

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER d: CONSTRUCTION AND BUILDING MAINTENANCE

PART 180
HEALTH/LIFE SAFETY CODE FOR PUBLIC SCHOOLS

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69 AUTHORITY: Implementing and authorized by Sections 2-3.12, 2-3.25, 2-3.137, and 17-2.11
70 of the School Code [105 ILCS 5].

71

72 SOURCE: Adopted at 19 Ill. Reg. 5004, effective March 24, 1995; amended at 22 Ill. Reg.
73 12514, effective July 6, 1998; amended at 29 Ill. Reg. 15904, effective October 3, 2005;
74 amended at 31 Ill. Reg. 14296, effective September 25, 2007; amended at 32 Ill. Reg. 13351,
75 effective July 25, 2008; amended at 33 Ill. Reg. 15265, effective October 20, 2009; amended at
76 34 Ill. Reg. 9515, effective June 24, 2010; amended at 40 Ill. Reg. 3059, effective January 27,
77 2016; amended at 49 Ill. Reg. _____, effective _____.

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79 SUBPART A: GENERAL PROVISIONS

80

81 **Section 180.30 Definitions**

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83 "Annual Inspection" means the inspection conducted annually under the authority
84 of a regional superintendent, as required by Section 3-14.21 of the School Code
85 [105 ILCS 5/~~3-14.21~~].

86

87 "Approved Inspection Agency" (also commonly referred to as "Nationally
88 Recognized Testing Laboratory") means [an agency currently listed on the](#)
89 [Occupational Safety and Health Administration's Nationally Recognized Testing](#)
90 [Laboratory \(NRTL\) Program.](#) ~~any of the following:~~

91 ~~American Gas Association Laboratories~~

92
93 ~~Central Experiment Station, Bureau of Mines, U.S. Department of the~~
94 ~~Interior~~

95
96 ~~Engineering Experiment Station, Ohio State University~~

97
98 ~~Factory Mutual Laboratories (Factory Mutual Engineering Division)~~

99
100 ~~Forest Products Laboratory, U.S. Department of Agriculture~~

101
102 ~~National Bureau of Standards, U.S. Department of Commerce~~

103
104 ~~Southwest Research Institute~~

105
106 ~~Underwriters' Laboratories, Inc.~~

107
108 ~~Underwriters' Laboratories of Canada~~

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110
111 "Architect" means an architect licensed to practice in Illinois under the Illinois
112 Architecture Practice Act of 1989 [225 ILCS 305] and the administrative rules of
113 the Department of Professional Regulation which implement that Act (68 Ill.
114 Adm. Code 1150).

115
116 "Called Inspection" means a routine visit by a design professional or a qualified
117 inspector to a construction site, as may be required by the codes referred to in
118 Section 180.60, to check for compliance with applicable codes during a specific
119 phase of construction and to ensure that the permit holder does not deviate from
120 the approved plans and specifications.

121
122 "Called Inspection Record" means a form, used during a called inspection to
123 capture information regarding compliance and noncompliance, that is prepared by
124 a design professional or a qualified inspector and accompanied by a copy of that
125 individual's proper identification.

126
127 "Change in Use" means any change in how an existing facility is operated, or the
128 purpose for which it is used, that requires greater structural strength, changes in
129 provisions for ingress or egress, or changes in the electrical system, plumbing

130 system, heating, ventilating, and air conditioning system, fire protection system,
131 or other system required by this Part.

132
133 "Construction Documents" means the written and pictorial documents prepared or
134 assembled by a design professional to describe the design, location, and physical
135 characteristics of a project involving construction or other like activities subject to
136 the requirements of this Part. These documents include plans, specifications,
137 inspection reports, test reports, maps, educational specifications, enrollment
138 projections, maintenance logs, safety reference plans, and other, similar,
139 descriptive documents.

140
141 "Plans" are drawings. They show what a building, system, or component
142 looks like or will look like at a particular stage of construction.

143
144 "Specifications" are instructions. They identify materials to be used,
145 methods to be employed, quality of workmanship required, equipment to
146 be installed, details and calculations to be considered, and the relationships
147 among design components.

148
149 "Decennial Inspection" means the inspection of all buildings in a school district
150 conducted at least every 10 years as required by Section 2-3.12 of the School
151 Code, which shall be conducted by a design professional and shall result in a
152 safety survey report as defined in this Section.

153
154 "Design Professional" means either an architect or an engineer as defined in this
155 Section.

156
157 "Engineer" means an engineer licensed to practice in Illinois under the Illinois
158 Professional Engineering Practice Act of 1989 [225 ILCS 325] and the applicable
159 administrative rules of the Department of Financial and Professional Regulation
160 (68 Ill. Adm. Code 1380).

161
162 "Facility" means land, buildings, structures and improvements other than
163 buildings, and permanent, fixed equipment attached to or incorporated in any
164 building owned or used for school purposes by a school district subject to this
165 Part. This definition excludes facilities owned by a school district but not used
166 for public school purposes, which shall be subject to local building codes.

167
168 "~~Mobile Vehicular~~ Facility" or "Vehicular Facility" means a vehicular
169 structure that is mounted on a chassis and wheels, subject to transportation
170 from place to place along normally traveled streets, roads, and highways,
171 and subject to occupancy and use virtually immediately upon arrival at its
172 destination.

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"Like Activity" means any work involving or similar to construction that is performed with respect to any facility of a school district subject to the requirements of this Part, including but not limited to reconstruction, substantial alteration, repair, remodeling, renovation, or change in use. Repairs that qualify as minor repairs shall not be considered "like activities" subject to the requirements of this Part.

"Minor Repairs" are any repairs to an individual building or structure that are not subject to the bidding requirements of Section 10-20.21 of the School Code, with the following exceptions:

- Cutting away of any wall, partition, or portion thereof;
- Cutting or removal of a structural beam or load-bearing support;
- Removal of or change in a required means of egress;
- Rearrangement of parts affecting exit requirements;
- Addition to, alteration of, replacement, or relocation of any standpipe, drain leader, or gas, soil, waste, water supply, sewer drainage, vent or similar piping; electrical wiring; or mechanical or other required building system.

"Permanent, Fixed Equipment" means furniture and equipment affixed to the wall of a building or otherwise attached so that it is not readily portable or movable. Examples include wall-mounted cafeteria tables, automated external defibrillators, basketball backboards, fume hoods, and built-in lockers.

"Plan Review Record" means a written record of the evaluation of construction documents that is used to determine compliance with the codes that apply to a particular project, completed by a design professional or a qualified plan reviewer and accompanied by a copy of that individual's proper identification.

"Plan Review Statement" means a written statement made by a design professional and accompanied by a copy of that individual's proper identification, indicating that construction documents have been reviewed based upon any of the codes identified in Section 180.60(b) that are applicable to the project and have been determined to be in compliance with the relevant requirements.

"Proper Identification" means, as applicable to the function performed:

216 a credential issued by the State Board of Education (ISBE) identifying the
217 types of plan reviews or inspections an individual is qualified to perform
218 under this Part; or

219
220 evidence of licensure as a design professional; or

221
222 evidence of compliance with the requirements of Section 180.300(a)(1).

223
224 "Qualified Inspector" means an individual approved by ISBE under Section
225 180.120 to conduct inspections of school facilities.

226
227 "Building Code Inspector" means an individual qualified to conduct
228 inspections required by the building code identified in Section 180.60(a).

229
230 "Electrical Code Inspector" means an individual qualified to conduct
231 inspections required by the electrical code identified in Appendix ~~A~~~~K~~ to
232 the International Building Code (Section 180.60(a)).

233
234 "Energy Conservation Code Inspector" means an individual qualified to
235 conduct inspections required by the energy conservation code identified in
236 Section 180.60(a)(1).

237
238 "Fire Code Inspector" means an individual qualified to conduct
239 inspections required by the fire code identified in Section 180.60(a)(3).

240
241 "Mechanical Code Inspector" means an individual qualified to conduct
242 inspections required by the mechanical code identified in Section
243 180.60(a)(5).

244
245 "Qualified Plan Reviewer" means an individual approved by ISBE under Section
246 180.110 to conduct plan reviews and to submit one or more plan review records
247 for codes referenced in Section 180.60.

248
249 "Building Code Plan Reviewer" means an individual qualified to conduct
250 plan reviews and to submit plan review records of construction documents
251 for projects involving the building code identified in Section 180.60(a).

252
253 "Electrical Code Plan Reviewer" means an individual qualified to conduct
254 plan reviews and to submit plan review records of construction documents
255 for projects involving the electrical code identified in Appendix ~~A~~~~K~~ to the
256 International Building Code.

257

258 "Energy Conservation Code Plan Reviewer" means an individual qualified
259 to conduct plan reviews and submit plan review records of construction
260 documents for projects involving the energy conservation code identified
261 in Section 180.60(a)(1).

262
263 "Fire Code Plan Reviewer" means an individual qualified to conduct plan
264 reviews and submit plan review records of construction documents for
265 projects involving the fire code identified in Section 180.60(a)(3).

266
267 "Mechanical Code Plan Reviewer" means an individual qualified to
268 conduct plan reviews and submit plan review records of construction
269 documents for projects involving the mechanical code identified in
270 Section 180.60(a)(5).

271
272 "Regional Office of Education" has the meaning set forth in Article 3A of the
273 School Code [105 ILCS 5/~~Art. 3A~~] and includes *the chief administrative officer of*
274 *the educational service centers established pursuant to Section 2-3.62 of the*
275 *School Code* ~~[105 ILCS 5/2-3.62]~~ (Section 3-0.01 of the School Code).

276
277 "Safety Survey Report" means a report prepared by a licensed design professional
278 and ensuing from a decennial inspection required pursuant to Section 180.310 or
279 another inspection conducted by a licensed design professional.

280
281 "School Building" or "School" means a building occupied in whole or in part by
282 public school students or intended for occupancy by these students.

283
284 "Structural Engineer" means an engineer licensed to practice in Illinois under the
285 Structural Engineering Licensing Act of 1989 [225 ILCS 340] and the applicable
286 administrative rules of the Department of Financial and Professional Regulation
287 (68 Ill. Adm. Code 1480).

288
289 "The School Code" means the School Code [105 ILCS 5].

290
291 "State Board" means the State Board of Education.

292
293 "Variance" means an alternative to a code requirement that is judged to provide
294 equal or superior performance or protection compared to the code requirement,
295 and is approved by the State Superintendent.

296
297 "Waiver" means an exemption from a code requirement that is approved pursuant
298 to Section 2-3.25g of the School Code ~~[105 ILCS 5/2-3.25g]~~ and the State Board's
299 rules at 23 Ill. Adm. Code 1.100.

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(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 180.60 Applicability

a) Except as provided in subsection (b), every facility other than a ~~mobile~~~~vehicular~~ facility shall conform to the standards identified in this subsection (a) and published by the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills IL 60478-5795, unless a variance or waiver is obtained pursuant to Section 180.70 or use of a temporary facility is authorized pursuant to Section 180.230. No later amendments to or editions of these standards are incorporated. The legal occupancy of any facility that existed on or before ~~December 31, 2024~~~~June 30, 2016~~ shall be permitted to continue without change; however, any repairs, alterations, occupancy changes, relocation, and/or additions to these existing facilities are subject to the ~~2024~~~~2015~~ International Existing Building Code (also see Appendix A of this Part).

With respect to any project for which the design contract is executed on or after ~~January 1, 2025~~~~July 1, 2016~~, the applicable standards shall be the ~~2024~~~~2015~~ International Building Code and its subcodes, as follows:

- 1) the ~~2024~~~~2015~~ International Energy Conservation Code (IECC);
- 2) the ~~2024~~~~2015~~ International Existing Building Code (IEBC);
- 3) the ~~2024~~~~2015~~ International Fire Code (IFC), excluding Chapter 4;
- 4) the ~~2024~~~~2015~~ International Fuel Gas Code (IFGC);
- 5) the ~~2024~~~~2015~~ International Mechanical Code (IMC); and
- 6) the ~~2024~~~~2015~~ International Property Maintenance Code (IPMC).

b) The applicability of the codes listed in subsection (a) shall be limited as set forth in this subsection (b).

- 1) Emergency and Crisis Response
Instead of Chapter 4 of the International Fire Code, the provisions of 29 Ill. Adm. Code 1500 (Joint Rules of the Office of the State Fire Marshal and the Illinois State Board of Education: School Emergency and Crisis Response Plans) shall apply.
- 2) Administrative Provisions

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- A) Instead of the Plumbing Code listed in Section 101.4.3 and referenced elsewhere in the International Building Code, Section 180.60(b)(5) of this Part shall apply.
 - B) Instead of Sections 102.6 and 102.6.2 of the International Building Code and Section 101.4.2 of the International Existing Building Code, Section 180.60(a) of this Part shall apply.
 - C) Instead of Sections 103 through 106, 109, and 111 through 115 of the International Building Code, the requirements of Sections 180.40 through 180.70, 180.200 through 180.230 and 180.300 through 180.420 of this Part shall apply.
- 3) Storm Shelters
Instead of the provisions contained in Section 423 of the International Building Code, the ICC/NSSA Standard for the Design and Construction of Storm Shelters (ICC 500 ~~2020-2014~~), published jointly by the International Code Council and the National Storm Shelter Association, shall apply. No later amendments to or editions of these standards are incorporated.
- A) The standards of this subsection (b)(3) shall apply to any new school building construction project for which the design contract was executed on or after January 1, ~~2025~~²⁰¹⁵. (See Section 2-3.12(e-5) of the School Code.)
 - B) As used in this subsection (b)(3), "new school building construction" means:
 - i) any new, stand-alone school building with an aggregate Group E occupant load of 50 or more, as defined in Section 305 of the International Building Code; or
 - ii) one or more additions to an existing school building completed within a period of 24 months that increases the total square footage of the remaining existing building by 50% or more. The storm shelter, which may be placed in the new addition or the existing building, must have sufficient capacity to serve both the addition or additions and the existing building.
- 4) Accessibility
Instead of the accessibility provisions set forth in Chapter 11 of the

387 International Building Code, the Illinois Accessibility Code (71 Ill. Adm.
388 Code 400) shall apply (except as provided in Section 10-20.51 of the
389 School Code ~~[105 ILCS 5/10-20.51]~~ regarding press boxes).

390
391 5) Plumbing
392 Instead of the plumbing provisions set forth in Section ~~101.4.3~~~~101.3.2~~ of
393 Chapter 1 and incorporated in Chapter 35 of the International Building
394 Code, the requirements set forth in the Illinois Plumbing Code (77 Ill.
395 Adm. Code 890) and Section 405.3.1 of the ~~2015~~ International
396 Plumbing Code shall apply.

397
398 6) Boiler and Pressure Vessel Safety
399 Instead of the provisions set forth in Chapter ~~1020~~ of the International
400 Mechanical Code, the requirements set forth in the Illinois State Fire
401 Marshal's rules titled Boiler and Pressure Vessel Safety (41 Ill. Adm. Code
402 ~~2120~~~~120~~) shall apply.

403
404 7) Elevators
405 Instead of the elevator provisions in the International Building Code, the
406 requirements set forth in the Illinois State Fire Marshal's rules titled
407 Illinois Elevator Safety Rules (41 Ill. Adm. Code 1000) shall apply.

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409 8) Sprinkler Systems
410 In conjunction with the sprinkler requirements set forth in Section 22-23
411 of the School Code, the International Building Code, and the International
412 Fire Code, the requirements set forth in 41 Ill. Adm. Code 109.110
413 (Compliance Standards) shall apply.

414
415 (Source: Amended at 49 Ill. Reg. _____, effective _____)

416
417 **Section 180.80 ~~Mobile~~~~Vehicular~~ Facilities**

418
419 A mobile facility or vehicular facility (e.g., mobile classroom, library, or science lab) may be
420 used, provided that:

- 421
422 a) It is licensed and/or titled as required by applicable provisions of the Motor
423 Vehicle Code and rules promulgated by the Secretary of State or the Department
424 of Transportation; and
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426 b) The regional superintendent has inspected the ~~mobile~~~~vehicular~~ facility and found
427 that it does not pose a serious threat to the life or safety of its occupants; and
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429 c) It has received a certificate of occupancy from the regional superintendent.

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(Source: Amended at 49 Ill. Reg. _____, effective _____)

SUBPART B: REQUIRED QUALIFICATIONS

Section 180.100 Approval Procedure for Plan Reviewers and Inspectors

The provisions of subsection (a) notwithstanding, a design professional may perform any of the roles discussed in Sections 180.110 and 180.120 without securing the specific approvals discussed in those Sections.

- a) Each individual seeking approval or renewal for any of the roles discussed in Sections 180.110 and 180.120 shall submit to the State Superintendent of Education:
 - 1) an application for the specific approvals or renewal sought, completed on a form prescribed by the State Superintendent;
 - 2) for each approval or renewal sought, an electronic copy of a recent 1" x 1" color photograph of the applicant (head and shoulders only);
 - 3) an application fee of ~~\$30~~~~\$25~~ for one approval or renewal or ~~\$60~~~~\$50~~ for two or more approvals or renewals, although fees for employees of the State Board of Education, any Regional Office of Education or the Illinois Office of the State Fire Marshal shall be waived; and
 - 4) the relevant additional information called for in Section 180.110 or 180.120, as applicable.

b) **Validity and Renewal**

The validity of the initial approval and any renewals shall be determined by the date on which the application was received.

- 1) Applications for approval or renewal received before July 1 shall be valid from the date of approval by the State Board of Education through a period of three years, starting on January 1 of the calendar year in which the application was received.
- 2) Applications received on or after July 1 shall be valid from the date of approval by the State Board of Education through a period of three years, starting on January 1 of the calendar year immediately following the year in which the application was received.

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c) Denial and Revocation of Approval

- 1) The State Superintendent of Education shall deny or revoke the approval of any individual whose payment for an application fee is returned for insufficient funds or who is determined to have:
 - A) falsified information on his or her application;
 - B) submitted fraudulent documentation to a regional superintendent, a school district administrator, a building owner, a licensed design professional, or a contractor;
 - C) performed duties outside the areas for which approval has been given;
 - D) performed duties under this Part in a manner hazardous to school personnel or students, or otherwise behaved in a manner unsuitable to a school environment; or
 - E) permitted the use or duplication of the individual's~~his or her~~ proper identification by another person.
- 2) The State Superintendent shall provide written notification to any individual who is denied approval or whose approval is revoked, stating the basis for the action taken.
- 3) An individual who believes that ~~an~~~~his or her~~ approval has been unduly denied or revoked shall submit a written request for a review no later than 10 days after receipt of the Superintendent's notification. Grounds for a review shall be limited to incorrectness of the specific basis given for the Superintendent's action.
- 4) The State Superintendent shall consider the information presented in the individual's response and render a final administrative decision.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

SUBPART C: CONSTRUCTION AND LIKE ACTIVITIES

Section 180.200 Application for Building Permit

No construction or other, like activity as defined in Section 180.30 shall begin until a building

516 permit has been obtained pursuant to the following provisions.

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- a) The school board shall file an Application for a Building Permit ("application") with the regional superintendent having jurisdiction over the board of education in question, on a form prescribed by the regional superintendent. If the board is not the owner, the board shall attach an affidavit from the owner indicating the owner's consent for the proposed work.
- b) The completed application shall be accompanied by one complete electronic copy of all relevant construction documents or two printed copies of all relevant construction documents if complete copies cannot be provided electronically.
 - 1) Plans and specifications submitted as part of an application shall be prepared by or under the supervision of an architect or engineer. They shall bear the stamp of, and the following certification signed by, the responsible architect or engineer:

"I hereby certify that these plans and specifications were prepared under my supervision and to the best of my knowledge comply with (here insert the code or codes, including the edition, upon which the plans and specifications were drawn), as well as the applicable requirements of 23 Ill. Adm. Code 180.

These plans and specifications consist of the following:

(here list the plates or sheets constituting the plans & specifications)

(Seal) by _____
(Architect/Engineer Signature)

(Date Signed)
(Lic. # and Exp. Date)"

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- 2) Whenever reference is made in plans or specifications to this Part or the codes incorporated by Section 180.60, the reference shall identify the specific edition, section and subsections applicable to the subject in question.
- c) Upon receipt of an application, the regional superintendent shall record the date of submission by the school board and assign a unique identification number to that application. This identification number shall be used on all building permits issued pursuant to the application.

- 544 d) The regional superintendent shall not issue a building permit until the regional
545 superintendent~~he or she~~ has reviewed:
546
547 1) signed and dated Plan Review Statements for the International Property
548 Maintenance Code, the Illinois Accessibility Code, the Illinois Boiler and
549 Pressure Vessel Safety Code, and the Illinois Plumbing Code, as
550 applicable to the project;
551
552 2) signed and dated Plan Review Records for the International Building
553 Code, the International Energy Conservation Code, the International Fire
554 Code, the International Mechanical Code and the International Fuel Gas
555 Code, as applicable to the project;
556
557 3) signed and dated Plan Review Records for any required sprinkler systems,
558 which may be reviewed after a building permit is issued but before
559 construction or other activity begins, provided that fire flow tests,
560 preliminary hydraulic calculations showing estimated fire flow availability
561 and an indication of whether a pump will be needed is reviewed by the
562 regional superintendent prior to issuing a building permit; and
563
564 4) if the proposed work involves the installation of a closed, prefabricated
565 mechanical system (e.g., a window air conditioner or heating, ventilating,
566 air conditioning (HVAC) unit), an evaluation report on that system from
567 an approved inspection agency and verified that the report supports the use
568 of the mechanical system in question as proposed.

569 (Source: Amended at 49 Ill. Reg. _____, effective _____)
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572 **Section 180.225 Application for Certificate of Occupancy or Statement of Completion**
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- 574 a) A school board wishing to occupy a facility subject to this Part shall make
575 application for a Certificate of Occupancy to the regional superintendent, on a
576 form prescribed by the regional superintendent. A board may request either a
577 general certificate of occupancy, a certificate of partial occupancy, a certificate of
578 occupancy for a temporary facility, or a certificate of occupancy for a
579 mobile~~vehicular~~ facility, as applicable (see Section 180.230). The regional
580 superintendent shall respond to a request for a certificate of occupancy within 20
581 calendar days after ~~his or her~~ receipt of the request.
582
583 b) When the work covered by a building permit for an existing facility is completed
584 and the work has not affected the Certificate of Occupancy, a school district may
585 submit a Statement of Completion in lieu of submitting an application for
586 Certificate of Occupancy.

587
588 c) Before signing the Certificate of Occupancy or the Statement of Completion, the
589 regional superintendent shall review any inspection statements and called
590 inspection records, as applicable to the project. Called inspections shall be
591 conducted and records provided by individuals qualified under Section 180.100.
592

593 (Source: Amended at 49 Ill. Reg. _____, effective _____)
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595 **Section 180.230 Certificate of Occupancy**
596

597 A certificate of occupancy shall be obtained prior to any occupancy of a facility, including a
598 mobile~~vehicular~~ facility.
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600 a) General Certificate of Occupancy
601 When the work covered by a building permit is complete or a facility complies
602 with the requirements of this Part, and upon presentation of accurate safety
603 reference plans for the facility certified by an architect or engineer to be in
604 compliance with this Part (see Section 180.120), the regional superintendent shall
605 issue a general certificate of occupancy. The general certificate of occupancy
606 shall state the specific facility for which a design professional has certified
607 compliance with this Part.
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609 b) Certificate of Partial Occupancy
610 When requested to do so, a regional superintendent shall issue a certificate of
611 partial occupancy before completion of the entire work covered by a permit,
612 provided that the regional superintendent's~~his or her~~ inspection indicates that
613 some areas can be occupied safely prior to full completion. The certificate of
614 partial occupancy shall state the exact portions of the facility for which a design
615 professional has certified compliance with this Part.
616

617 c) Certificate of Occupancy for a Temporary Facility
618 When requested to do so, a regional superintendent shall issue a one-year
619 certificate of occupancy for a temporary facility, allowing use of a facility that
620 does not comply with all the requirements of this Part, provided that all the
621 following requirements are met.
622

- 623 1) Use of the facility is necessary to meet a temporary need of the school
624 district, as verified by the regional superintendent.
625
626 2) The school board presents a plan either for replacement of the temporary
627 facility with a facility meeting the requirements of this Part or for the
628 elimination of the temporary need upon which the request is based. The
629 school board's plan includes positive action to accomplish this end within

- 630 a specified period of time, during which the certificate may be annually
631 renewed.
632
- 633 3) The facility has been surveyed by a design professional, whose report is
634 attached identifying the respects in which the facility fails to comply with
635 the requirements of this Part and certifying that this noncompliance does
636 not jeopardize the general health and safety of the students and others who
637 occupy the facility.
638
- 639 4) If the facility is a premanufactured unit, such as a mobile home, trailer
640 unit, or other, similar structure, the application shall include evidence that
641 all of the following conditions exist:
642
- 643 A) The facility has received the seal of approval issued by the Illinois
644 Department of Public Health pursuant to the [Illinois](#) Modular
645 Dwelling and Mobile Structure Safety Act [430 ILCS 115];
646
- 647 B) The facility is anchored as specified in the Illinois Mobile Home
648 Tiedown Act [210 ILCS 120];
649
- 650 C) The facility is separated from other buildings by the distance
651 required pursuant to the standards referenced in Section 180.60;
652 and
653
- 654 D) The facility is connected to the fire alarm system and intercom or
655 telephone system of a nearby school building, if this type of system
656 is present.
657
- 658 d) Certificate of Occupancy for a ~~Mobile-Vehicular~~ Facility
659 When requested to do so, a regional superintendent shall issue a certificate of
660 occupancy for a ~~mobilevehicular~~ facility, provided that the facility meets the
661 requirements of Section 180.80(a) and (b).
662

663 (Source: Amended at 49 Ill. Reg. _____, effective _____)
664

665 **SUBPART D: INSPECTIONS**
666

667 **Section 180.340 Local Board Action and Approval of Safety Survey Reports**
668

- 669 a) The board of education shall complete an application for approval of the safety
670 survey report [electronically](#) on a form supplied by the State Superintendent of
671 Education and, if the board determines that fire prevention and safety financing
672 will be required, a [Certification of Need shall also be completed](#)~~Statement of~~

673 ~~Facts and Assurance and a Summary of Financing, both~~ on a form provided
674 by the State Superintendent.
675

676 b) The board of education shall submit the application for approval to the regional
677 superintendent of schools, along with a copy of the report and schematic floor
678 plans for areas where violations were noted and work was recommended.
679

680 c) If the regional superintendent finds that the Safety Survey Report and relevant
681 floor plans are complete and correct, the regional superintendent~~he or she~~ shall
682 approve the report; if the regional superintendent finds that the report and floor
683 plans are incomplete or contain errors, the regional superintendent~~he or she~~ shall
684 so notify the board of education in writing. If the district fails to correct the errors
685 or omissions, the regional superintendent shall disapprove the report. In either
686 case, the regional superintendent shall forward the report and any floor plans to
687 the State Superintendent for approval or disapproval.
688

689 d) If the State Superintendent finds that the safety survey report is incomplete or
690 contains errors, the State Superintendent~~he or she~~ shall so notify the board of
691 education in writing. If the district fails to correct the errors or omissions, the
692 State Superintendent shall disapprove the report and return the material to the
693 regional superintendent for return to the board of education.
694

695 e) The State Superintendent shall approve or disapprove the report within 90 days
696 after its submission by the regional superintendent. If the State Superintendent~~he~~
697 ~~or she~~ approves the report, the State Superintendent~~he or she~~ shall issue a
698 Certificate of Approval.
699

700 f) Upon receipt of the State Superintendent's certificate, the regional superintendent
701 shall issue such orders as are necessary to effect any recommendations contained
702 in the safety survey report.
703

704 g) Submission of Other Survey Reports
705

706 1) If, after having received approval of a safety survey report from the State
707 Superintendent and before submission of the next required safety survey
708 report, a board of education is ordered to have a complete or partial
709 resurvey of its facilities conducted pursuant to Section 180.400 of this
710 Part, it shall submit an updated report reflecting the results of said
711 resurvey.
712

713 2) The report shall be submitted to the regional superintendent and the State
714 Superintendent for approval or disapproval in the same manner as for a
715 safety survey report resulting from a decennial inspection.

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(Source: Amended at 49 Ill. Reg. _____, effective _____)

SUBPART F: FIRE PREVENTION AND SAFETY FINANCING

Section 180.500 Request for Authorization

- a) A school board desiring to use fire prevention and safety funds shall submit to the regional superintendent, using a format prescribed by the State Board of Education, a Request for Authorization ("request"). The request shall consist of a Certification of Need~~Statement of Facts and Assurances and a Summary of Financing Requirements~~ and shall be accompanied by the following documents, prepared and certified by a licensed design professional:
 - 1) a Schedule of Violations, including a brief description of each violation and the recommended correction; and
 - 2) a Schedule of Recommended Work Items and Estimated Costs.
- b) Financing
 - 1) Fire prevention and safety financing shall only be approved if:
 - A) the district has levied at its maximum authorized rate for its operations and maintenance fund for the most recent year for which tax rates are available;
 - B) the district does not have sufficient unrestricted funds in its operations and maintenance fund (Section 17-2 of the School Code ~~[105 ILCS 5/17-2]~~), its school facility occupation tax fund (Section 10-20.43 of the School Code ~~[105 ILCS 5/10-20.43]~~), and/or its fire prevention and safety fund (Section 17-2.11 of the School Code ~~[105 ILCS 5/17-2.11]~~) to pay for the necessary work; and
 - C) the facility for which fire prevention and safety funds are requested has been issued a General Certificate of Occupancy in accordance with Section 180.230(a) that establishes that the facility was originally in compliance with all applicable codes.
 - 2) In addition to meeting the requirements of subsection (b)(1), a facility for which fire prevention and safety funds are requested that is being replaced under Section 17-2.11(f) of the School Code shall ensure the facility is demolished, sold or boarded up, and in no case used for school purposes.

- 759
- 760 c) If the regional superintendent finds that the request is complete and approvable,
- 761 the regional superintendent~~he or she~~ shall so certify and forward the request with
- 762 the certification to the State Superintendent of Education. If the regional
- 763 superintendent disapproves the request, the regional superintendent~~he or she~~ shall
- 764 so certify and return the request with the certification to the local board. *The*
- 765 *regional superintendent shall approve or disapprove each request within three*
- 766 *months after its submission by a local board.*
- 767
- 768 d) *A board of education whose request is not acted upon within three months may*
- 769 *submit the request to the State Superintendent for review.*
- 770
- 771 e) Except under emergency circumstances as provided for in Section 180.530, *a*
- 772 *regional superintendent shall not grant approval to use fire prevention and safety*
- 773 *funds for any work which has already been initiated, without the prior express*
- 774 *authorization of the State Superintendent.* (Section 17-2.11 of the School Code
- 775 ~~[105 ILCS 5/17-2.11]~~)
- 776
- 777 f) If the State Superintendent finds that a request is complete and approvable, the
- 778 State Superintendent~~he or she~~ shall so certify and return the approved request with
- 779 the certification to the regional superintendent.
- 780
- 781 g) Upon receipt of an approved request from the State Superintendent, the regional
- 782 superintendent shall issue an order to implement the request and forward the
- 783 request and the order to the originating school board.
- 784

785 (Source: Amended at 49 Ill. Reg. _____, effective _____)

786

787 **Section 180.530 Emergencies**

788

789 For purposes of this Section, *an emergency is a situation that presents an imminent and*

790 *continuing threat to the health and safety of students or other occupants of a facility, requires*

791 *complete or partial evacuation of a building or part of a building, or consumes one or more of*

792 *the 5 emergency days built into the adopted calendar of the school or schools or would otherwise*

793 *be expected to cause such school or schools to fall short of the minimum school calendar*

794 *requirements.* [Section 17-2.11 of the School Code~~105 ILCS 5/17-2.11]~~

795

- 796 a) If the estimated cost of the emergency is less than the amount stated in ~~clause (xi)~~
- 797 ~~of~~ Section 10-20.21(a)~~(xi)~~ of the School Code ~~[105 ILCS 5/10-20.21(a)]~~, the
- 798 school district may begin the work before receiving authorization from the State
- 799 Board of Education in accordance with the procedures set forth in Section 17-2.11
- 800 of the School Code and Section 180.500 of this Part.
- 801

- 802 b) If it is determined that fire prevention and safety financing will be required to
803 address an emergency whose projected cost exceeds the amount specified in
804 ~~clause (xi) of~~ Section 10-20.21(a)(xi) of the School Code, the district
805 superintendent or other authorized person shall notify the regional superintendent
806 and the State Superintendent of Education or designee of the nature of the
807 emergency and the steps to be taken. The regional superintendent and the State
808 Superintendent or designee shall give preliminary authorization to proceed and
809 provide any special instructions that may be pertinent. Formal confirmation of
810 this authorization is required and shall be pursued as outlined in subsections (b)(1)
811 through (4).
812
- 813 1) The board of education, either at a regular meeting or at a special meeting
814 called for that purpose, shall adopt a resolution declaring:
815
- 816 A) The existence of an emergency;
817
- 818 B) Whether funds needed to address the emergency are available;
819
- 820 C) Whether the work must be bid or the board desires to exempt itself
821 from the bidding requirements on the basis of the emergency
822 determined in accordance ~~with clause (xiv) of~~ Section 10-
823 20.21(a)(xiv) of the School Code;
824
- 825 D) What interim measures are contemplated to sustain operations;
826
- 827 E) The number of members of the board and the numbers voting in
828 favor of and against the motion to adopt the resolution.
829
- 830 ~~2) Two copies of the board's resolution shall be dated and signed by the
831 president and secretary of the board and the district superintendent and
832 submitted in person, by fax, or by mail as soon as possible to the regional
833 superintendent and State Board.~~
- 834
- 835 ~~3) No later than 30 calendar days after receipt of the resolution, the regional
836 superintendent shall review the facts, call for any additional information if
837 necessary, and, when satisfied that the situation constitutes an emergency,
838 notify the State Superintendent or designee of his or her approval of the
839 request.~~
- 840
- 841 ~~4) No later than 10 business days after receiving notification of approval
842 from the regional superintendent, the State Superintendent or designee
843 shall prepare a Certificate of Authorization for Emergency Procedures.
844 The Certificate of Authorization for Emergency Procedures shall authorize~~

~~the district to initiate work to be financed with fire prevention and safety funds or funds loaned to the Fire Prevention and Safety Fund prior to the formal approval of such work through the normal process. However, said Certificate may be granted only on the conditions that:~~

2A) Proper application for use of fire prevention and safety funds (see Section 180.500) ~~must~~will be initiated and prosecuted by the district within 90 days of approval of the preliminary authorization~~in a timely manner by the district;~~ The board's resolution in subsection (b)(1) must be dated and signed by the president and secretary of the board and the district superintendent. An electronic copy of the resolution along with the fully signed preliminary authorization must be uploaded and attached to the electronic application for the use of fire prevention and safety funds.

~~3B)~~ The work undertaken shall in all respects conform to the requirements of this Part and such other standards as may be applicable to the situation;~~;~~
~~and~~

4C) Final approval of the use of fire prevention and safety funds will be predicated on the finding that the facts enunciated in the board resolution are or were substantially true.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 180.540 Cost Estimates

a) Administration and implementation of this Subpart require that many costs be estimated and certified as a prerequisite to approval of proposed work or determination of the applicability of particular rules. The following standards and procedures are to be used where certification of cost estimates is required.

b) All cost estimates shall be based upon published price guides such as those compiled by R. S. Means Company, Inc., and Frank Walker Company,~~and McGraw-Hill Cost Information Systems.~~

1) The source of the cost figures shall be specifically identified by title, publisher, and period of effectiveness.

2) The cost factors to be used shall be the mean or median costs published for such construction nationally.

3) These raw cost estimates shall be adjusted by applying the appropriate inflation factors, size adjustment factors, and regional cost adjustment

- 888 factors.
889
890 4) The estimate shall be based upon the work to be performed as described in
891 the violation and recommendation schedule.
892
893 5) The estimate shall specify the unit or units of measure, the quantity of
894 such units necessary, and the unit cost installed.
895
896 6) A total of estimated costs must be provided, along with a general
897 breakdown.
898
899 7) The resulting figure shall be referred to as the ~~Adjusted-Gross~~ Estimated
900 Cost.
901
902 c) Estimates of the replacement cost of a school shall be based upon the cost of
903 constructing a new building of equal size, serving like grades, and for the same
904 programmatic purposes as the facility to be replaced. The procedure is as follows.
905
906 1) Determine the type of school to be built based upon its classification as
907 derived from the school's enrollment reported to the State Board as of
908 October 1 ~~the last school day in September~~ of the immediately preceding
909 school year.
910
911 2) Determine the size of the school to be built, based upon the square footage
912 of the school to be replaced.
913
914 3) Multiply the square footage of the school to be built by the appropriate
915 square-foot cost factor.
916
917 A) The published cost factor for elementary schools shall be used for
918 preschools, kindergartens, and elementary schools.
919
920 B) The published cost factor for junior high/middle schools shall be
921 used for schools housing various combinations of grades 5 through
922 9.
923
924 C) The published cost factor for high schools shall be used for schools
925 housing combinations of grades 9 through 12.
926
927 4) The resulting figure shall be referred to as the ~~Adjusted-Gross~~ Estimated
928 Replacement Cost of the school.
929
930 d) For purposes of estimating costs related to energy conservation measures, the

931 procedures outlined in "[Standard Practice for Measuring Payback for Investments](#)
932 [in Buildings and Building Systems](#)~~ASTM Standards on Building Economics,~~
933 ~~Fifth Edition,~~ version E1121-15, published by the American Society for Testing
934 and Materials ~~(2004; 1916 Race Street, Philadelphia, Pennsylvania 19103-1187),~~
935 shall be used. No later amendments to or editions of these standards are
936 incorporated by this rule.

- 937
- 938 1) In addition, the sources of heating degree days, cooling degree days, and
939 energy consumption data, and the basis for determining the efficiency of
940 existing systems and equipment and their useful lifetimes shall be noted.
 - 941
 - 942 2) Where Fire Prevention and Safety Funds are to be used to finance all or
943 part of energy conservation measures, the payback period calculations
944 must show that payback can be achieved over the useful lifetime of the
945 proposed measure or 20 years, whichever is less.
 - 946

947 (Source: Amended at 49 Ill. Reg. _____, effective _____)

948

949 **Section 180.APPENDIX A Building Code Applicability**

950

951 The building codes listed in Section 180.60(a) are applicable to each public school building;
 952 however, a building remains in compliance with the code in effect at the time it was constructed,
 953 as set forth in this Appendix A, until the building is modified or occupancy changes.
 954

Applicable Codes	Date of Design Contract								
	Before 7/1/65	7/1/65 to 3/23/95	3/24/95 to 7/5/98	7/6/98 to 10/2/05	10/3/05 to 9/24/07	9/25/07 to 12/31/09	1/1/10 to 6/30/16	7/1/16 to <u>12/31/24</u> Present	<u>1/1/25</u> to <u>Present</u>
23 Ill. Adm. Code 185 (now repealed)	X								
23 Ill. Adm. Code 175 (now repealed)		X							
1993 BOCA National Fire Prevention Code	X	X	X						
1993 BOCA National Property Maintenance Code	X	X	X						
1993 BOCA National Building Code			X						
1996 BOCA National Building Code				X					
2003 International Code Council*					X				
2006 International Code Council*						X			
2009 International Code Council							X		

Applicable Codes	Date of Design Contract								
	Before 7/1/65	7/1/65 to 3/23/95	3/24/95 to 7/5/98	7/6/98 to 10/2/05	10/3/05 to 9/24/07	9/25/07 to 12/31/09	1/1/10 to 6/30/16	7/1/16 to 12/31/24 Present	<u>1/1/25</u> <u>to Present</u>
2015 International Code Council								<u>X</u>	X
<u>2024 International Code Council</u>									<u>X</u>

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* Includes the International Building Code, International Energy Conservation Code, International Existing Building Code, International Fire Code, International Gas Code, International Mechanical Code, and International Property Maintenance Code.

(Source: Amended at 49 Ill. Reg. _____, effective _____)