.

10 The State Board of Education is authorized to adopt any  
11 rules that are necessary relating to the administration and  
12 enforcement of the provisions of this Section. The code  
13 authorized by this Section shall apply only to those school  
14 districts having a population of less than 500,000  
15 inhabitants.

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