
PROCEDURE: EXEMPT CONCURRENCE

Division of the State Architect (DSA) documents referenced within this publication are available on the [DSA Forms](#) or [DSA Publications](#) webpages.

PURPOSE: To provide a procedure for external stakeholders to obtain written concurrence that a qualifying project is exempt from DSA review and approval and construction oversight and, in some cases, DSA inspection and testing requirements.

BACKGROUND: DSA reviews and approves construction documents and provides construction oversight for construction projects under its jurisdiction for California Code of Regulations (CCR), Title 24 compliance. The scope of DSA's review and construction oversight depends on the type of facility and the scope of the project. The majority of DSA's plan review and approval focuses on new construction and alteration projects for California public school and community college districts. Certain types of projects, depending on the scope or cost, may be exempt from the requirement to obtain DSA's review and approval of construction documents and construction oversight. Some of these exempt projects may be further exempt from DSA inspection and testing requirements. Any projects not receiving DSA construction oversight will not be certified by DSA.

1. EXEMPTION DETERMINATION: When a project is exempt from DSA review and approval, it can be constructed without an approval from DSA. However, the project must be fully compliant with all applicable portions of the CCR, Title 24, in accordance with *IR A-22: Construction Projects and Items Exempt from DSA Review*.

2. TYPES OF EXEMPTIONS: DSA reviews and approves construction documents for code compliance in three main areas: Structural Safety, Fire and Life Safety, and Accessibility. It is possible for a project to be exempt from DSA review and approval in any or all of these areas.

2.1 Exemption from DSA review and approval for Structural Safety, Fire and Life Safety, and/or Accessibility: Types of exempt projects in this category can be found in DSA IR A-22.

3. PROCESS TO OBTAIN DSA CONCURRENCE THAT A PROJECT IS EXEMPT FROM DSA REVIEW, APPROVAL, CONSTRUCTION OVERSIGHT AND, IN SOME CASES, DSA INSPECTION AND TESTING REQUIREMENTS: It is not mandatory to obtain DSA concurrence that a project is exempt. However, clients desiring written concurrence from DSA can follow this process:

3.1 The applicant needs to complete form *DSA 7: Application for Concurrence: Project Is Exempt* and contact the appropriate DSA regional office to determine the best method to submit the form. DSA contact information is available on our [DSA Contact](#) webpage:

3.2 Upon receipt of form DSA 7, DSA will assign an "exempt request" number to the project. The numbering will be sequential starting at E00001 for each regional office as follows:

- Oakland regional office starts at: 01-E00001
- Sacramento regional office starts at: 02-E00001
- Los Angeles regional office starts at: 03-E00001
- San Diego regional office starts at: 04-E00001

3.3 DSA will open a "project exempt request" folder in DSAbbox and send an invite to the applicant and school district contact as identified on the form DSA 7.

3.4 The applicant will then upload the construction documents for the project into the applicable DSAbbox folder. The documents must be operable in Bluebeam software in accordance with *PR 18-04.BB17: Electronic Plan Review for Design Professionals of*

PROCEDURE: EXEMPT CONCURRENCE

Record Using Bluebeam 2017 or PR 18-04.BB18: Electronic Plan Review for Design Professionals of Record Using Bluebeam 2018, as applicable.

- 3.5 The applicant will contact the DSA regional office and set up an over the counter (OTC) concurrence review for the project.
- 3.6 At this OTC concurrence review, the applicant must remit a \$400 non-refundable fee, after which DSA staff, together with the applicant, will review the project. The possibilities for the outcome of the review are:
 - 3.6.1 The project is verified by DSA to meet the criteria to be exempt. In this case, DSA will complete the applicable “Project is Exempt” checkboxes on form DSA 7 and upload it to the applicable DSAbbox folder.
 - 3.6.2 The project is determined by DSA to not meet the exempt criteria. DSA will inform the applicant what scope in the project triggers the non-exempt decision and the applicant may take either of the two following actions:
 - 3.6.2.1 Choose to revise and resubmit the drawings within 6 months, and schedule a follow up OTC concurrence review. This is limited to one additional review without remitting an additional \$400 fee.
 - 3.6.2.2 If minor items need to be excluded from the scope of work, the applicant can note the changes on the construction documents electronically, at the OTC appointment, using their own portable system or the Bluebeam software on DSA’s computer. The revised construction documents will then be uploaded to DSAbbox, along with the completed DSA 7 form indicating the “Project is Exempt.”
 - 3.6.3 The project is determined by DSA to not meet the exempt criteria. DSA will inform the applicant what scope in the project triggers the non-exempt decision. If the applicant decides to not revise and resubmit the drawings for exempt concurrence, DSA will complete the “Project is Not Exempt” section on form DSA 7 and upload it to the applicable DSAbbox folder.
- 3.7 If the project is not exempt it must be reviewed and approved by DSA. Submittal information is found on DSA’s website in the Construction Projects section. Projects with minor qualifying scope can be plan reviewed OTC and/or otherwise expedited.

[NOTE: All items formerly located in Appendix A of this PR have been relocated to IR A-22.]

ADDITIONAL RESOURCES:

- California Education Code, Sections 17295, 17296, and 81133.
- California Government Code, Section 4454.
- California Health and Safety Code, Section 13143.
- California Code of Regulations, Title 24, Part 1, California Administrative Code (CAC) Sections 4-306, 4-308, 4-309, 4-310, 4-314, 4-315, 4-406, 5-102.
- IR A-22: Construction Projects and Items Exempt from DSA Review
- Form DSA 7

A DSA Procedure documents a process or series of steps that DSA staff and/or external stakeholders must complete in order to fulfill one or more administrative requirements of DSA’s review and approval of plans and specifications and construction oversight programs.