



Construction Quality Standards

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Construction Code Requirements

A capital improvement project for a school facility must reasonably comply with the following construction code requirements:

(A) Projects located outside of a municipal jurisdiction in the unincorporated area of a county must reasonably comply with the following requirements.

(i) Where projects are located in a county that does not have an adopted general building code, projects must reasonably comply with the International Building Code and the Existing Building Code, as published by the International Code Council, as they existed on May 1, 2003. Where projects are located in a county that has an adopted general building code, projects must reasonably comply with the adopted general building code and any chapters that were not adopted or removed entirely by amendment from the adopted model building code. Where a project is located in an area that is designated as a catastrophe area according to the Texas Department of Insurance, a project must also reasonably comply with any applicable amendments to the building code that have been adopted by the Texas Department of Insurance in accordance with Texas Insurance Code, Chapter 2210.

(ii) Where projects are located in a county that does not have an adopted mechanical code, projects must reasonably comply with the International Mechanical Code, as published by the International Code Council, as it existed on the same date that the applicable International Building Code was published. Where projects are located in a county that has an adopted mechanical code, projects must reasonably comply with the adopted mechanical code.



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(iii) Where projects are located in a county that does not have an adopted fire code, projects must reasonably comply with the NFPA 101 Life Safety Code and NFPA 1 Fire Code standards adopted by the State Fire Marshal in accordance with TGC, §417.008, and in accordance with 28 TAC §34.301 (relating to Purpose). Where projects are located in a county that has an adopted fire code, projects must reasonably comply with the adopted fire code.

(iv) Where projects are located in a county that does not have an adopted plumbing code, projects must reasonably comply with the International Plumbing Code and referenced International Fuel Gas Code, as published by the International Code Council, as adopted by the Texas Board of Plumbing Examiners as established in 22 TAC §367.2(a) (relating to Code Requirements) in accordance with TOC, Chapter 1301. Where projects are located in a county that has an adopted plumbing code, projects must reasonably comply with the adopted plumbing code.

(v) Where projects are located in a county that does not have an adopted electric code, projects must reasonably comply with the National Electric Code, as published by the NFPA, as adopted by the Texas Department of Licensing and Regulation in accordance with TOC, Chapter 1305. Where projects are located in a county that has an adopted electric code, projects must reasonably comply with the adopted electric code.

(vi) Projects must reasonably comply with the International Energy Conservation Code, as published by the International Code Council, as adopted by the State Energy Conservation Office of Texas in accordance with Texas Health and Safety Code, Chapter 388.

(vii) Projects must reasonably comply with the International Swimming Pool and Spa Code, as published by the International Code Council, as it existed on May 1, 2019.



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(viii) Projects must reasonably comply with the industrialized housing and building rules as adopted by the Texas Commission of Licensing and Regulation in accordance with TOC, Chapter 1202.

(B) Projects located inside of a municipal jurisdiction must reasonably comply with the following requirements.

(i) Where projects are located in a municipality that does not have an adopted general building code, projects must reasonably comply with the International Building Code and the International Existing Building Code, as published by the International Code Council, as they existed on May 1, 2003, in accordance with Local Government Code, §214.216. Where projects are located in a municipality that has an adopted general building code, projects must reasonably comply with the adopted general building code. Where a project is located in an area that is designated as a catastrophe area according to the Texas Department of Insurance, a project must also comply with any applicable amendments to the building code that have been adopted by the Texas Department of Insurance in accordance with Texas Insurance Code, Chapter 2210.

(ii) Where projects are located in a municipality that does not have an adopted mechanical code, projects must comply with the International Mechanical Code, as published by the International Code Council, as it existed on May 1, 2003. Where projects are located in a municipality that has an adopted mechanical code, projects must reasonably comply with the adopted mechanical code.

(iii) Where projects are located in a municipality that does not have an adopted fire code, projects must reasonably comply with the NFPA 101 Life Safety Code and NFPA 1 Fire Code standards adopted by the State Fire Marshal in accordance with TGC, §417.008, and in accordance with 28 TAC §34.301. Where projects are located in a municipality that has an adopted fire code, projects must reasonably comply with the adopted fire code.



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(iv) Where projects are located in a municipality that does not have an adopted plumbing code, projects must reasonably comply with the International Plumbing Code and referenced International Fuel Gas Code, as published by the International Code Council, as adopted by the Texas Board of Plumbing Examiners as established in 22 TAC §367.2(a) in accordance with TOC, Chapter 1301. Where projects are located in a municipality that has an adopted plumbing code, projects must reasonably comply with the adopted plumbing code.

(v) Where projects are located in a municipality that does not have an adopted electric code, projects must reasonably comply with the National Electric Code, as published by the NFPA, as adopted by the Texas Department of Licensing and Regulation in accordance with TOC, Chapter 1305. Where projects are located in a municipality that has an adopted electric code, projects must reasonably comply with the adopted electric code.

(vi) Where projects are located in a municipality that does not have an adopted energy conservation code, projects must reasonably comply with the International Energy Conservation Code, as published by the International Code Council, as adopted by the State Energy Conservation Office of Texas in accordance with Texas Health and Safety Code, Chapter 388. Where projects are located in a municipality that has an adopted energy conservation code, projects must reasonably comply with the adopted energy conservation code.



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(vii) Where projects are located in a municipality that does not have an adopted swimming pool code, projects must reasonably comply with the International Swimming Pool and Spa Code, as published by the International Code Council, as it existed on May 1, 2019. Where projects are located in a municipality that has an adopted swimming pool code, projects must reasonably comply with the adopted swimming pool code.

(viii) Projects must reasonably comply with the industrialized housing and building rules as adopted by the Texas Commission of Licensing and Regulation in accordance with TOC, Chapter 1202.



Third-party code compliance requirements

(A) IISD shall require the prime design professional of a capital improvement project to submit to the school district a report identifying any construction code requirements that the prime design professional believes, to the best of their knowledge after performing research, will not be enforced by a state or local authority having jurisdiction.

(B) IISD shall contract with a third-party code compliance officer to enforce any construction code requirement identified by a prime design professional pursuant to subparagraph (A) of this paragraph as not enforced by a state or local authority having jurisdiction and shall adjust the scope of services provided by the third-party code compliance officer if an error is discovered in the prime design professional's report.

(C) IISD shall hire a third-party code compliance officer to have all of the duties and powers of a building official, as defined by the required construction codes and to the extent allowable by state law, to ensure compliance with any required construction code provisions identified as not enforced by a state or local jurisdiction with authority pursuant to subparagraphs (A) and (B) of this paragraph.

(D) In the manner specified by TGC, §2269.058, a school district shall procure the services of a third-party code compliance officer required by subsection (j) of this section as a professional service in accordance with the Texas Professional Services Procurement Act, as established in TGC, Chapter 2254.



Third-party code compliance requirements

(E) A third-party code compliance officer must not be a design professional responsible for the design of any portion of the project, anyone employed by a design professional responsible for the design of any portion of the project, a contractor responsible for constructing any portion of the project, or anyone employed by a contractor responsible for constructing any portion of the project. A third-party code compliance officer may be a peer reviewer that performs a peer review required for any storm shelters that are part of the project.

(F) A third-party code compliance officer must have a Certified Building Official designation from the International Code Council (ICC). A third-party code compliance officer must also have at least ten years of experience or equivalent experience as an architect, engineer, inspector, contractor or superintendent of construction, or any combination of these, at least five years of which have been supervisory experience.

(G) A plan review performed by or under the supervision of a third-party code compliance officer must be performed by a qualified design professional or an independent third party qualified to certify plans through the ICC for the appropriate building, mechanical, electrical, or plumbing trade. Plan reviews performed under the supervision of a third-party code compliance officer must be performed by a person with at least five years of experience as an engineer or an architect.



Third-party code compliance requirements

(H) The following shall apply to a storm shelter where a required construction code has a provision requiring a storm shelter for certain projects.

(i) For the purposes of determining if a storm shelter is required for a specific building area, a school district shall require a third-party code compliance officer to accept, as a modification of the code in lieu of meeting the requirement to provide a storm shelter for that specific area, any written justification submitted by the school district that purports that the intended use of the specific building area that would be served by a storm shelter is not used for educational purposes during normal school hours when attendance is mandatory.

(ii) Where a storm shelter is required for new construction, a school district shall require a third-party code compliance officer to allow the occupant load for storm shelter design to be 110% of maximum instructional capacity, as stated by the designated representative of the school district in writing, even if this is significantly less than the total occupant load used for other purposes such as fire egress.

(iii) Where a storm shelter is required for additions, a school district shall require a third-party code compliance officer to allow the occupant load for storm shelter design to be based on, prorating where only a portion of the school facility is considered, 110% of maximum instructional capacity, as stated by the designated representative of the school district in writing, even if this is significantly less than the total occupant load used for other purposes such as fire egress.



Third-party code compliance requirements

(iv) For the purposes of determining if a storm shelter can serve the occupants of a building that is located at a distance from the storm shelter that is greater than a code-required maximum distance, a school district shall require a third-party code compliance officer to accept, as a modification of the code in lieu of meeting the specific distance requirement, any written emergency operations plan submitted by the school district that purports to provide early notification to those occupants. School districts may use protections provided in TEC, §37.108, to protect sensitive information.

(v) For the purposes of determining if a storm shelter is required to be constructed at a school facility where applicable construction codes require a storm shelter and a modular building be installed as part of the project, a school district shall require a third-party code compliance officer to consider as new construction any modular building that is installed as part of the project, regardless of whether it is relocatable.



Other requirements

(A) A capital improvement project for a school facility subject to the standards in this section must comply with the 2010 Americans with Disabilities Act Standards for Accessible Design as well as the Texas Accessibility Standards of 2012.

(B) IISD shall notify a design professional in writing of any construction-related standard or expectation of the school district for the project that is not otherwise established or required by an applicable construction code as required in this subsection. Where a school district contracts with a design professional and that design professional subcontracts another design professional, the school district need only notify the design professional that has a contract with the school district.

(C) IISD shall consider as part of a capital improvement project the use of designs, methods, and materials that will reduce the potential for indoor air quality problems. A school district may use the voluntary indoor air quality guidelines adopted by the Texas Department of State Health Services under Texas Health and Safety Code, Chapter 385; the "Indoor Air Quality Tools for Schools" program administered by the U.S. Environmental Protection Agency; or some other updated state approved guidelines or standards for indoor air quality in response to communicable disease related public health issues.

(D) IISD shall consider as part of a capital improvement project the use of sustainable school designs. A sustainable design is a design that minimizes a facility's impact on the environment through energy and resource efficiency.