# INITIAL STATEMENT OF REASONSFOR PROPOSED BUILDING STANDARDSOF THE DIVISION OF THE STATE ARCHITECT (DSA-SS, DSA-SS/CC)REGARDING THE 2025 CALIFORNIA ADMINISTRATIVE CODE,CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1([RULEMAKING FILE #])

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

## STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

### ITEM 1Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 1: GENERAL PROVISIONS

**Section 4-309 (a). Reconstruction or alteration projects in excess of $100,000 in cost - General.**

**–** Replace “modifications” with “reconstruction, alterations or additions”. The purpose of this editorial revision is to clarify intent and provide consistency of language with the CAC and CEBC. The terms “reconstruction”, “alteration”, and “addition” are all defined in Section 3-314 Definitions, but “modifications” is not. No change in regulatory effect.

**Section 4-309 (c). Reconstruction or alteration projects in excess of $100,000 in cost – Required rehabilitation.**

**–** Add new item (1) to trigger required rehabilitation when the work area exceeds 50% of the aggregate building area. DSA assembled an existing buildings task force to assess the current impacts of the cost trigger and explore potential alternatives. The task force is composed of design professionals and school district representatives from across the state. The task force discussed example projects that did or did not hit the 50% cost trigger. The examples provided showed that the regulation does not address safety equally across project types. Large buildings, some that have significant seismic risk, do not have safety addressed because they are able to evade the 50% cost trigger for modernizations whose scope does not trigger required rehabilitation. Smaller one-story wood buildings who have less seismic risk easily reach the 50% cost trigger for full seismic rehabilitation. Additionally, the cost trigger can derail project planning if districts believe they are well below the threshold when they are planning and securing project funding but construction cost escalations (which have increased exponentially in recent years) or change in project scope pushes them over the 50%. Rehabilitation triggers that are scope- rather than cost-based advance predictable project planning. Related Proposals: A definition of “work area” has been added to Section 4-314.

**–** Renumber existing triggers 1 (cost trigger), 2 (scope trigger), 3 (risk category trigger) to 2, 3, 4 accordingly, due to addition of work area trigger as item 1.

**–** Editorial revision to scope trigger language. The leading paragraph for 4-309(b) states that the evaluation and retrofit are triggered “…when any of the following conditions occur” so it is unnecessary to state “…when the cost…does not exceed 50% of the replacement value of the existing building” in the scope trigger. Therefore, revise scope trigger language to simply state: “When the proposed work results in…” No change in regulatory effect.

**Section 4-310. School garages, warehouses, storage and similar buildings, dwellings for employees and miscellaneous structures**.

Update language to note community college student housing buildings are exempted from Field Act (result of AB358).

### ITEM 2Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 2: DEFINITIONS

**Section 4-314 Definitions**

**RECONSTRUCTION:** CAC 4-317 (e) prohibits construction, rehabilitation, reconstruction or relocation of a school building within 50 feet of the trace of an active fault. So, it would permit maintenance, or an alteration. Per the definition in 4-314, "Maintenance ...shall not include work, other than repainting on structural framing…". Also per 4-314, an Alteration is "...any construction or renovation...other than reconstruction, rehabilitation, or addition". This proposal intends to clarify definition of reconstruction as repair of damage due to fire, earthquake, flood or other manmade or natural disasters. Objective is to allow repair of damage caused by other means (e.g. deferred maintenance) on a building within 50 feet of fault trace because repair that is not a reconstruction will therefore be an alteration.

**WORK AREA:** adding definiton of work area is necessary due to proposal to add work area trigger in 4-309(c). The initial sentence is the same as is found in the definition of Work Area in Part 10. The language regarding reconfigured space utlizes language from the definition of alteration in Part 2 as adopted by [DSA-AC]

### ITEM 3Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 3: APPROVAL OF DRAWINGS AND SPECIFICATION

**Section 4-318(a)** Current language utilizes terms such as “prints”, “tracings”, “reproducible sheets”, etc. which are tied to a paper-based system and not in alignment with current practice which uses electronic media and submittal processes. Thus, editorial revisions have been made to the language to remove conflicts. No change in regulatory effect.

**Section 4-318(c) and 4-319**: Proposed revisions seek to clarify amount of refund of fees when the work has not yet commenced (checking work, or construction) on a project (or subsequent increments for the same project application number) and to establish better alignment with current practice as stipulated in the table in Section 1.5 of IR A-30 (and vice-versa).

### ITEM 4Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 5: CERTIFICATION OF CONSTRUCTION

**Section 4-333(b)** – See below for reasons for items:

Item #1 – Deletion provides better alignment with EDC 17311(a) - excerpt "The school district, city, city and county, or the political subdivision within the jurisdiction of which any school building is constructed or altered shall provide for and require competent, adequate, and continuous inspection during the construction or alteration by an inspector satisfactory to the architect or structural engineer and the Department of General Services. The inspector shall act under the direction of the governing board and architect or structural engineer as the board may direct. **The inspector shall be responsible to the governing board for employment purposes**." (emphasis added)

Items #2, 4, 6, and 7 – Adding in AI language because AIs have similar requirements and restrictions as PI, but for the limited scope of AI inspections. Adding the AI language allows duplicative/redundant language in 4-333(d).

**Section 4-333(d)** – AIs are required to be satisfactory to and approved by the same individuals as PI.

Item #1 – AI is to be employed by the school board, just like the PI.

Items #2 - 4 – Removing #2, 3 and 4 due to redundancy with existing or proposed requirements in 4-333(b).

**Section 4-335(f)4.A.** – It is unnecessary to include the project inspector in the listing of parties required to receive reports within 7 calendar days since the first paragraph in 4-335(f)4.A requires the project inspector to receive those reports sooner.

### ITEM 5Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 6: DUTIES UNDER THE ACT

**Section 4-342(b)** – See below for reasons for items:

Item #5.a. – Revising reference due to proposed change for new item in 'D' causing relocation of former language in 'D' to 'E.'

Item #5.d. – 48 hour prior notification is required for concrete and masonry structures, but not structural steel. Adding the 48 hours prior to structural steel erection provides consistency in notification to DSA prior to significant milestones for these structural systems.

### ITEM 6Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 8: DOCUMENTS AND RECORDS

Repeal Section 4-350; this language is redundant and possibly in conflict with Public Records Act law

### ITEM 7Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 2: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS: FIRE AND LIFE SAFETY, ARTICLE 4: FEES

**Section 4-420**: proposed revisions seek to clarify amount of refund of fees when the work has not yet commenced (checking work, or construction) on a project (or subsequent increments for the same project application number) and to establish better alignment with current practice as stipulated in the table in Section 1.5 of IR A-30 (and vice-versa).

**CAC Recommendation:**

### ITEM 8Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 10: INSPECTOR CERTIFICATION

This new article consolidates and clarifies inspector certification, discipline, appeals, and reinstatement requirements. Within this new article are several sections containing relocated provisions, often with further modifications, while others are new.

**Section 4-360** – Identifies the inspection services which require a valid certification issued by DSA, defines the Project Inspector and DSA Certified Special Inspector classifications and lists the fees associated with obtaining and maintaining inspector certification.

**Section 4-361** – Defines eligibility criteria to sit for examinations for DSA Project Inspector certification. Most content is relocated from previous sections, but language has undergone significant editorial revisions and reorganization with the intent to make the requirements easier to comprehend and navigate.

**Section 4-362** – Defines eligibility criteria to sit for examinations for DSA Certified Special Inspector. Most content is relocated from previous sections, with some minor reorganization. Clarifications of past language provided.

**Section 4-363** – Provides explicit requirements already applicable for issuance and maintenance of inspector certifications.

**Section 4-364** – Includes previous and expands upon professional conduct requirements for inspectors and others taking DSA inspector certification examinations.

**Section 4-365** – Clarifies grounds for DSA taking action against inspectors and those taking examinations, often based on existing statutory requirements not commonly referenced in most DSA program regulations.

**Section 4-366** – Clarifies the nature of action DSA can take against inspectors and those taking examinations.

**Section 4-367** – Clarifies appeals process, expanding on previous content on this topic.

**Section 4-368** – Clarifies and expands upon criteria for reinstatement.

**Section 4-369** – Identifies reinstatement process.

### ITEM 9Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1, ARTICLE 11: LABORATORY ACCEPTANCE

This new article consolidates and clarifies laboratory acceptance, discipline, appeals, and reinstatement requirements. Within this new article are several sections containing relocated provisions noted above, often with further modifications, while others are new.

**Section 4-370** – Covers the laboratory evaluation and acceptance process, mostly with relocated content from Section 4-335 and 4-335.1, which is further modified to clarify requirements.

**Section 4-371** – Clarifies grounds for DSA taking action against labs, often based on existing regulatory requirements that are proposed for relocation and modification as shown.

**Section 4-372** – Clarifies the nature of action DSA can take against labs.

**Section 4-373** – Clarifies appeals process.

**Section 4-374** – Clarifies criteria for reinstatement.

**Section 4-375** – Identifies reinstatement process.