AN ACT concerning schools.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Sections 2-3.12 and 3-14.20 as follows:

(105 ILCS 5/2-3.12) (from Ch. 122, par. 2-3.12)

Sec. 2-3.12. School building code. To prepare for school boards with the advice of the Department of Public Health, the Capital Development Board, and the State Fire Marshal a school building code that will conserve the health and safety and general welfare of the pupils and school personnel and others who use public school facilities.

The document known as "Efficient and Adequate Standards for the Construction of Schools" applies only to temporary school facilities, new school buildings, and additions to existing schools whose construction contracts are awarded after July 1, 1965. On or before July 1, 1967, each school board shall have its school district buildings that were constructed prior to January 1, 1955, surveyed by an architect or engineer licensed in the State of Illinois as to minimum standards necessary to conserve the health and safety of the pupils enrolled in the school buildings of the district. Buildings constructed between January 1, 1955 and July 1, 1965, not owned by the State of Illinois, shall be surveyed by an architect or engineer licensed in the State of Illinois beginning 10 years after acceptance of the completed building by the school board. Buildings constructed between January 1, 1955 and July 1, 1955 and previously exempt under the provisions of Section 35-27 shall be surveyed prior to July 1, 1977 by an architect or engineer licensed in the State of Illinois. The architect or engineer, using the
document known as "Building Specifications for Health and Safety in Public Schools" as a guide, shall make a report of the findings of the survey to the school board, giving priority in that report to fire safety problems and recommendations thereon if any such problems exist. The school board of each district so surveyed and receiving a report of needed recommendations to be made to improve standards of safety and health of the pupils enrolled has until July 1, 1970, or in case of buildings not owned by the State of Illinois and completed between January 1, 1955 and July 1, 1965 or in the case of buildings previously exempt under the provisions of Section 35-27 has a period of 3 years after the survey is commenced, to effectuate those recommendations, giving first attention to the recommendations in the survey report having priority status, and is authorized to levy the tax provided for in Section 17-2.11, according to the provisions of that Section, to make such improvements. School boards unable to effectuate those recommendations prior to July 1, 1970, on July 1, 1980 in the case of buildings previously exempt under the provisions of Section 35-27, may petition the State Superintendent of Education upon the recommendation of the Regional Superintendent for an extension of time. The extension of time may be granted by the State Superintendent of Education for a period of one year, but may be extended from year to year provided substantial progress, in the opinion of the State Superintendent of Education, is being made toward compliance. However, for fire protection issues, only one one-year extension may be made, and no other provision of this Code or an applicable code may supersede this requirement. For routine inspections, fire officials shall provide written notice to the principal of the school to schedule a mutually agreed upon time for the fire safety check. However, no more than 2 routine inspections may be
Within 2 years after the effective date of this amendatory Act of 1983, and every 10 years thereafter, or at such other times as the State Board of Education deems necessary or the regional superintendent so orders, each school board subject to the provisions of this Section shall again survey its school buildings and effectuate any recommendations in accordance with the procedures set forth herein. An architect or engineer licensed in the State of Illinois is required to conduct the surveys under the provisions of this Section and shall make a report of the findings of the survey titled "safety survey report" to the school board. The school board shall approve the safety survey report, including any recommendations to effectuate compliance with the code, and submit it to the Regional Superintendent. The Regional Superintendent shall render a decision regarding approval or denial and submit the safety survey report to the State Superintendent of Education. The State Superintendent of Education shall approve or deny the report including recommendations to effectuate compliance with the code and, if approved, issue a certificate of approval. Upon receipt of the certificate of approval, the Regional Superintendent shall issue an order to effect any approved recommendations included in the report. Items in the report shall be prioritized. Urgent items shall be considered as those items related to life safety problems that present an immediate hazard to the safety of students. Required items shall be considered as those items that are necessary for a safe environment but present less of an immediate hazard to the safety of students. Urgent and required items shall reference a specific rule in the code authorized by this Section that is currently being violated or will be violated within the next 12 months if the violation is not remedied. The school board of each district
so surveyed and receiving a report of needed recommendations
to be made to maintain standards of safety and health of the
pupils enrolled shall effectuate the correction of urgent
items as soon as achievable to ensure the safety of the
students, but in no case more than one year after the date of
the State Superintendent of Education's approval of the
recommendation. Required items shall be corrected in a
timely manner, but in no case more than 5 years from the date
of the State Superintendent of Education's approval of the
recommendation. Once each year the school board shall submit
a report of progress on completion of any recommendations to
effectuate compliance with the code. For each year that the
school board does not effectuate any or all approved
recommendations, it shall petition the Regional
Superintendent and the State Superintendent of Education
detailing what work was completed in the previous year and a
work plan for completion of the remaining work. If in the
judgement of the Regional Superintendent and the State
Superintendent of Education substantial progress has been
made and just cause has been shown by the school board, the
petition for a one year extension of time may be approved.

As soon as practicable, but not later than 2 years after
the effective date of this amendatory Act of 1992, the State
Board of Education shall combine the document known as
"Efficient and Adequate Standards for the Construction of
Schools" with the document known as "Building Specifications
for Health and Safety in Public Schools" together with any
modifications or additions that may be deemed necessary. The
combined document shall be known as the "Health/Life Safety
Code for Public Schools" and shall be the governing code for
all facilities that house public school students or are
otherwise used for public school purposes, whether such
facilities are permanent or temporary and whether they are
owned, leased, rented, or otherwise used by the district.
Facilities owned by a school district but that are not used to house public school students or are not used for public school purposes shall be governed by separate provisions within the code authorized by this Section.

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

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

Any agency having jurisdiction beyond the scope of the applicable document authorized by this Section may issue a lawful order to a school board to effectuate recommendations, and the school board receiving the order shall certify to the Regional Superintendent and the State Superintendent of Education when it has complied with the order.
The State Board of Education is authorized to adopt any
rules that are necessary relating to the administration and
enforcement of the provisions of this Section. The code
authorized by this Section shall apply only to those school
districts having a population of less than 500,000
inhabitants.
(Source: P.A. 89-397, eff. 8-20-95; 90-811, eff. 1-26-99.)

(105 ILCS 5/3-14.20) (from Ch. 122, par. 3-14.20)
Sec. 3-14.20. Building plans and specifications. To
inspect the building plans and specifications, including but
not limited to plans and specifications for the heating,
ventilating, lighting, seating, water supply, toilets and
safety against fire of public school rooms and buildings
submitted to him by school boards, and to approve all those
which comply substantially with the building code authorized
in Section 2-3.12. The local fire department or fire
protection district where the school is being constructed or
altered may request a review of the plans and specifications.
The regional superintendent of schools shall submit a copy of
the plans and specifications within 10 business days after
the request. The fire department or fire protection district
may comment on the plans and specifications based on the
building code authorized in Section 2-3.12 of the Code and,
if any corrective action must be taken, shall respond to the
regional superintendent of schools within 15 days after
receipt of the plans and specifications. The Office of the
State Fire Marshal may review the plans and specifications at
the request of the fire department or fire protection
district. The review must be conducted at no cost to the
school district.

If such plans and specifications are not approved or
denied approval by the regional superintendent of schools
within 3 months after the date on which they are submitted to
him or her, the school board may submit such plans and specifications directly to the State Superintendent of Education for approval or denial.

(Source: P.A. 86-1312; 87-984.)