

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.)