



The term “school building” refers to any building or structure built on the property of a school or used by a school. This includes elementary and secondary schools, colleges, universities, and trade schools and covers both public and private institutions.

The Kansas Fire Prevention Code requires any new school building construction project to comply with the 2006 edition of the International Building Code. This includes new buildings, additions to existing buildings, and renovations and remodeling projects in existing buildings that alter or change the occupancy of a building or alter the exiting, fire resistance, or structural integrity of a building. For example, relocating a program for children aged 2 ½ to 5 years of age into a building that was previously used for K-12 education is a change of occupancy.

New in Legislative YR 2010-2011

K.S.A 31-150 no longer requires a code footprint to be submitted to the Kansas Department of Education (KSDE) for approval. Here is an excerpt of the statute detailing the requirements for new construction, renovation and remodeling.

“No contract shall be let for the construction, reconstruction or renovation of any school building, and it shall be illegal to pay out any public funds for the construction, reconstruction or renovation of a school building until the plans for such building shall: (1) bear the seal of an architect or a professional engineer licensed by the state board of technical professions of the state of Kansas certifying that the plans meet the applicable requirements.”

The statutory responsibility for code compliance in new school construction remains with the licensed design professional whose seal is on the plans. This is true regardless of whether or not any plan review was conducted. No statutory liability is transferred to any Code Authority. The International Building Code addresses building safety and does not specifically address many site issues.

New school construction is not subject to any local amendments of the Uniform Building Code. Separate and/or additional requirements of the Life Safety Code not found in the Uniform Building Code are not applicable to new school construction. For more on this, refer to Attorney General Opinions 87-9 and 86-81.

OSFM RECOMMENDATION

It has always been a mission of the Office of the State Fire Marshal to ensure Kansas schools are safe from the potential impact of a fire or explosion. Even though the statute has changed, we **HIGHLY** recommend that school districts submit their code footprint **along with** the OSFM Request For Review forms, C.2.2 & C.2.2.A, forms found at <http://firemarshal.ks.gov/docs/default-source/childcare/c-2-2-request-for-review.pdf?sfvrsn=4> & <http://firemarshal.ks.gov/docs/default-source/childcare/c-2-2-a-request-for-review.pdf?sfvrsn=6> to our office for review of fire code compliance prior to the start of any construction, renovation, or remodel. Please be aware the C.2.2.A Form must be completed by the Architect/Engineer creating the code footprint.

Our plan review service has been, and will remain free of charge. The only expense to the school is time. However, the additional time spent to ensure the building is/ or remains in compliance is a small price to pay for fire safety.

We recommend submittal for the following:

- New construction, renovation, remodel of buildings, especially those that impact egress paths or exiting features
- Fire Alarm system
- Fire Sprinkler system

Office of the State Fire Marshal – Fire Prevention Division

CONSIDERATIONS WHEN SUBMITTING TO OSFM

If a facility chooses to submit plans to OSFM for review, any identified deviations must either be clarified or corrected by the designer to the satisfaction of the reviewing authority prior to construction. It will not be an optional correction!

If a facility does not have OSFM review construction plans; the cost may be extensive if fire code violations are identified after-the-fact during a routine inspection. OSFM will require all noncompliant issues to be corrected.

When plans for new construction are reviewed by OSFM, they are typically reviewed within 2 weeks. The focus of the OSFM is on compliance with the International Building Code with special attention placed on exiting, notification, detection, separation, and suppression.

THE LOCAL JURISDICTION'S ROLE

In areas where a building official is present, a plan review, a building permit, inspections, and a certificate of compliance may be required. In areas without a building official, an authorized representative of the Office of the State Fire Marshal may inspect for code compliance.

The school owner and the designer or engineer shall work with local authorities towards resolving fire department access, water supply, zoning requirements, and drainage issues. Local authorities may require a school site to provide fire department access and adequate water supplies or allow the option for the building to be fully sprinklered to compensate for these requirements.

If a conflict in interpretation occurs between the local building or fire authorities and construction documents, the issue should be brought to the Office of the State Fire Marshal at 785-296-3401. We will try to interpret any unresolved issues.