# INITIAL EXPRESS TERMS FOR PROPOSED BUILDING STANDARDS OF THE DIVISION OF THE STATE ARCHITECT (DSA-SS AND DSA-SS/CC) REGARDING THE 2022 CALIFORNIA ADMINISTRATIVE CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1 (DSA-SS/CC 02/22)

The State agency shall draft the regulations in plain, straightforward language, avoiding technical terms as much as possible and using a coherent and easily readable style. The agency shall draft the regulation in plain English. A notation shall follow the express terms of each regulation listing the specific statutes authorizing the adoption and listing specific statutes being implemented, interpreted, or made specific (Government Code Section 11346.2(a)(1)).

If using assistive technology, please adjust your settings to recognize underline, strikeout, italic and ellipsis.

## LEGEND for EXPRESS TERMS (California only codes - Parts 1, 6, 8, 11, 12)

* Existing California amendments appear upright
* Amended or new California amendments appear underlined
* Repealed California language appears ~~upright and in strikeout~~
* Ellipses ( ...) indicate existing text remains unchanged

## INITIAL EXPRESS TERMS

### ITEM 1 Chapter 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 and ARTICLE 2: DEFINITIONS

**4-310. School garages, warehouses, storage and similar buildings, dwellings for employees and miscellaneous structures.** The Act does not apply to buildings or structures constructed by a school district for the purpose of, and used solely for, ~~housing,~~ storing buses and minor mechanical equipment or for nonschool use where such buildings or structures do not provide facilities for either pupils or teachers and are not intended to be entered by them as such for school purposes. Similarly, the Act does not apply to dwellings or personal residences for teachers or district employees or their family, regardless of location on or separate from school sites.~~or~~ The Act also does not apply to district-wide administrative buildings on sites separate from school sites, which are not to be used or entered by pupils or teachers, for school purposes. DSA approval for accessibility is required in accordance with Section 5-101. Approvals from other agencies may also be required. Such buildings or structures shall not be used for school purposes.

**…**

**Authority:** Education Code Sections 17310 and 81142.

**Reference:** Education Code Sections 17280, 17283, 17283.5, 17296, 17368, 81050.5, 81130, 81130.5 and 81160.

**…**

**4-314. Definitions.**

**…**

**SCHOOL BUILDING** as defined in Sections 17283 and 81130.5 of the Act is interpreted to include all structure and utility systems or facilities necessary to the complete functioning of the structures, used or designed to be used for instructional purposes, or intended to be entered by pupils or teachers for school purposes, or structures operated as school units, the failure of which would endanger pupils or teachers on school grounds or in school buildings. (See Section 4-310 for teacher or district employee residences.) “School Building” is also defined to include dwellings, including utility systems or facilities necessary to the complete functioning of the dwellings, used by pupils, teachers and school employees that are part of a campus where the primary use is for school purposes.

**…**

**Authority:** Education Code Sections 17310 and 81142.

**Reference:** Education Code Sections 17280, 17283, 17283.5, 17405, 81050.5, 81130, 81130.5 and 81529.

**…**

**Notation:**

**Authority:** Education Code Sections 17310 and 81142.

**Reference(s):** Education Code 17283.5 and 81050.5.

### ITEM 2 Chapter 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 SPECIFICATIONS

**4-316. Designation of responsibilities.**

1. **General responsible charge.** For every project there shall be up to two individuals within the same firm, each being an architect or structural engineer, in general responsible charge of the preparation of the plans, specifications and observation of the work of construction. If more than one individual in a firm is listed, then only the individual who accepts the responsibility for observation of construction shall submit verified reports in compliance with Section 4-341(f).

**…**

**4-317. Plans, specifications, calculations and other data.**

1. **General.** An application for approval of plans and specifications shall be filed with DSA, and the plans and specifications, design calculations, site data and a fee payment calculated on the estimated cost shall be submitted in accordance with procedures established by DSA. The plans and specifications shall include the construction documents required by Section 5-103 of Title 24, Part 1, California Code of Regulations. (See Section 4-320.)

**Exception:** DSA may require ~~than~~ that an application for projects using the collaborative process for project review per Education Code Section 17319 or 81133.1 be accompanied by the filing fees per Sections 4-320 and 5-104. The deadline for submittal of completed plans, specifications and supporting documentation shall be determined by DSA in consultation with the applicant, and shall not exceed 18 months from the application date. Failure to comply with the established deadline may result in voidance of the application.

**…**

**Notation:**

**Authority:** Education Code Sections 17310 and 81142.

**Reference(s):** Education Code 17302 and 81138.

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

**4-326. Fees for approval of an evaluation and design criteria report for rehabilitation of an existing ~~nonconforming~~ building for use as a school building.** A retainer fee of $2,000.00 shall be required with submittal of the pre-application for a rehabilitation project in accordance with Sections 4-306 or 4-307(c). Fees incurred in excess of the retainer fee for DSA review of the Evaluation and Design Criteria Report shall be based on the established hourly billing rate of the Department. Prior to approval of the Evaluation and Design Criteria Report, any additional fees incurred by DSA shall be ~~fully~~ paid in full. Any unused portion of the retainer fees shall be returned to the school district.

**…**

**Notation:**

**Authority:** Education Code Sections 17310.

**Reference(s):** Education Code 17280.5.

### ITEM 4 Chapter 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

**4-330. Time of beginning construction and partial construction.** Construction work, whether for a new school building, reconstruction, rehabilitation, alteration or addition, shall not be commenced, and no contract shall be let until the school board has applied for and obtained from DSA written approval of plans and specifications. Construction ~~for each school building~~ shall be commenced within four years after the approval of the plans; otherwise, the approval is void ~~for those school buildings that have not commenced construction~~.

**…**

**Notation:**

**Authority:** Education Code Sections 17310 and 81142.

**Reference(s):** Education Code 17280, 17297, 17372 and 81133.

**…**

**4-333. Observation and inspection of construction.**

1. **Observation by architect or registered engineer.** The Act requires that the observation of the work of construction, reconstruction, rehabilitation, alteration or addition shall be under the general responsible charge of an architect, structural engineer, or under certain conditions a professional engineer registered in that branch of engineering applicable to the work. (See Section 4-316.)

The responsible geotechnical engineer, or his or her qualified representative, shall perform all testing and special inspection of all earth materials, the placement and compaction of engineered fills, and the geotechnical aspects of foundations, retaining walls and foundation anchors. The responsible geotechnical engineer shall submit verified reports in accordance with Section 4-336 and Title 24, Part 2~~, Section 1704A.7.1~~.

**Notation:**

**Authority:** Education Code Sections 17310 and 81142.

**Reference(s):** Education Code 17280, 17309, 17311, 81130, 81138, 81141, and 81143.

**…**

**4-333.1. Project inspector certification.** To become a DSA certified project inspector, an applicant must qualify for and successfully complete a written examination **…**

To qualify for an examination, an applicant shall possess a high school diploma or equivalent, and shall meet the following minimum qualifications for the classification. **…**

1. For Class 1 inspector exam, one of the following:
2. Four years of experience **…**
3. Four years of qualifying experience …
4. Two years of qualifying experience as a DSA certified Class 2 project inspector~~,~~ on class 2 projects.
5. Possession of certification as a DSA Class 2 project inspector with one year minimum qualifying experience as a DSA Class 2 project inspector on class 2 projects and any combination of three years of qualifying experience on projects consistent with the DSA Class 1 or 2 project classification as:

A. an assistant project inspector; or

~~B. a special inspector (inspecting steel, concrete or masonry construction with a valid certification from a state- or nationally-recognized organization, as accepted by DSA). (Note: special inspector experience may be substituted on a month-for-month basis up to a maximum of one year); or~~

~~C~~B. a nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building code-enforcement inspection (with a valid certification as a commercial combination building inspector by a state or nationally-recognized organization, as accepted by DSA); or

~~D~~C. a lead project construction superintendent or construction experience as a journeyman or equivalent limited to working in the carpentry, steel, concrete or masonry trades. ~~(note: journeyman or equivalent experience may be substituted on a month-for-month basis up to a maximum of one year); or,~~

**Exception:** The substitutions listed below may be applied to A, B or C above up to a maximum of one year.

1. Special inspector experience (limited to inspecting steel, concrete, or masonry construction with a valid certification from a state or nationally recognized organization, as accepted by DSA).
2. Journeyman or equivalent experience (limited to working in the carpentry, steel, concrete, or masonry trades).
3. Possession of certification as a DSA Class 3 project inspector with three years minimum qualifying experience as a DSA Class 3 project inspector on class 3 projects and any combination of three years of qualifying experience on projects consistent with the DSA Class 1 or 2 project classification as:

A. an assistant project inspector; or

~~B. a special inspector (inspecting steel, concrete or masonry construction with a valid certification from a state- or nationally-recognized organization, as accepted by DSA). (Note: special inspector experience may be substituted on a month-for-month basis up to a maximum of one year); or~~

~~C~~B. a nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building code-enforcement inspection (with a valid certification as a commercial combination building inspector by a state or nationally-recognized organization, as accepted by DSA); or

~~D~~C. a lead project construction superintendent or construction experience as a journeyman or equivalent limited to working in the carpentry, steel, concrete or masonry trades. ~~(Note: journeyman or equivalent experience may be substituted on a month-for-month basis up to a maximum of one year.)~~

**Exception:** The substitutions listed below may be applied to A, B or C above up to a maximum of one year.

1. Special inspector experience (limited to inspecting steel, concrete, or masonry construction with a valid certification from a state or nationally recognized organization, as accepted by DSA).
2. Journeyman or equivalent experience (limited to working in the carpentry, steel, concrete, or masonry trades).
3. Possession of certification as a DSA Class 3 project inspector with one year minimum qualifying experience as a DSA Class 3 project inspector on class 3 projects and ten years of relevant construction experience, including four years as a journeyman or equivalent experience level, limited to working in the carpentry, steel, concrete, or masonry trades on construction projects consistent with the DSA Class 1 or 2 project classification.

**Exception:** Possession of a baccalaureate or higher in architecture, engineering, building inspection and/or construction may be substituted for the required journeyman or equivalent experience. Possession of an associate~~’s~~ degree in architecture, engineering, building inspection and/or construction may be substituted for two years of required journeyman or equivalent experience. Completed coursework in architecture, engineering, building inspection and/or construction may be substituted on a month-for-month basis up to a maximum of one year of required journeyman or equivalent experience.

1. For Class 2 inspector exam, one of the following:

**Exception:** DSA may allow**…**

1. Three years of experience **…**
2. building projects of Type I, II, III or IV construction.~~; or~~

**Exception:** Possession of a valid California registration as a mechanical or electrical engineer responsible for the design and/or construction of respective building systems, may be substituted for two years of required experience. Possession of a baccalaureate or higher in architecture, engineering, building inspection and/or construction may be substituted for one year of required experience. Possession of an associate~~’s~~ degree in architecture, engineering, building inspection and/or construction may be substituted for six months of required experience.

**...**

1. Two years of qualifying experience as a DSA certified Class 3 project inspector on class 3 projects.
2. Possession of certification as a DSA Class 3 project inspector with one year minimum qualifying experience as a DSA Class 3 project inspector on class 3 projects and any combination of two years of qualifying experience on projects consistent with the DSA Class 1 or 2 project classification as:

A. an assistant project inspector; or

~~B. a special inspector (inspecting steel, concrete or masonry construction with a valid certification from a state- or nationally-recognized organization, as accepted by DSA). (Note: special inspector experience may be substituted on a month-for-month basis up to a maximum of one year); or~~

~~C~~B. a nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building code-enforcement inspection (with a valid certification as a commercial building inspector or residential combination inspector by a state- or nationally-recognized organization, as accepted by DSA); or

~~D~~C. a lead project construction superintendent or construction experience as a journeyman or equivalent limited to working in the carpentry, steel, concrete or masonry trades. ~~(note: journeyman or equivalent experience may be substituted on a month-for-month basis up to a maximum of one year); or,~~

**Exception:** The substitutions listed below may be applied to A, B or C above up to a maximum of one year.

1. Special inspector experience (limited to inspecting steel, concrete, or masonry construction with a valid certification from a state or nationally recognized organization, as accepted by DSA).
2. Journeyman or equivalent experience (limited to working in the carpentry, steel, concrete, or masonry trades).
3. Eight years of relevant construction experience, including three years as a journeyman or equivalent, limited to working in carpentry, steel, concrete, or masonry trades on construction projects consistent with the DSA Class 1 or 2 project classification.

**Exception:** Possession of a baccalaureate or higher in architecture, engineering, building inspection and/or construction may be substituted for the required journeyman or equivalent experience. Possession of an associate~~’s~~ degree in architecture, engineering, building inspection and/or construction may be substituted for two years of required journeyman or equivalent experience. Completed coursework in architecture, engineering, building inspection and/or construction may be substituted on a month-for-month basis up to a maximum of one year of required journeyman or equivalent experience.

1. Possession of at least two valid special inspector certifications in steel, concrete, or masonry and eight years of special inspector experience (inspecting steel, concrete, or masonry construction). No more than three years of a single type (related to steel, concrete, or masonry) of special inspection experience can be used.
2. For the Class 3 inspector exam, one of the following:

**Exceptions:**

* 1. **…**

1. Two years of experience as an architect’s, engineer’s, owner’s, or local building official’s representative in building code-enforcement inspection of building construction or construction consistent with the DSA Class 1, 2 or 3 project classification with a valid certification as a residential combination or commercial building inspector by a state- or nationally-recognized organization, as accepted by DSA.

**Exception:** Possession of a baccalaureate or higher in architecture, engineering, building inspection and/or construction may be substituted for one year of required experience. Possession of an associate~~’s~~ degree in architecture, engineering, building inspection and/or construction may be substituted for six months of required experience.~~; or,~~

1. Possession of a valid California registration as a mechanical or electrical engineer and one year qualifying experience in construction observation of building systems.~~; or,~~
2. Two years of qualifying experience as the lead project construction superintendent working on building projects or projects consistent with the DSA Class 1, 2 or 3 project classification.

**Exception:** Possession of a baccalaureate or higher in architecture, engineering, building inspection and/or construction may be substituted for one year of required experience. Possession of an associate~~’s~~ degree in architecture, engineering, building inspection and/or construction may be substituted for six months of required experience. Experience may be substituted with completed college coursework in architecture, engineering, building inspection and/or construction on a month-for-month basis for a maximum of six months.~~; or,~~

1. Two years of qualifying experience as a DSA certified Class 4 project inspector.
2. Possession of certification as a DSA Class 4 project inspector with one year minimum qualifying experience as a DSA Class 4 project inspector and any combination of one year of qualifying experience on building projects or projects consistent with the DSA Class 1, 2 or 3 project classification as:

A. an assistant project inspector; or

~~B~~C. a special inspector (inspecting steel, concrete, or masonry construction with a valid certification from a state- or nationally-recognized organization, as accepted by DSA); or

~~C~~B. a nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building code-enforcement inspection (with a valid certification as a commercial building inspector or residential combination inspector by a state or nationally-recognized organization, as accepted by DSA); or

D. a journeyman or equivalent limited to working in the carpentry, steel, concrete, or masonry trades.

**Exception:** Possession of a baccalaureate or higher, associate~~’s~~ degree, or completed college coursework in architecture, engineering, building inspection and/or construction may be substituted as part of the combined (i.e., non-Class 4) experience on a month-for-month basis up to a maximum of one year.~~; or,~~

1. Six years of relevant construction experience, including two years as a journeyman or equivalent experience level, limited to working in the carpentry, steel, concrete, or masonry trades on building construction projects consistent with the DSA Class 1, 2 or 3 project classification.

**Exception:** Two years of journeyman or equivalent experience may be substituted with possession of a baccalaureate or higher. One year of journeyman or equivalent experience may be substituted with possession of an associate~~’s~~ degree. Journeyman or equivalent experience may be substituted with or completed college coursework in architecture, engineering, building inspection and/or construction on a month-for-month basis for up to a maximum of six months.

**...**

**Notation:**

**Authority:** Education Code Sections 17310 and 81142.

**Reference(s):** Education Code 17311 and 81143.

**…**

**4-335. Structural tests and special inspections.**

**…**

1. **Test reporting requirements.**

**…**

1. Within 7 calendar days of the date of any material test, the laboratory of record shall submit all such test reports to DSA, the design professional in general responsible charge, the structural engineer, the project inspector, the contractor and the school district. ~~The laboratory of record shall provide test reports to DSA when requested.~~

**…**

1. **Special inspection.** A special inspector shall not be less than **…**

**…**

1. **Inspection reporting requirements:**
   1. **Special inspector daily reports.** Special inspectors shall prepare detailed daily inspection reports outlining the work inspected and shall forward a copy of the report to the project inspector within one day of the day the inspections were performed.

 Reports indicating materials or workmanship found to be nonconforming with the requirements of the DSA approved documents shall be forwarded immediately to the project inspector, DSA, the architect or registered engineer in general responsible charge, the structural engineer delegated responsible charge for observation of construction, the contractor and the school district.

 Within 7 days of the date of any special inspection, the special inspector shall submit copies of all daily reports to DSA, the school district, the architect or registered engineer in general responsible charge, the structural engineer delegated responsible charge for observation of construction, the contractor and the project inspector. ~~The special inspector shall provide daily reports to DSA when requested.~~

**…**

**…**

**4-336. Verified reports.**

1. **General.** As the work of construction progresses, **…**
2. **Required filing.** Verified reports shall be made as follows:
3. **…**
4. By the engineering manager of the laboratory of record, as required by Section 4-335(e), at the completion of the testing and special inspection program.
5. By the approved special inspector contracting individually and directly with the school board at the conclusion of work requiring special inspection.
6. By any party listed above at any time a verified report is requested by DSA.

**…**

**Notation:**

**Authority:** Education Code Sections 17310 and 81142.

**Reference(s):** Education Code 17309, 17315, 81141, and 81147.

### ITEM 5 Chapter 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

**4-341. Duties of the architect, structural engineer or professional engineer.**

**…**

1. **Architect or engineer verified reports.** The architect or registered engineer in general responsible charge and all architects and registered engineers delegated responsibility for observation of the work of construction shall observe the work of construction of his or her portion of the project; when delegated, consult with the design professional in general responsible charge in the interpretation of the approved drawings and specifications; and shall maintain such personal contact with the project as is necessary to assure themselves of compliance in every material respect with the approved plans and specifications. Personal contact shall include visits to the project site by the architect, engineer or their qualified representative to observe the construction. The architect or registered engineer in general responsible charge and each architect or engineer delegated responsibility for observations of the work of construction shall submit verified reports to DSA and provide a copy to the project inspector as required by Section 4-336. If more than one individual in a firm is listed in general responsible charge, then only the individual who accepts the responsibility for observation of construction shall submit verified reports. The architect or registered engineer in general responsible charge shall also require that verified reports from the project inspector, special inspectors, testing facility, the geotechnical engineer, contractors and the other architects and engineers are submitted as required.

**…**

**Notation:**

**Authority:** Education Code Sections 17310 and 81142.

**Reference(s):** Education Code 17309 and 81141.

### ITEM 6 Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 9: STATE ADVISORY BOARD TO THE DIVISION OF THE STATE ARCHITECT FOR THE FIELD ACT

[Repeal Article 9, Section 4-355 in its entirety]

**~~ARTICLE 9: STATE ADVISORY BOARD TO THE DIVISION OF THE STATE ARCHITECT FOR THE FIELD ACT~~**

**~~4-355. Advisory board.~~**

**…**

**Notation:**

**Authority:** Education Code Sections 17310 and 81142.

**Reference(s):** Education Code 17310 and 81142.