
FIRE FACT NO. 002 CHECKLIST(s) : 06 & 06E

TITLE : SCHOOL INSPECTIONS

CHECKLIST ITEM(s) : 06E

REFERENCE(s) : K.S.A. 31-133, 31-134, 31-144, 31-150

PAGE 1 of 2

The Kansas Statutes Annotated (K.S.A.) set forth a number of responsibilities for the Kansas State Fire Marshal with regards to fire and life safety in schools. Here is a brief synopsis of the applicable statutes and regulations of the Kansas State Fire Marshal:

- K.S.A. 31-133(a) KSFM shall adopt reasonable rules and regulations, consistent with the provisions of this act, for the safeguarding of life and property from the hazards of fire and explosion.
- K.S.A. 31-133(a)(3) KSFM has statutory responsibility for the construction, maintenance and regulation of exits and fire escapes from all buildings and other places in which people work, live or congregate from time to time for any purpose except one and two family dwellings.
- K.S.A. 31-133(a)(4) KSFM has statutory responsibility for the installation and maintenance of equipment intended for fire control, detection and extinguishment in all buildings and other places in which people work, live or congregate from time to time for any purpose except one and two family dwellings.
- K.S.A. 31-133(a)(5) KSFM has statutory responsibility to establish standards for fire drills in all school buildings.
- K.S.A. 31-133(c) The rules and regulations adopted pursuant to this section shall allow facilities in service prior to the effective date of such rules and regulations, and not in strict conformity to such rules, to continue in service so long as such facilities are not determined by the state fire marshal to constitute a distinct hazard to life or property.
- K.S.A. 31-134(b) The rules and regulations adopted by the state fire marshal under the authority of this act shall be known and may be cited as the Kansas Fire Prevention Code.
- K.S.A. 31-144(a) A school building is any building or structure built on the property of a school or used by a school. A school is any elementary, secondary, college, university, or trade school, either public or private.
- K.S.A. 31-144(b) Under the provisions of the Kansas Fire Prevention Code, all school buildings shall be inspected at least once each year by authorized representatives of the Kansas State Fire Marshal.



Kansas State Fire Marshal Prevention Division

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PAGE 2 of 2

K.S.A. 313-144(c) The KSFM shall order the governing body having control of any school building or facility to correct any condition in such building or facility which is in violation of the Kansas Fire Prevention Code, which the fire marshal deems dangerous, or which in any way prevents a speedy exit from such building. After any such order is rendered, the governing body shall make the changes required to comply therewith.

K.S.A. 31-150(a) Any person who violates any provision of this act, any rule or regulation, any lawful order issued by the state fire marshal or by his authorized agent shall be guilty of a class B misdemeanor. Each day the offense continues after receipt of written notice shall constitute a separate violation.

New School Construction

See Fire Fact 026 for more detailed information. Plan reviews by the Kansas State Department of Education, the Kansas State Fire Marshal, and local building and fire officials are typically limited. Plan reviews have been conducted only since the late 1970's and have not been 100% effective in eliminating code violations in new construction. In addition, many school buildings were built prior to the adoption and enforcement of any building code. The focus for KSFM when reviewing plans and during inspection is on exiting, notification, detection, separation, and suppression (the ENDSS protocol). This focus is limited to the consistent identification of deviations from adopted codes. The inspection protocol reinforces construction features found common to both the International Building Code for new buildings and the NFPA Life Safety Code for existing buildings. Any identified deviations in new construction must be clarified or corrected by the designer to the satisfaction of the reviewing authority before construction. Identified deviations in existing construction must be clarified or corrected by the owner. (K.A.R. 22-18-3)

The Local Jurisdiction

In all cities of the first and second class in which there is a full-time fire chief or full-time fire inspector, the inspection of the school buildings shall be conducted by such chief or inspector. The chief or inspector shall report the findings from the inspection to the state fire marshal within 30 days after such inspection – K.S.A. 31-144(b). If a conflict in interpretation occurs between the local building or fire authorities and state-approved construction documents, the issue should be immediately brought to the State Department of Education School Facilities Office at (785) 296-2627.

The State Fire Marshal may interpret unresolved issues – K.S.A. 31-134(a)(3)(b).

