# INITIAL EXPRESS TERMSFOR 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(DSA-SS 04/24)

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, highlight 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* Repealed California language appears ~~upright and in strikeout~~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
* Text which contains instructions only that are not amendments and will not be printed appears in text with grey highlight*.*

## INITIAL EXPRESS TERMS

### ITEM 1Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS)

Adopt Chapter 4 of the 2022 CAC into the 2025 CAC with amendments as shown below. All existing California amendments that are not revised below shall continue without change.

### ITEM 2Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), Article 1: ESSENTIAL SERVICES BUILDINGS

**…**

**4-205. Application of building standards.** Building standards are set forth in Parts 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12 of Title 24, CCR…

**…**

**Notation:**

Authority: Health and Safety Code 16022.

Reference: Health and Safety Code 16001.

### 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 1: GENERAL PROVISIONS

**…**

**4-305. Application of building standards.** Building standards applicable to public school buildings are set forth in Parts 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12, Title 24, C.C.R….

**…**

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130.

**…**

**4-309. Reconstruction or alteration projects in excess of $100,000 in cost.**

1. **General.** Plans and specifications for any reconstruction or alteration project exceeding …

…

All reconstruction, alteration or addition ~~modifications~~ affecting the existing structural elements carrying gravity load shall comply with Section 503.3, Part 10, Title 24, C.C.R.

Where any reconstruction, alteration or addition ~~modifications~~ to an existing school building results in an increase to the seismic or wind forces in any lateral force-resisting structural component by more than 10 percent, or decrease the capacity or stiffness of any lateral force resisting structural component by more than 5 percent, cumulative since the original construction, then those affected components shall be made to comply with Section 319.1 or 317.7, Part 10, Title 24, C.C.R and Section 1609A, Part 2, Title 24, C.C.R. Only the affected components need be strengthened unless a rehabilitation is required for the entire building per Section 4-309(c). The capacity or stiffness of the lateral force-resisting structural component may include past strengthening that was approved and certified by DSA as the basis for the percentage comparison.

…

1. **Required rehabilitation.** Existing school buildings for which a reconstruction, alteration or addition project is proposed shall be evaluated and retrofitted as required to comply with currently effective regulations applicable to the rehabilitation of structural systems per Section 4-306, including wind and seismic force requirements, when any of the following conditions occur:
2. When the cost of the reconstruction…
3. When ~~the cost of the reconstruction, alteration or addition project does not exceed 50 percent of the replacement value of the existing building, and~~ the proposed work results in any of the following:
	* 1. An increase in the effective seismic weight…

**…**

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280, 17295, 81130 and 81133.

**…**

**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, 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.~~ nor to any building used by a community college district solely for student housing. 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~~ shall be 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.

**…**

**Notation:**

Authority: Education Code Sections 81142.

Reference: Education Code Sections 81050.5 and 81130.5.

**…**

### 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 2: DEFINITIONS

**…**

**4-314. Definitions.**

**…**

**LABORATORY OF RECORD** shall mean a laboratory selected by the school board and approved by DSA to conduct special inspection and/or material testing services for a particular project. (See Section 4-335(a) and 4-335.1.)

**…**

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130.

### 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 3: APPROVAL OF DRAWINGS AND SPECIFICATIONS

**…**

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

1. **General. …**

…

1. **Site data.** Site data for all school sites shall include a geotechnical engineering report…

No school building shall be constructed, rehabilitated, reconstructed or relocated within 50 feet of the trace of an active fault that has experienced surface displacement within Holocene time (approximately 11,000 years).

Exception: reconstruction to repair damage that was not caused by fire, earthquake, flood, or other manmade or natural disasters is permitted.

**…**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections Education Code Sections ~~17299,~~ 17212, 17212.5, 17299, 17319, 81033, 81133.1~~,~~ and 81135 ~~and 81033~~.

**4-318. Procedure for approval of application and voidance of application.**

1. **General.** After DSA has completed its check of the documents submitted with the application, ~~the checked prints of~~ the plans and specifications, with the items marked for corrections and/or requests for additional information noted thereon, shall be returned to the architect or registered engineer in general responsible charge. When plans ~~and/~~or specifications require extensive corrections, a corrected set ~~of prints~~ of the plans and specifications shall be submitted for review if requested by DSA.

When the requested corrections have been made and~~/or~~ the ~~additional~~ requested information has been provided by the architect or registered engineer in general responsible charge, an employee representative shall ~~return the check set of plans and specifications along with the original plan tracings, the~~ submit corrected plans and specifications ~~pages and specification master cover sheet~~ to DSA for back-checking. The back-check is a comparison of the corrected plans and specifications with the check set of plans and specifications and shall be accomplished by either an independent review by DSA or a conference between a knowledgeable employee representative ~~or~~ of the architect or registered engineer in general responsible charge and DSA ~~the checking engineer, or by mail in the case of minor corrections to which all parties have agreed~~.

Changes in the plans ~~and~~ or specifications, other than changes necessary for correction, made after submission for approval, shall be brought to the attention of DSA in writing or by submission of revised plans identifying those changes clearly at the time of back-checking. Failure to give such notice may result in the voidance of any subsequent approval given to the plans and specifications.

All requested corrections shall be made, additional requested information furnished or original design justified prior to or at the time of the back-check. When DSA deems that the corrected plans and specifications comply with these regulations and those parts of Title 24, CCR, that pertain to public school construction, DSA shall place its stamp on ~~the reproducible~~ each sheet~~s~~ of ~~drawings~~ the plans and the ~~master~~ cover sheet of the specifications. The stamped plans ~~drawings~~ and specifications will be ~~temporarily~~ retained by DSA in electronic format that constitutes the ~~so that a~~ record set ~~can be created~~. ~~DSA may direct the school district to create portions of the record set, and DSA may charge a fee to the school district to recover the costs of creating the record set.~~ DSA will make the record set files available to the school district for their use and distribution.

**…**

1. **Voidance of application.** Any change, erasure, alteration or modification of any plans or specification **…**

**…**

~~The procedures leading to written approval of plans shall be carried to conclusion without suspension or unnecessary delay. At the discretion of DSA, t~~The entire application or remaining unapproved increment(s) may be voided by DSA if ~~where either (1)~~ ~~prints from~~ corrected plans ~~or corrected original plans~~ are not filed for backcheck within 6 months after the date of return of checked plans to the architect or engineer.~~, or (2) at the discretion of DSA, a~~Any remaining unapproved increment(s) of the application may be voided by DSA if ~~when~~ more than six months have elapsed since the last approval of an increment has been issued, and subsequent incremental plans and specifications have not been received by DSA for review~~checking~~.

For voided applications or increments, ~~upon request by the school district,~~ 30 percent of the ~~total~~ structural portion of the fee will be refunded~~;~~. For increments that are voided but the review has not commenced, 100 percent of the structural portion of the fee for those increments will be refunded. ~~h~~However, no refund will be allowed for projects ~~upon f~~or which only the minimum fee has been paid~~, or upon which only an increment was voided~~.

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17295, 17297, 17307, 81133 and 81134.

**4-319. Withdrawal of application.** If the applicant ~~a~~ requests ~~is made by the school board for~~ the cancellation or withdrawal of the application or incremental submittal(s) of an application, ~~and return of the plans and specifications, together with~~ the paid fee~~, it will~~ shall be ~~granted~~ returned unless the review has begun~~only when the check of plans and specifications has not actually started~~. If review~~the checking~~ of plans and specifications has commenced~~started~~, 30 percent of the ~~total~~ structural fee will be refunded or applied to a new application for the same project. However, no refund will be allowed for projects for which only the minimum fee has been paid.

**…**

For projects using the collaborative process for project review per Education Code Section 17319 or 81133.1, if the project application or incremental submittal(s) is voided, cancelled ~~by DSA~~ or ~~a request by the applicant is made to~~ withdrawn ~~the application prior to submittal of completed plans and specifications~~, ~~filing fees minus~~then costs incurred by DSA will be deducted from any refunded fees.

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17295, 17300, 81133 and 81136.

### 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 5: CERTIFICATION OF CONSTRUCTION

**…**

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

**…**

**(b)** **Inspection by a project inspector or assistant inspector.** The school board must provide for and require competent, adequate, and continuous inspection by an inspector satisfactory to the architect or registered engineer in general responsible charge of observation of the work of construction; to any registered structural engineer delegated responsibility for a portion of the work; and to DSA. The inspector shall be responsible to DSA for enforcement of the plans and specifications of the school project.

1. The cost of project inspection shall be paid for by the school board. An inspector shall not have any current employment relationship with any entity that is a contracting party for the construction or any entity providing any services for the school district except for services directly related to project inspection. Each inspector who engages in any inspection related activities shall be responsible to the governing board for their activities.
2. Project inspectors and assistant inspectors are prohibited from any activities involving the actual performance of construction, or the scheduling, coordination or supervision of construction contractors for the project.
3. For every project there shall be a project inspector who shall have personal knowledge as defined in Sections 17309 and 81141 of the Education Code of all work done on the project or its parts as defined in Section 4-316. No work shall be carried on except under the inspection of an inspector approved by DSA. On large projects adequate inspection may require the employment of one or more approved assistant inspectors in accordance with Section 4-333(d). The employment of special inspectors or assistant inspectors shall not be construed as relieving the project inspector of his or her duties and responsibilities under Sections 17309 and 81141 of the Education Code and Sections 4-336 and 4-342 of these regulations.
4. The project inspector and any assistant inspector shall be capable of performing all essential functions of the job.
5. The project inspector and any assistant inspector must be approved by DSA for each individual project. Prior to being eligible for approval, any project inspector or any assistant inspector shall establish, to the satisfaction of DSA that he or she:
	1. is appropriately certified by DSA, per Section ~~4-333.1~~ 4-360.1 (assistant inspector must be a DSA Class 1, 2, 3, or 4 certified inspector); and
	2. has adequate knowledge and experience to perform the required duties for the project. For the project inspector, h~~H~~e or she shall have at least three years experience in inspection or construction work on building projects of a type similar to the project. For the assistant inspector, he or she shall have at least three years experience in inspection or construction work on building projects of a type of construction that the assistant will inspect. For newly certified inspectors without prior DSA project inspection experience, attendance of DSA-specified training is required; and
	3. will provide sufficient time on the project to fulfill all inspection responsibilities required by these regulations.
6. An approved project inspector or assistant inspector may be replaced in accordance with the process outlined in Section 4-341(d). The school district shall ensure that a replacement inspector is provided prior to continuation of construction work. DSA may withhold approval of the replacement inspector until a verified report by the previous project inspector is submitted in accordance with Section 4-336(c)5.
7. DSA may withdraw the project inspector’s or assistant inspector’s approval for the project due to failure of the project inspector or assistant inspector to comply with the requirements contained in Section 4-342(b). DSA shall communicate the withdrawal of the project inspector’s or assistant inspector’s approval in writing to the school district and the architect or registered engineer in general responsible charge. The school district shall ensure that a replacement inspector is provided prior to continuation of construction work.
8. The project inspector may perform special inspections if the project inspector has been specially approved by DSA for such purpose and has the time available to complete the special inspections in addition to project inspection work.

…

**(d) Assistant inspectors.** Assistant inspectors are approved by DSA to assist the project inspector with the inspection of one or more aspects of the construction. Assistant inspectors must work under the supervision of a Class 1 or 2 certified project inspector.

1. On large projects DSA may require the employment of assistant inspectors when the project inspector is not able to provide continuous inspection of all aspects of the construction in a timely manner. When assistant inspectors are required by DSA the project inspector shall remain on-site providing supervision of all assistants during all construction.

(Relocated to Section 4-361.4 and modified) 2. All assistant inspectors …

1. ~~The assistant inspector shall establish, to the satisfaction of DSA that he or she meets all of the requirements established in Section 4-333(b)5.~~
2. ~~Failure of the assistant inspector to perform any of the duties specified in these regulations may be cause for DSA to take action as outlined in Section 4-342(d).~~

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280, 17309, 17311, 81130, 81138, 81141 and 81143.

…

(Section 4-333.1 has been relocated in its entirety to new Article 10 and modified. Specific relocations for various subsections are identified below.)

(Relocated first sentence to Section 4-360 and remainder of paragraph to 4-363.2 and modified.) 4-333.1. Project inspector certification. To become a DSA certified project inspector …

(Relocated to Section 4-360.1(a) and modified.)1.A Class 1 certified inspector ...

(Relocated to Section 4-360.1(b) and modified.)2. A Class 2 certified inspector ...

(Relocated to Section 4-360.1(c) and modified.)3. A Class 3 certified inspector ...

(Relocated to Section 4-360.1(d) and modified.)4. Though an examination is no longer offered for Class 4 ...

(Relocated to Section 4-361 and modified.)To qualify for an examination, an applicant shall possess …

(Relocated to Section 4-361.1.1 and modified.)(a) For Class 1 inspector exam, one of the following …

(Relocated to Section 4-361.1.1(a)2 and modified, including reorganization of portions of existing sentences.) 1. Four years of experience …

(Relocated to Section 4-361.1.1(a)1 and modified, including reorganization of portions of existing sentences.) 2. Four years of qualifying …

(Relocated to Section 4-361.1.2 and modified.) 3. Two years of qualifying …

(Relocated to Section 4-361.1.3(a) and modified.) 4. Possession of certification …

(Relocated to Section 4-361.1.4(a) and modified.) 5. Possession of certification …

(Relocated to Section 4-361.1.5 and modified.) 6. Possession of certification …

(Relocated to Section 4-361.2 and modified.) (b) For Class 2 inspector exam, one of the following …

(Relocated to Section 4-361.2.6 and modified.) **Exception:** DSA may allow …

(Relocated to Section 4-361.2.1 and 4-361.2.1(a)2 and modified, including reorganization of portions of existing sentences.) 1. Three years of experience …

(Relocated to Section 4-361.2.1 and 4-361.2.1(a)1 and modified, including reorganization of portions of existing sentences.) 2. Three years of qualifying …

(Relocated to Section 4-361.2.2 and modified.) 3. Two years of qualifying …

(Relocated to Section 4-361.2.3 and modified.) 4. Possession of certification …

(Relocated to Section 4-361.2.4 and modified.) 5. Eight years of relevant …

(Relocated to Section 4-361.2.5 and modified.) 6. Possession of at least two ….

(Relocated to Section 4-361.3 and modified.) (c) For the Class 3 inspector exam, one of the following …

(Relocated to Section 4-361.3.7 and modified.) **Exceptions:**

* + 1. DSA may allow an applicant lacking years …
		2. Possession of a baccalaureate or higher in architecture ….

(Relocated to Section 4-361.3.1 and 4-361.3.1(a)2 and 4-361.3.1(b) and modified, including reorganization of portions of existing sentences.) 1. Two years of experience …

(Relocated to Section 4-361.3.2 and modified.) 2. Possession of a valid California …

(Relocated to Section 4-361.3.1 and 4-361.3.1(a)1 and 4-361.3.1(b) and modified, including reorganization of portions of existing sentences.) 3. Two years of qualifying …

(Relocated to Section 4-361.3.3 and modified.) 4. Two years of qualifying …

(Relocated to Section 4-361.3.4 and modified.) 5. Possession of certification …

(Relocated to Section 4-361.3.5 and modified.) 6. Six years of relevant …

(Relocated to Section 4-361.3.6 and modified.) 7. Possession of at least two …

(Relocate fourth to last paragraph of 4-333.1 to Section 4-364(c) and modify.) An applicant for the certification examination …

(Relocate third to last paragraph of 4-333.1 to Sections 4-363.3(b) and 4-363.4 and modify.) Certification will be valid for a period of four years …

(Relocate second to last paragraph of 4-333.1 to Section 4-360.3 and modify.) DSA may charge an examination fee …

(Relocate last paragraph of 4-333.1 to Sections 4-364(d), 4-365(b) and 4-366 and modify.) An applicant for either the certification or recertification examination ...

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17311 and 81143.

**…**

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

* 1. **General.** Structural tests and special inspections are required as set forth in these regulations and Part 2 of Title 24, C.C.R.

Whenever there is insufficient evidence of compliance with any of the provisions of Title 24, C.C.R., or evidence that any material or construction does not conform to the requirements of Title 24, C.C.R., DSA may require tests/inspections as proof of compliance to be made at no expense to DSA.

Test/inspection methods shall be as specified by Title 24, C.C.R. and by applicable referenced standards, as listed in Chapter 35 of Part 2 of Title 24, C.C.R. If there are no recognized and accepted test/inspection methods, the responsible architect or structural engineer shall submit written alternate test/inspection procedures for review and acceptance by DSA.

The school board shall, with the advice of the architect or registered engineer in general responsible charge, select the laboratory of record, acceptable to DSA in accordance with Sections 4-335.1 and 4-372, to conduct all required tests for the project, and special inspections that are contracted to the laboratory of record. The laboratory of record shall be directly employed by the school board and not be in the employ of any other agency or individual.

All tests shall be made by a laboratory acceptable to DSA, as described in Sections 4-335.1 and 4-372. Where job conditions warrant, the architect or registered engineer in general responsible charge may waive certain tests with the approval of DSA. The responsible architect or structural engineer shall prepare a statement of structural tests and special inspections, obtain DSA approval and provide a copy of the approved statement of structural tests and special inspections to the laboratory of record and the project inspector prior to the start of construction. …

**…**

1. **Special inspection.** A special inspector shall possess a high school diploma or GED equivalent ~~not be less than 25 years of age~~, shall have had at least three years of experience in construction work or special inspection work on one or more projects similar to the project for which the inspector is applying, shall have a thorough knowledge of the building materials of his or her specialty and shall be able to read and interpret plans and specifications. …
2. **Inspection reporting requirements:**
3. **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 workmanshipfound 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, and the contractor ~~and the project inspector~~. …

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17309 and 81141.

**…**

(Portions of Section 4-335.1 have been relocated to new Article 11 and modified. Specific relocations for various subsections are identified below.)4-335.1. DSA Laboratory of Record ~~Evaluation and Acceptance program~~.

1. **General.** Only laboratories who hold a valid laboratory acceptance letter issued by the DSA Laboratory Evaluation and Acceptance (LEA) program in accordance with Section 4-372 are eligible to conduct special inspection and/or material testing services on public school and community college construction projects. (Relocated to Section 4-370 and modified.) Laboratories conducting any special inspection, testing, …

(Relocated to Section 4-372.4 and modified.) A letter of acceptance by DSA …

(Relocated to Section 4-372.1 and modified.) (b) To qualify for acceptance …

(Relocated to Section 4-371 and modified.) 1. **Qualification criteria.** The laboratory shall obtain and maintain …

1. ~~2.~~**Laboratory structure.** (Relocated portions shown stricken here to Sections 4-372.2 and 4-374(i) and modified.) ~~Each laboratory facility shall employ a full-time engineering manager who is a State of California registered civil engineer. The engineering manager shall possess a minimum of 5 years of relevant experience in the inspection and testing industry and hold a management position in the company.~~ All testing and special inspection services shall be performed under the engineering manager’s general supervision. ~~The engineering manager shall be responsible for ensuring that all technicians and special inspectors employed by the laboratory are appropriately trained, qualified and certified in their area of expertise.~~ ~~The engineering manager may not be employed by any other DSA accepted laboratory that provides special inspection or testing services on DSA regulated projects.~~ Administration and business practices of the laboratory shall comply with all relevant California State and Federal laws.
2. ~~3.~~**Supervision.** Supervision by the laboratory’s engineering manager shall include but is not limited to the following tasks:
	* 1. Providing oversight and responsible control of all field and laboratory testing services, special inspection services and associated report documents.
		2. Verifying that technicians and special inspectors meet all employment requirements and possess the training, education and/or certifications necessary to perform the duties assigned.
		3. Verifying that qualified technicians and special inspectors conduct the required laboratory and field-related services in strict accordance with DSA approved documents and applicable standards.
		4. On-site monitoring of the special inspection activities to assure that the qualified special inspector is performing his or her duties as required. Frequency of the visits shall be determined by the engineering manager, who shall consider the size and complexity of the project.
		5. Verifying that special inspectors properly document their activities, and that reports and logs are prepared and distributed in accordance with these regulations.
3. ~~4.~~**Limitation of duties.** LEA laboratory activities are specifically limited to those tests/special inspections for which the laboratory has been accepted ~~approved~~ and for which it has satisfied the requirements set forth in these regulations. No laboratory shall conduct any test or special inspections for which the laboratory is not qualified or accepted ~~approved~~ by DSA to perform. The laboratory of record may subcontract tests/special inspections for which it is not accepted ~~approved~~ to another LEA accepted laboratory possessing that acceptance ~~approval~~.
4. ~~5.~~**Equipment and tools.** A DSA accepted laboratory shall have adequate facilities, equipment, personnel expertise and technical references to permit the performance of testing and special inspections in compliance with applicable national standards and regulations. The laboratory shall possess and maintain all tools and equipment required to perform the specific tests and special inspections for which it is approved. Such tools and equipment shall be maintained and calibrated periodically in accordance with applicable nationally accepted standards.
5. ~~6.~~**Documentation.** A laboratory shall maintain records of all tests and special inspections on a job-by-job basis for at least six (6) years, and shall make such records available to the school board, design professional in responsible charge and DSA upon request. Such records shall include all laboratory test reports, special inspection reports, noted deficiencies and dates of resolution of such deficiencies, verified reports, photographs, and such other information as may be appropriate to establish the sufficiency of the testing/special inspection program.

The laboratory’s engineering manager shall review test and special inspection reports and progress reports for conformance of inspected work with the approved plans, specifications and workmanship provisions of the California Building Code (CBC) and referenced standards. Such supervision and control shall be evidenced by the engineering manager’s signature and seal on the verified reports required by these regulations.

1. ~~7.~~**Obligation to avoid conflict of interest.** Laboratories shall not engage in any activities that may conflict with their objective judgment and integrity, including but not limited to having a financial and/or other interest in the construction, installation, manufacture or maintenance of structures or components that they inspect, test, verify, or certify.
2. ~~8.~~**Evaluations.** The qualifications and capabilities of testing laboratories statewide are subject to evaluation by DSA LEA program personnel. Evaluations occur upon application for initial acceptance, application for renewal, a change in responsible engineering manager, laboratory location, supervisory personnel, and company name and/or services. Evaluations may include but are not limited to a review of the application submittal, consultation with the engineering manager as well as an on-site examination/evaluation of the quality system, equipment, personnel and records.

(Relocated to Section 4-372.5 and modified.) 9. **Audits.** The operations …

1. **Obligation to cooperate with inquiries.** All accepted laboratories shall cooperate in any investigation by DSA into the activities at any school project site or fabricating/manufacturing facility for which they have provided special inspection and/or testing services and shall provide prompt, accurate and complete responses to reasonable inquiries by DSA and other appropriate individuals or agencies.

(Relocated to Section 4-372.4 [for the first sentence] and 4-374 [for the remaining] and modified.) (c) **Duration of LEA laboratory acceptance.** Acceptance will remain valid for a period of four years …

(Relocated to Section 4-370.1 and modified.) (d) **Fees for testing laboratory evaluation.** DSA may charge a fee …

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17309 and 81141.

**…**

### ITEM 7Chapter 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

**4-342. Duties of the project inspector.**

* 1. **General. …**
	2. **Duties.** The general duties of the project inspector in fulfilling his or her responsibilities are as follows:

**…**

1. **Notifications to DSA.** The project inspectors shall notify DSA at the following times:
	1. When construction work on the project is started, or restarted if previously suspended per Item ~~D~~E below.
	2. At least 48 hours in advance of the time when foundation trenches will be complete, ready for footing forms.
	3. At least 48 hours in advance of the first placement of foundation concrete and first grout placement for masonry construction and, when requested by the enforcement agency, 24 hours in advance of any subsequent and significant concrete placement, or grout placement for masonry construction.
2. At least 48 hours in advance of the time when structural steel erection will commence.
3. ~~D.~~ When all work on the project is suspended for a period of more than one month.
4. ~~E.~~ By email at least 48 hours prior to scheduled work covering up uncorrected deviations.

**…**

1. **Performance of duties.** The inspector shall perform all duties and render all services with honesty.Inspectors who fail to carry out their duties in an ethical manner or who engage in illegal activities may be subject to adverse~~disciplinary~~ action as defined in Section 4-366~~42(d)~~.

(Relocated to Section 4-365 and modified.) (c) **Violations.** Failure, refusal or neglect on the part of an inspector to notify the contractor …

(Relocated to Section 4-365(a) and modified.) 1. The inspector has failed to fulfill any of the relevant requirements ...

(Relocated to Section 4-365(c) and modified.) 2. The inspector has been convicted of a crime ...

(Relocated to Section 4-366 and modified.) (d) **Disciplinary actions.** Failure to satisfactorily perform inspector duties ...

(Relocated to Section 4-366(b)1 and modified.) (e) **Notice of disciplinary actions.** Notice of disciplinary action ...

(Relocated to Section 4-368 and modified.) (f) **Criteria for reinstatement.** When considering reversal of any disciplinary action …

(Relocated to Section 4-367 and modified.) (g) **Filing an appeal.** …

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17309, 17311, 81141 and 81143.

### 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 8: DOCUMENTS AND RECORDS, and Article 9: RESERVED

**~~4-350. Records.~~** ~~The records retained by DSA pertaining to the supervision of the construction of school buildings by DSA are public documents and are open to inspection during office hours. Documents shall not be taken from the custody of DSA except as required by law.~~

~~Examination reports prepared under the provisions of Sections 17313 and 81162 of the Act (See Section 4-345) are considered to be the property of the school board. Inquiries regarding examination reports shall be referred to the school board concerned.~~

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

**~~Reference:~~** ~~Education Code Sections 17295, 17315, 81133 and 81147; and Health and Safety Code Sections 19850 through 19853.~~

**~~4-351. Location of records~~**~~. A file of school building plans, specifications and documents for currently active school projects in each of four regions of the state is maintained in the respective DSA regional office: Oakland (Region 1), Sacramento (Region II), Los Angeles (Region III) and San Diego (Region IV). Completed or certified project records including plans and specifications are stored in the State Records Center in Sacramento or in electronic format at the regional offices.~~

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

~~Reference: Education Code Sections 17295, 17299, 17309, 81133, 81135 and 81141.~~

**4-350~~352~~. Submission of documents.**

* + 1. **Application.** …
		2. **Construction documents.** …

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17295, 17299, 17309, 81133, ~~81135~~81141

**ARTICLE 9**

**RESERVED**

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17295, 17299, 17309, 81133, 81141

### ITEM 9Chapter 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

**ARTICLE 10**

**INSPECTOR CERTIFICATION**

(First sentence from 4-333.1 relocated and modified as shown.) **4-360~~33.1~~. ~~Project i~~Inspector certification.** Only a Project Inspector who holds valid certification issued by DSA will be approved for inspection services on a public school or community college construction project. Special inspections of masonry, shotcrete, structural glued-laminated and cross-laminated timber construction on public school and community college construction projects shall be performed only by a DSA Certified Special Inspector.~~To become a DSA certified project inspector, an applicant must qualify for and successfully complete a written examination administered by DSA.~~

**4-360.1. Project Inspector classifications.** (Relocated from 4-333.1 and modified as shown.) A Project Inspector is certified in one of four distinct classifications. Each classification has the following limitations specific to the project for which the Project Inspector is hired by the local educational agency:

1. ~~1.~~ A Class 1 ~~certified~~Project ~~i~~Inspector is qualified ~~may be approved~~to inspect any construction project.
2. ~~2.~~ A Class 2 ~~certified~~Project ~~i~~Inspector is qualified ~~may be approved~~to inspect any construction project, except a project containing the construction of one or more new structures or additions with a primary lateral force resisting system of steel, masonry, or concrete.
3. ~~3.~~ A Class 3 ~~certified~~Project ~~i~~Inspector is qualified ~~may be approved~~to inspect construction projects containing alterations to ~~approved~~ buildings, site placement of relocatable buildings and construction of minor structures.
4. ~~4. Though an examination is no longer offered for Class 4, a~~A Class 4 ~~certified~~Project ~~i~~Inspector is qualified~~may be approved~~ to inspect construction projects containing site placement of relocatable buildings and associated site work. A Class 4 Project Inspector certification examination is no longer offered; however, a Class 4 Project Inspector with valid certification remains eligible to renew certification in the classification according to Section 4-363.4 and is subject to the requirements of Article 10 of this chapter, as applicable.
5. An Assistant Inspector is a certified Project Inspector and approved by DSA to assist a Class 1 or Class 2 Project Inspector. In performance of their duties in the role, an Assistant Inspector is subject to the requirements of Article 10 in this chapter, as applicable.

**4-360.2. DSA Certified Special Inspector classifications.** A DSA Certified Special Inspector is certified in one or more of the following categories to inspect construction that contains:

1. Masonry.
2. Shotcrete.
3. Structural glued-laminated and cross-laminated timber.

**4-360.3. Fees.**  (Relocated second to last paragraph from 4-333.1 to here and modified as shown.) Fees are required for Project Inspector and DSA Certified Special Inspector certification. These fees are nonrefundable and shall not exceed the following:~~DSA may charge an examination fee and training fee to recover reasonable costs.~~

1. Project Inspector Certification Fees:
	1. Application Fee. Fee is due at application submittal and is assessed each time an application is submitted. Fee is determined by eligibility category:
		1. $175.00 for California licensed architects and registered engineers.
		2. $225.00 for all other applicants.
	2. Training Fee. Fee is due at training registration and is required for all applicants at initial certification.
		1. $500.00 Project Inspector Overview Training Fee.
		2. Acceptance Testing Training is required for initial certification. A fee for the training, if required, is paid by the candidate directly to the independent provider.
	3. Examination Fee. Fee is due at registration for the examination and is charged each time the candidate registers for the examination:
		1. $200.00 Structural Plan Review.
		2. $100.00 Architectural Plan Review.
		3. $100.00 Mechanical, Electrical and Plumbing Plan Review.
		4. $250.00 Structural Codes and Standards.
		5. $100.00 Architectural Codes and Standards.
		6. $150.00 Mechanical, Electrical and Plumbing Codes and Standards.
		7. $100.00 Administrative Codes and Standards.
	4. $400.00 Project Inspector Certification Renewal Examination Fee, charged each time the candidate registers for the examination.
	5. $200.00 Project Inspector Certification Extension Fee.
2. DSA Special Inspector Certification and Renewal Fees:
	1. $100.00 Masonry Special Inspector Application Fee for processing the application. The examination fee, if required, is paid by the candidate directly to the independent provider.
	2. $475.00 Shotcrete Special Inspector Application Fee for processing the application. The examination fee, if required, is paid by the candidate directly to the independent provider.
	3. $490.00 Structural Glued and Cross-laminated Timber Examination Fee.

**4-361. Project Inspector examination eligibility criteria.** (Relocated from 4-333.1 and modified as shown.) To ~~qualify for an~~be eligible for a Project Inspector examination in the respective classification, an applicant shall possess a high school diploma or GED equivalent~~,~~ and shall meet the following minimum qualifications indicated in the Project Inspector~~for the~~ classification. Alternative qualifications consistent with those noted herein may be considered by DSA. ~~Possession of a~~A valid California license~~registration~~ as a civil engineer, ~~or~~ structural engineer, ~~or a valid California license as an~~architect, and one year documented~~qualifying~~ experience post licensure in the construction observation of buildings or structures ~~as a civil or structural engineer or architect~~ will qualify an applicant as a candidate for any Project Inspector classification examination.

**4-361.1.** **Class 1 Project Inspector minimum qualifications.** (Relocated from 4-333.1(a) and modified as shown.) A candidate for the Class 1 Project Inspector examination shall demonstrate the minimum qualifications specified in one of five categories.

~~(a) For Class 1 inspector exam, one of the following:~~

**4-361.1.1.** **Category one.** (Relocated from 4-333.1(a)1 and modified as shown.)

* 1. ~~1.~~ Four years of demonstrable experience in construction of ~~as a nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building~~ (Relocate remainder of sentence to new item 2 below and modify as shown) ~~code-enforcement inspection, with a valid certification as a commercial combination building inspector by a state- or nationally-recognized organization, as accepted by DSA, on:~~

~~A.~~ new buildings or additions to buildings on minimum DSA Class 2 public school or community college ~~construction~~ projects ~~subject to the requirements of Education Code Section 17280 or 81130 consistent with the DSA Class 1 or 2 project classification and these regulations; and/~~, or

~~B. construction of new~~ hospital projects, ~~buildings as defined by Health and Safety Code Section 129725;~~ or~~,~~

~~C.~~ building projects of Type I or II construction in any of the following capacities:~~.~~ (Relocate the exception to new item (b) below and modify as shown)

**~~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 degree in architecture, engineering, building inspection and/or construction may be substituted for six months of required experience.~~

1. (Relocated from 4-333.1(a)2 and modified as shown.) ~~2. Four years of qualifying experience a~~As ~~the~~ lead project ~~construction~~ superintendent. ~~on:~~
	* + 1. ~~new building public school construction projects subject to the requirements of Education Code Section 17280 or 81130 consistent with the DSA Class 1 or 2 project classification and these regulations; and/or,~~
			2. ~~construction of new hospital buildings as defined by Health and Safety Code Section 129725; or,~~
			3. ~~building projects of Type I or II construction.~~

(Relocate the exception to new item (b) below and modify as shown) **~~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 degree in architecture, engineering, building inspection and/or construction may be substituted for six months of required experience.~~

1. (Relocated from 4-333.1(a)1 and modified as shown.) ~~Four years of experience~~ A~~a~~s a ~~nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building~~ code-enforcement entity’s representative performing construction inspection, with ~~a~~ valid certification from any of the following:
2. Class A Hospital Inspector certified by the Office of Statewide Hospital Planning and Development (OSHPD).
3. ~~as a c~~Commercial ~~c~~Combination ~~building i~~Inspector certified by the International Code Council (ICC).
4. Div II (Building) Registered Construction Inspector certified by the American Construction Inspectors Association (ACIA).
5. Equivalent certification issued by a state or national~~ly recognized~~ organization~~, as~~ accepted by DSA.~~, on:~~
	1. Exception relocated from 4-333.1(a)1 and 4-333.1(a)2 and modified as shown The following may be substituted for the requisite experience indicated in 4-361.1.1(a):**~~Exception:~~**
6. ~~Possession of a~~A valid California license~~registration~~ as a mechanical or electrical engineer responsible for the design and/or construction of respective building systems ~~may be~~ substitutes~~d~~ for two years of ~~required~~ experience.
7. ~~Possession of a baccalaureate~~A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ for one year of ~~required~~ experience.
8. ~~Possession of a~~An associate’s degree with major work in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ for six months of ~~required~~ experience.

(Relocated from 4-333.1(a)3 and modified as shown.) **4-361.1.2.** **Category two.** Valid certification as a Class 2 Project Inspector and ~~3. T~~two years of ~~qualifying~~demonstrable experience as ~~a~~the DSA ~~certified~~ Class 2 ~~p~~Project ~~i~~Inspector on public school or community college construction ~~Class 2~~ projects consistent with the classification as specified in Section 4-360.1.

**4-361.1.3. Category three.**

1. (Relocated from 4-333.1(a)4 and modified as shown.) ~~4. Possession of~~Valid certification as a ~~DSA~~ Class 2 ~~p~~Project ~~i~~Inspector with one year ~~minimum qualifying~~demonstrable experience as ~~a~~the DSA Class 2 ~~p~~Project ~~i~~Inspector on ~~Class 2~~public school or community college construction projects consistent with the classification as specified in Section 4-360.1, and ~~any combination of~~ three years of ~~qualifying~~demonstrable experience on commercial construction projects consistent with minimum ~~the~~ DSA Class ~~1 or~~ 2 ~~project~~ classification as specified in Section 4-360.1, in any of the following capacities:
	* + 1. ~~A.~~ As an ~~a~~Assistant ~~project i~~Inspector as defined in Section 4-333(d).~~; or~~
			2. ~~C.~~ As~~a~~ lead project ~~construction~~ superintendent ~~or construction experience as a journeyman or equivalent limited to working in the carpentry, steel, concrete or masonry trades~~.
			3. ~~B.~~ As a ~~nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building~~ code-enforcement entity’s representative performing construction inspection, ~~(~~with ~~a~~ valid certification from any of the following:
				1. Class A Hospital Inspector certified by OSHPD.
				2. ~~as a c~~Commercial ~~c~~Combination ~~building i~~Inspector certified by ICC.
				3. Div II (Building) Registered Construction Inspector certified by ACIA.
				4. Equivalent certification issued by a state or national~~ly recognized~~ organization~~, as~~ accepted by DSA.~~); or~~
2. The following may be substituted for the requisite experience indicated in 4-361.1.3(a):**~~Exception:~~** ~~The substitutions listed below may be applied to A, B or C above up to a maximum of one year.~~
3. ~~ii. Journeyman or equivalent~~Demonstrable experience as a journeyman level tradesman ~~(limited to~~ working in the carpentry, steel, concrete, or masonry trades~~)~~ on commercial projects of any type of construction. Experience is applied in monthly increments to a maximum of one year.
4. ~~i.~~ Valid certification as a ~~S~~special inspector ~~experience (limited to inspecting steel, concrete, mass timber, or masonry construction with a valid certification from~~issued by ICC, American Welding Society (AWS), American Concrete Institute (ACI), or a state or national~~ly recognized~~ organization~~, as~~ accepted by DSA~~)~~, with demonstrable experience inspecting steel, concrete, mass timber, or masonry construction on commercial projects of any type of construction. Experience applied in monthly increments to a maximum of one year.

**4-361.1.4. Category four.**

1. (Relocated from 4-333.1(a)5. and modified as shown.) ~~5. Possession of~~Valid certification as a ~~DSA~~ Class 3 ~~p~~Project ~~i~~Inspector and~~with~~ three years ~~minimum qualifying~~of demonstrable experience as ~~a~~the DSA Class 3 ~~p~~Project ~~i~~Inspector on ~~Class 3~~public school or community college construction projects consistent with the classification as specified in Section 4-360.1, and ~~any combination of~~ three years of ~~qualifying~~demonstrable experience on commercial construction projects consistent with minimum~~the~~ DSA Class ~~1 or~~ 2 ~~project~~ classification as specified in Section 4-360.1, in any of the following capacities:
2. ~~A.~~ As an ~~a~~Assistant ~~project i~~Inspector as defined in Section 4-333(d).~~; or~~
3. ~~C.~~ As~~a~~ lead project ~~construction~~ superintendent ~~or construction experience as a journeyman or equivalent limited to working in the carpentry, steel, concrete or masonry trades~~.
4. ~~B.~~ As a ~~nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building~~ code-enforcement entity’s representative performing construction inspection, ~~(~~with ~~a~~ valid certification from any of the following:
5. Class A Hospital Inspector certified by OSHPD.
6. ~~as a c~~Commercial ~~c~~Combination ~~building i~~Inspector certified by ICC.
7. Div II (Building) Registered Construction Inspector certified by ACIA.
8. Equivalent certification issued by a state or national~~ly recognized~~ organization~~, as~~ accepted by DSA.~~); or~~
9. The following may be substituted for the requisite experience indicated in 4-361.1.4(a): **~~Exception:~~** ~~The substitutions listed below may be applied to A, B or C above up to a maximum of one year.~~
	1. ~~ii. Journeyman or equivalent~~Demonstrable experience as a journeyman level tradesman ~~(limited to~~ working in the carpentry, steel, concrete, or masonry trades~~)~~ on commercial projects of any type of construction. Experience is applied in monthly increments to a maximum of one year.
	2. ~~i.~~ Valid certification as a ~~S~~special inspector ~~experience (limited to inspecting steel, concrete, mass timber, or masonry construction with a valid certification from~~ issued by ICC, AWS, ACI, or a state or national~~ly recognized~~ organization~~, as~~ accepted by DSA~~)~~, with demonstrable experience inspecting steel, concrete, mass timber, or masonry construction on commercial projects of any type of construction. Experience applied in monthly increments to a maximum of one year.

**4-361.1.5. Category five.** (Relocated from 4-333.1(a)6 and modified as shown.) ~~6. Possession of~~Valid certification as a ~~DSA~~ Class 3 ~~p~~Project ~~i~~Inspector with one year ~~minimum qualifying~~demonstrable experience as ~~a~~the DSA Class 3 ~~p~~Project ~~i~~Inspector on ~~Class 3~~public school or community college construction projects consistent with the classification as specified in Section 4-360.1; and ten years of ~~relevant~~demonstrable construction experience, ~~including~~of which four years shall be as a journeyman ~~or equivalent experience~~ level~~,~~ tradesman ~~limited to~~ working in the carpentry, steel, concrete, or masonry trades on commercial construction projects consistent with minimum~~the~~ DSA Class ~~1 or~~ 2 ~~project~~ classification as specified in Section 4-360.1. The following may substitute for the required experience:**~~Exception:~~**

1. ~~Possession of a baccalaureate~~A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ for ~~the required~~ journeyman level tradesman~~or equivalent~~ experience.
2. ~~Possession of a~~An associate’s degree with major work in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ for two years of ~~required~~ journeyman level tradesman ~~or equivalent~~experience.
3. ~~Completed c~~Coursework from an accredited college or university in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ ~~on a month-for-month basis up to a maximum of one year of required~~ for the journeyman level tradesman ~~or equivalent~~ experience. Each completed course is applied a six-week time credit, to a maximum of one year experience.

**4-361.2.** **Class 2 Project Inspector minimum qualifications.**(Relocated from 4-333.1(b) and modified as shown.) A candidate for the Class 2 Project Inspector examination shall demonstrate the minimum qualifications specified in one of five categories.

~~(b) For Class 2 inspector exam, one of the following:~~

**4-361.2.1.** **Category one.**

1. (Relocated from 4-333.1(b)1 and modified as shown.) ~~1.~~ Three years of demonstrable experience in construction of ~~as a nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building~~ (Relocate remainder of sentence to new item 2 below and modify as shown) ~~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 five years of experience in the same role with a valid certification as a commercial building inspector or residential combination building inspector by a state or nationally recognized organization, as accepted by DSA on:~~

~~A.~~ new buildings or additions to buildings on minimum DSA Class 2 public school or community college ~~construction~~ projects ~~subject to the requirements of Education Code Sections 17280 or 81130 consistent with the DSA Class 1 or 2 project classification and these regulations; and/~~, or

~~B. construction of new~~ hospital projects, ~~buildings as defined by Section 129725 of the Health and Safety Code;~~ or~~,~~

~~C.~~ building projects of Type I, II, III or IV construction in any of the following capacities:~~.~~ (Relocate the exception to new item (b) below and modify as shown) **~~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 degree in architecture, engineering, building inspection and/or construction may be substituted for six months of required experience.~~

1. (Relocated from 4-333.1(b)2 and modified as shown.) ~~2. Three years of qualifying experience a~~As ~~the~~ lead project ~~construction~~ superintendent. ~~on:~~
	* + 1. ~~new building public school construction projects subject to the requirements of Education Code Sections 17280 or 81130, and these regulations; and/or~~
			2. ~~construction of new hospital buildings as defined by Section 129725 of the Health and Safety Code; or~~
			3. ~~building projects of Type I, II, III, or IV construction; or~~
			4. ~~building construction consistent with the DSA Class 1 or 2 project classification; or,~~

(Relocate the exception to new item (b) below and modify as shown) **~~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. (Relocated from 4-333.1(b)1 and modified as shown.) A~~a~~s a ~~nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building~~ code-enforcement entity’s representative performing construction inspection, with ~~a~~ valid certification from any of the following:
2. Class A Hospital Inspector certified by OSHPD.
3. ~~as a~~ ~~c~~Commercial ~~c~~Combination ~~building i~~Inspector certified by ICC.~~, or~~
	1. ~~or f~~Five years of experience in the same role ~~with a valid certification~~ as a ~~c~~Commercial ~~b~~Building ~~i~~Inspector or ~~r~~Residential ~~c~~Combination ~~b~~Building ~~i~~Inspector ~~by a state or nationally recognized organization, as accepted by DSA on:~~ certified by ICC may substitute for the requisite experience indicated in 4-361.2(a)2.
4. Div II (Building) Registered Construction Inspector certified by ACIA.
5. Equivalent certification issued by a state or national~~ly recognized~~ organization~~, as~~ accepted by DSA.~~on:~~
6. Exception relocated from 4-333.1(b)1 and 4-333.1(b)2 and modified as shown The following may be substituted for the requisite experience indicated in 4-361.2.1(a):**~~Exception:~~**
7. ~~Possession of a~~A valid California license~~registration~~ as a mechanical or electrical engineer responsible for the design and/or construction of respective building systems~~, may be~~ substitutes~~d~~ for two years of ~~required~~ experience.
8. ~~Possession of a baccalaureate~~A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ for one year of ~~required~~ experience.
9. ~~Possession of a~~An associate’s degree with major work in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ for six months of ~~required~~ experience.

**4-361.2.2. Category two.** (Relocated from 4-333.1(b)3 and modified as shown.) Valid certification as a Class 3 Project Inspector and ~~3. T~~two years of ~~qualifying~~demonstrable experience as ~~a~~the DSA ~~certified~~ Class 3 ~~p~~Project ~~i~~Inspector on ~~Class 3~~public school or community college construction projects consistent with the classification as specified in Section 4-360.1.

**4-361.2.3. Category three.**

* 1. (Relocated from 4-333.1(b)4 and modified as shown.)~~4. Possession of~~Valid certification as a ~~DSA~~ Class 3 ~~p~~Project ~~i~~Inspector with one year ~~minimum qualifying~~demonstrable experience as ~~a~~the DSA Class 3 ~~p~~Project ~~i~~Inspector on ~~Class 3~~public school or community college construction projects consistent with the classification as specified in Section 4-360.1, and ~~any combination of~~ two years of ~~qualifying~~demonstrable experience on commercial construction projects consistent with minimum ~~the DSA~~ Class ~~1 or~~ 2 ~~project~~ classification as specified in Section 4-360.1, in any of the following capacities:
1. ~~A.~~ As an ~~a~~Assistant ~~project~~ iInspector as defined in Section 4-333(d).~~; or~~
2. ~~C.~~ As~~a~~ lead project ~~construction~~ superintendent ~~or construction experience as a journeyman or equivalent limited to working in the carpentry, steel, concrete or masonry trades~~.
3. ~~B.~~ As a ~~nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building~~ code-enforcement entity’s representative performing construction inspection, ~~(~~with ~~a~~ valid certification from any of the following:
	1. Class A Hospital Inspector certified by OSHPD.
	2. ~~as a c~~Commercial ~~b~~Building or ~~r~~Residential ~~c~~Combination ~~i~~Inspector certified by ICC.
	3. Div II (Building) Registered Construction ~~i~~Inspector certified by ACIA.
	4. Equivalent certification issued by a state or national~~ly recognized~~ organization~~, as~~ accepted by DSA.~~); or~~
4. **~~Exception:~~** ~~The substitutions listed below may be applied to A, B or C above up to a maximum of one year.~~The following may be substituted for the requisite experience indicated in 4-361.2.3(a):
	* + 1. ~~ii.~~Demonstrable ~~journeyman or equivalent~~experience as a journeyman level tradesman ~~(limited to~~ working in the carpentry, steel, concrete, or masonry trades~~)~~ on commercial projects of any type of construction. Experience is applied in monthly increments to a maximum of one year.
			2. ~~i.~~Valid certification as a ~~S~~special inspector ~~experience~~issued by ICC, AWS, ACI, or a state or national organization accepted by DSA, with demonstrable experience ~~(limited to~~ inspecting steel, concrete, mass timber, or masonry construction ~~with a valid certification from a state or nationally recognized organization, as accepted by DSA)~~on commercial projects of any type of construction. Experience applied in monthly increments to a maximum of one year.

**4-361.2.4. Category four.** (Relocated from 4-333.1(b)5 and modified as shown.) ~~5.~~ Eight years of ~~relevant~~demonstrable construction experience, ~~including~~of which three years shall be as a journeyman ~~or equivalent,~~level tradesman ~~limited to~~working in the carpentry, steel, concrete, or masonry trades on commercial construction projects consistent with the minimum DSA Class ~~1 or~~ 2 ~~project~~ classification as specified in Section 4-360.1. The following may substitute for the required experience:**~~Exception:~~**

1. ~~Possession of a baccalaureate~~A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ for ~~the required~~journeyman level tradesman~~or equivalent~~ experience.
2. ~~Possession of a~~An associate’s degree with major work in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ for two years of ~~required~~ journeyman level tradesman ~~or equivalent~~ experience.
3. ~~Completed c~~Coursework from an accredited college or university in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ ~~on a month-for-month basis up to a maximum of one year of required~~ for the journeyman level tradesman~~or equivalent~~ experience. Each completed course is applied a six-week time credit, to a maximum of one year experience.

**4-361.2.5. Category five.** (Relocated from 4-333.1(b)6 and modified as shown.) ~~6. Possession of at least t~~Two valid ~~special inspector~~ certifications as a special inspector in steel, concrete, mass timber, or masonry construction issued by ICC, AWS, ACI or a state or national organization accepted by DSA, and eight years of ~~special inspector~~ experience as a special inspector ~~(~~inspecting steel, concrete, mass timber, or masonry construction~~)~~ on commercial projects of any type of construction. ~~No more than~~A maximum of three years of ~~a single type (related to steel, concrete, mass timber, or masonry) of special inspection~~ experience for each type of construction can be used to qualify.

**4-361.2.6. Conditional examination eligibility.** (Relocated from 4-333.1(b) and modified as shown.) **~~Exception:~~** ~~DSA may allow an applicant lacking years of experience, up to a maximum of one year, in the minimum qualifications options below to sit for the Class 2 examination. However, upon successful completion of the exam, the applicant shall not be granted certification until all requirements for one of the minimum qualifications options are completely satisfied. The applicant must obtain their last year of required experience within three calendar years of the administration date of the examination passed.~~A candidate who is within one year of meeting the minimum qualifications specified in one of the five Class 2 categories may test for the Class 2 Project Inspector examination, upon approval by DSA. Certification will be withheld until the candidate demonstrates completion of the minimum qualifications specified in one of the five categories within three years of the date of passing the examination.

**4-361.3.** **Class 3 Project Inspector minimum qualifications.** (Relocated from 4-333.1(c) and modified as shown.) A candidate for the Class 3 Project Inspector examination shall demonstrate the minimum qualifications specified in one of six categories.

~~(c) For the Class 3 inspector exam, one of the following:~~

**4-361.3.1. Category one.** (Relocated from 4-333.1(c)1 and modified as shown.)

1. ~~1.~~ Two years of demonstrable experience ~~as an architect’s, engineer’s, owner’s, or local building official’s representative in building code-enforcement inspection of~~ on building construction or construction consistent with ~~the~~ minimum DSA Class ~~1, 2 or~~ 3 ~~project~~ classification as specified in Section 4-360.1 in any of the following capacities: (Relocate remainder of sentence to new item 2 below and modify as shown) ~~with a valid certification as a residential combination or commercial building inspector by a state- or nationally-recognized organization, as accepted by DSA.~~ (Relocate the exception to new item (b) below and modify as shown) **~~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 degree in architecture, engineering, building inspection and/or construction may be substituted for six months of required experience.~~
2. (Relocated from 4-333.1(c)3 and modified as shown.)~~3. Two years of qualifying experience a~~As ~~the~~ lead project ~~construction~~ superintendent ~~working on building projects or projects consistent with the DSA Class 1, 2 or 3 project classification~~.

(Relocate the exception to new item (b) items 1-3 below and modify as shown) **~~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 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.~~

1. (Relocated from 4-333.1(c)1 and modified as shown.) A~~a~~s a~~n architect’s, engineer’s, owner’s, or local building official’s representative in building~~ code-enforcement entity’s representative performing construction inspection, with ~~a~~ valid certification ~~as a~~ from any of the following:
2. Class A or B Hospital Inspector certified by OSHPD.
3. ~~c~~Commercial ~~b~~Building ~~i~~Inspector or ~~r~~Residential ~~c~~Combination Inspector certified by ICC.
4. Div II (Building) or Div IV (Public Works) Registered Construction Inspector certified by ACIA.
5. Equivalent certification issued by a state or nationall~~y recognized~~ organization~~, as~~ accepted by DSA.
6. The following may be substituted for the requisite experience indicated in 4-361.3.1(a):**~~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 degree in architecture, engineering, building inspection and/or construction may be substituted for six months of required experience.~~

**~~Exception:~~**

1. ~~Possession of a baccalaureate~~A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ for one year of ~~required~~ experience.
2. ~~Possession of a~~An associate’s degree with major work in architecture, engineering, building inspection and/or construction ~~may be~~ substitutes~~d~~ for six months of ~~required~~ experience.
3. ~~Experience may be substituted with completed college c~~Coursework from an accredited college or university in architecture, engineering, building inspection and/or construction ~~on a month-for month basis~~ substitutes for required experience. Each completed course is applied a six-week time credit, for a maximum of six months experience.

**4-361.3.2. Category two.** (Relocated from 4-333.1(c)2 and modified as shown.) ~~2. Possession of a v~~Valid California license~~registration~~ as a mechanical or electrical engineer with~~and~~ one year ~~qualifying~~demonstrable experience in the construction observation of building systems.

**4-361.3.3. Category three.** (Relocated from 4-333.1(c)4 and modified as shown.) Valid certification as a Class 4 Project Inspector with ~~4. T~~two years of ~~qualifying~~demonstrable experience as ~~a~~the DSA ~~certified~~ Class 4 ~~p~~Project ~~i~~Inspector on public school or community college construction projects consistent with the classification as specified in Section 4-360.1.

**4-361.3.4. Category four.**

1. (Relocated from 4-333.1(c)5 and modified as shown.) ~~5. Possession of~~Valid certification as a ~~DSA~~ Class 4 ~~p~~Project ~~i~~Inspector with one year minimum ~~qualifying~~demonstrable experience as ~~a~~the DSA Class 4 ~~p~~Project ~~i~~Inspector on public school and community college construction projects consistent with the classification as specified in Section 4-360.1, and ~~any combination of~~ one year of ~~qualifying~~demonstrable experience on commercial ~~building projects~~ or residential construction projects consistent with ~~the~~minimum DSA Class ~~1, 2 or~~ 3 ~~project~~ classification as specified in Section 4-360.1, in any of the following capacities:
	1. ~~A.~~ As an ~~a~~Assistant ~~project i~~Inspector as defined in Section 4-333(d).~~; or~~
	2. As lead project superintendent.
	3. ~~B.~~ As a ~~nonlicensed or nonregistered architect’s, engineer’s, owner’s, or local building official’s representative in building~~ code-enforcement entity’s representative performing construction inspection, ~~(~~with ~~a~~ valid certification from any of the following:
2. Class A or B Hospital Inspector certified by OSHPD.
3. ~~r~~Residential ~~c~~Combination ~~i~~Inspector or ~~c~~Commercial ~~b~~Building ~~i~~Inspector certified by ICC.
4. Div II (Building) or Div IV (Public Works) Registered Construction Inspector certified by ACIA.
5. Equivalent certification issued by a state or national~~ly recognized~~ organization~~, as~~ accepted by DSA.~~); or~~
	1. ~~D.~~ Demonstrable experience as a journeyman level tradesman ~~or equivalent limited to~~ working in the carpentry, steel, concrete, or masonry trades on commercial projects of any type of construction.
	2. ~~C.~~ Valid certification as a special inspector ~~(inspecting steel, concrete, mass timber, or masonry construction with a valid certification from~~issued by ICC, AWS, ACI, or a state or national~~ly recognized~~ organization~~, as~~ accepted by DSA~~); or~~ with demonstrable experience inspecting steel, concrete, mass timber, or masonry construction on commercial projects of any type of construction.
6. The following may be substituted for the requisite experience indicated in 4-361.3.5(a):**~~Exception:~~** ~~Possession of a baccalaureate or higher, associate 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.~~
	* + 1. An associate’s degree or higher with major work in architecture, engineering, building inspection and/or construction substitutes for one year experience.
			2. Coursework from an accredited college or university in architecture, engineering, building inspection and/or construction substitutes for required experience. Each completed course is applied a six-week time credit, to a maximum of six months experience.

**4-361.3.5. Category five.** (Relocated from 4-333.1(c)6 and modified as shown.) ~~6.~~ Six years of ~~relevant~~demonstrable construction experience, including two years demonstrable experience as a journeyman ~~or equivalent experience~~ level~~,~~ tradesman ~~limited to~~ working in the carpentry, steel, concrete, or masonry trades on commercial or residential ~~building~~construction projects consistent with ~~the~~minimum DSA Class ~~1, 2 or~~ 3 ~~project~~ classification as specified in Section 4-360.1. The following requirements substitute for the required experience:**~~Exception:~~**

1. ~~Two years of journeyman or equivalent experience may be substituted with possession of a baccalaureate or higher.~~A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction substitutes for up to two years journeyman level tradesman experience.
2. ~~One year of journeyman or equivalent experience may be substituted with possession of an associate degree.~~An associate’s degree with major work in architecture, engineering, building inspection and/or construction substitutes for up to one year journeyman level tradesman experience.
3. ~~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.~~Coursework from an accredited college or university in architecture, engineering, building inspection and/or construction substitutes for required experience. Each completed course is applied a six-week time credit, to a maximum of six months experience.

**4-361.3.6. Category six.** (Relocated from 4-333.1(c)7 and modified as shown.) ~~7. Possession of at least t~~Two valid ~~special inspector~~ certifications as a special inspector in steel, concrete, mass timber, or masonry construction issued by ICC, AWS, ACI or a state or national organization accepted by DSA, and four years of ~~special inspector~~ experience as a special inspector ~~(~~inspecting steel, concrete, mass timber, or masonry ~~construction)~~ on commercial projects of any type of construction. ~~No more than two years of a single type (related to steel, concrete, or masonry)~~A maximum of two years of experience for each type of construction ~~special inspection experience~~ can be used to qualify.

**4-361.3.7. Conditional examination eligibility.** (Relocated from 4-333.1.(c) and modified as shown.) **~~Exception:~~**

~~i. DSA may allow an applicant lacking years of experience, up to a maximum of one year, in the minimum qualifications options below to sit for the Class 3 examination. However, upon successful completion of the exam, the applicant shall not be granted certification until all requirements for one of the minimum qualifications options are completely satisfied. The applicant must obtain their last year of required experience within three calendar years of the administration date of the examination passed.~~

~~ii. Possession of a baccalaureate or higher in architecture, engineering, building inspection and/or construction may sit for the Class 3 examination. However, upon successful completion of the exam, the applicant shall not be granted certification until all requirements for one of the minimum qualifications options are completely satisfied. The applicant must obtain their last year of required experience within three calendar years of the administration date of the examination passed.~~ A candidate who is within one year of meeting the minimum qualifications specified in one of the six Class 3 categories or a candidate with a bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction, may test for the Class 3 Project Inspector examination, upon approval by DSA. Certification will be withheld until the candidate demonstrates completion of the minimum qualifications specified in one of the six categories within three years of the date of passing the examination. If three years pass prior to obtaining the experience, DSA may require the candidate to pass an examination covering regulatory changes since the previously passed examination and pay applicable examination fees.

**4-361.4. Assistant Inspectors.** (Relocated from 4-333(d)2 and modified as shown.) ~~2.~~~~All assistant inspectors must be approved by DSA prior to performing any inspection work in accordance with Section 4-341(d).~~Prior to being approved by DSA as an ~~a~~Assistant ~~i~~Inspector for a project, the individual shall satisfy ~~all of~~ the following requirements:

(a) ~~A. Be~~Hold valid certification~~ed~~ as a Class 1, Class 2, Class 3 or Class 4 inspector ~~in accordance with Section 4-333.1~~.

1. ~~Must possess adequate experience for the type of construction that the assistant will be assigned to inspect.~~

(b) ~~C. Document at least~~Have three years of demonstrable construction and/or inspection experience in the type~~s~~ of construction that the ~~a~~Assistant Inspector will be approved to inspect. ~~Experience must be obtained in construction or inspection of buildings similar to the buildings for which the individual is applying.~~

(c) For newly certified inspectors without prior inspection experience on projects under DSA jurisdiction, completion of specified training is required.

**4-362. DSA Certified Special Inspector examination eligibility criteria.** Eligibility criteria for DSA Certified Special Inspector examinations shall be in accordance with this section. To be eligible for a DSA Certified Special Inspector examination an applicant shall possess a high school diploma or GED equivalent, and shall:

1. Demonstrate at least three years of experience in construction or special inspection work in the category for which the candidate is applying for examination.
2. Hold valid certification as a special inspector in concrete, masonry, or mass timber types of construction issued by ICC, ACI or a state or national organization accepted by DSA.

**4-363. Certification requirements.** A candidate for Project Inspector and DSA Certified Special Inspector certification shall meet the requirements of this section to obtain certification.

**4-363.1. Candidate eligibility application.** A candidate for Project Inspector and DSA Certified Special Inspector certification shall submit the applicable candidate eligibility application for approval, and payment of an application fee corresponding to the candidate’s eligibility category.

**4-363.2. Inspector Examination.** (Second and Third sentences from first paragraph of 4-333.1 relocated and modified as shown.) Each Project Inspector classification~~The~~ examination measures the applicant's ability to read and comprehend construction documents associated with performing inspections on projects under DSA jurisdiction consistent with the classification, ~~as well as~~and the construction, inspection and testing requirements of the *California Building Standards Code*. ~~Examinations are given in three classes.~~

Each DSA Certified Special Inspector examination measures the applicant’s knowledge of administrative, documentation and reporting requirements as well as proper verification of relevant construction materials and their fabrication and installation.

A candidate may register for the Project Inspector or DSA Certified Special Inspector examination upon confirmation of eligibility. At each registration for the Project Inspector or DSA Certified Special Inspector examination, a candidate shall submit the examination registration form by the deadline, and payment of the applicable examination fee corresponding to the examination for which the candidate is registering.

**4-363.3. Issuance of certification.** A candidate may request certification as a Project Inspector or DSA Certified Special Inspector upon confirmation that the candidate has passed the classification examination.

* + 1. A request for certification by the candidate is demonstrated by submission of a completed and signed form DSA 650: Disclosure of Social Security Number and/or Federal Taxpayer Identification Number, to DSA.
		2. (Relocate first sentence of third to last paragraph from 4-333.1 to here and modify as shown.) Certification is~~will be~~ valid for a period of four years beginning on the date specified in the letter of certification confirmation~~unless revoked in accordance with Section 4-342(d) or upgraded by achieving certification in a different class~~. Project Inspectors who successfully complete the requirements for a higher classification will have their lower classification superseded by the higher classification, with certification valid for a period of four years beginning on the date specified in the letter of certification confirmation for the higher classification.
		3. A Project Inspector and DSA Certified Special Inspector with valid certification will be added to the DSA Certified Inspectors List published on the DSA website.
		4. Project Inspectors will not be approved for inspection services for projects requiring Title 24 Part 6 Acceptance Testing until the Project Inspector has completed applicable training.
		5. Project Inspectors who have not previously taken the Project Inspector Overview training course are required to successfully complete the course before they will be approved for a project.

**4-363.4. Certification renewal.** (Relocate second sentence of third to last paragraph from 4-333.1 to here and modify as shown.) A Project Inspector or DSA Certified Special Inspector shall renew certification prior to the last day of the certification period to avoid certification expiration. ~~Certification may be renewed by passing a recertification examination and attending DSA training classes that may include applicable continuing education courses acceptable to DSA that are presented by other entities acceptable to DSA.~~

**4-363.4.1.** A request for Project Inspector certification renewal is demonstrated by meeting the following requirements:

* + - 1. Successful completion of specified training.
			2. Payment of the certification examination renewal fee.
			3. Successfully passing the examination associated with renewal.

**4-363.4.2.** A request for DSA Certified Special Inspector certification renewal is demonstrated by meeting the following requirements:

1. Submission of a renewal application.
2. Submission of evidence of valid certification from ICC, when applicable.

**4-363.5. Certification expiration.** If a Project Inspector or DSA Certified Special Inspector fails to satisfy the requirements in Section 4-363.4, the certification is no longer valid.

1. Individuals without valid certification shall not perform inspections on projects under DSA jurisdiction and shall have active project approval withdrawn.
2. Individuals without valid certification issued by DSA will have their name removed from the applicable DSA Certified Inspectors List published on the DSA website.
3. A Project Inspector certification which is not renewed within six months after its expiration in accordance with Section 4-363.6 may not be renewed.

**4-363.6. Project Inspector Certification Extension.** A Project Inspector certification that has expired may be extended, subject to DSA approval, up to six months after expiration provided the individual has no pending cause for action in accordance with Section 4-365. A request for extension can be made up to three months prior to certification expiration or any time during the six-month period after certification expiration.

A Project Inspector must make a request to extend their certification by contacting the DSA Inspector Certification Unit in writing to DSA Headquarters, in addition to payment of the certification extension fee. The request must include the following information: name, business mailing address, business phone number, email address, certification number, certification expiration date and an explanation why the requestor is/was unable to meet recertification requirements of Section 4-363.4 prior to their certification expiration.

Upon confirmation by DSA of successful extension, the Project Inspector must meet the renewal requirements of Section 4-363.4 prior to the expiration of the extension. Only one extension will be granted. Upon completion of renewal requirements, the four-year renewal period is established from the day after the original expiration date of the previous certification period.

DSA Certified Special Inspectors are not eligible for certification extension.

**4-363.7 Requests for certification after expiration.** An individual who fails to renew his/her Project Inspector certification within six months of certification expiration may obtain certification anew in the classification previously held by meeting the requirements commencing with Section 4-363, or in a higher classification by meeting the requirements of Section 4-361, provided there was no pending cause for action under Section 4-365 when the individual’s certification expired.

An individual who fails to renew his/her DSA Certified Special Inspector certification prior to the certification expiration may obtain certification anew in the classification previously held by meeting the requirements commencing with Section 4-363, provided there was no pending cause for action under Section 4-365 when the individual’s certification expired.

**4-364. Professional conduct.** A candidate in the process of certification, and a Project Inspector or DSA Certified Special Inspector with valid certification, shall maintain good standing in accordance with the following:

* + - 1. The designation of DSA Certified Project Inspector or DSA Certified Special Inspector shall only be used by those who hold valid certification.
			2. A Project Inspector or DSA Certified Special Inspector shall conduct themselves in a professional and ethical manner on projects under DSA jurisdiction.
			3. (Relocate fourth to last paragraph of 4-333.1 to here and modify.) ~~An applicant for the certification examination or an inspector possessing a valid certificate issued by DSA, shall file~~A change~~s of name,~~ in contact information to an inspector’s mailing address, email address and~~or~~ telephone number ~~with the DSA headquarters office~~shall be submitted to DSA within 10 business days of such~~that~~ change. ~~The information filed shall include the new and former name, mailing address, email address or telephone number.~~
			4. (Relocate first sentence of last paragraph of 4-333.1 to here.) An applicant for either the certification or recertification examination shall conduct his or herself during the examination in an ethical manner, with honesty and consideration for other examinees, shall not reveal examination contents with anyone during or after the examination (Relocate the following language shown struck out to 4-365 (b) and modify) ~~, shall not falsify documents required for examination entrance~~ and shall comply with published rules of the examination.
			5. A candidate in the process of certification, and a Project Inspector or DSA Certified Special Inspector with valid certification shall not engage in any act that affects good standing, including but not limited to those acts specified in Section 4-365. The candidate or inspector shall immediately report to DSA any act that affects good standing as set forth in Section 4-365.

**4-365. Cause for action.** (Relocated from 4-342(c) and modified as shown.) ~~(c)~~ **~~Violations.~~** ~~Failure, refusal or neglect on the part of an inspector to notify the contractor of any work that does not comply with the requirements of the approved plans and specifications, or failure, refusal or neglect to report immediately, in writing, any such violation to the architect or registered engineer, to the school board and to DSA shall constitute a violation of the Act and shall be cause for DSA to take action that may result in the withdrawal of the inspector’s approval. The State Architect or designee may take appropriate action as described in Section 4-342(d) when any of the following conditions exist:~~ DSA may deny eligibility for certification examination, deny issuance or renewal of certification, withdraw project approval, or suspend or revoke certification for any of the following acts affecting good standing including but not limited to:

1. ~~1. The inspector has f~~Failure~~d~~ to satisfy~~fulfill any of~~ the ~~relevant~~ requirements of Article 5, Article 6, and Article 10 of Group 1 in this chapter~~code~~, and failure to comply with the applicable inspection-related referenced standards on the DSA-approved plans and specifications.
2. (Relocate language as indicated in 4-364(d) and modify): Making a false statement or omitting to state a material fact required to be disclosed in the candidate eligibility application, certification renewal application, or in the reporting requirements on projects under DSA jurisdiction.~~shall not falsify documents required for examination entrance~~
3. ~~2. The inspector has been c~~Conviction~~ed~~ of a crime considered to be substantially related to the qualifications, functions, or duties of a~~n~~ Project ~~i~~Inspector or a DSA Certified Special Inspector~~in a manner consistent with the public health, safety or welfare~~. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Such crimes shall include, but not be limited to, the following:
4. A conviction of child abuse.
5. A conviction as a sex offender.
6. The conviction of any crime involving narcotics, dangerous drugs, or dangerous devices, as defined in section 4022 of the Business and Professions Code.
7. A conviction for assault and/or battery or lewd conduct.
8. The suspension, revocation, or denial of a professional license by a state licensing board or other governmental agency, or by another state or territory of the United States.
9. The appearance of a certification holder on a certified list of persons (obligators) who have not complied with a judgment or court order to provide child support payments, pursuant to Family Code section 17520, and who fails to come into compliance within 150 days of issuance of a written notice of intent to suspend or withhold issuance or renewal of certification. Temporary certification will be offered for a period of 150 days, which, upon expiration, the temporary certification will be invalidated unless DSA has received a release from the local child support agency that submitted the name on the certified list.
10. The appearance of a certification holder on a certified list of persons who have outstanding tax obligations due to the Franchise Tax Board or the State Board of Equalization, pursuant to Business and Professions Code section 494.5, and who fails to come into compliance within 90 days of issuance of a written notice of intent to suspend or withhold issuance or renewal of certification. Temporary certification will be offered for a period of 90 days, which, upon expiration, the temporary certification will be invalidated unless DSA has received a release from the Franchise Tax Board or the State Board of Equalization that submitted the name on the certified list.
11. Acts of dishonesty, fraud, or deceit that is substantially related to the qualifications, functions or duties of a Project Inspector or DSA Certified Special Inspector with the intent to substantially benefit themselves or another, or substantially injure another.
12. Failure to immediately report to DSA information that affects good standing, and/or failure to provide documentation requested/required.

**4-366. Adverse action.** (Relocated from 4-342(d) and (e) and modified as shown.) ~~(d)~~ **~~Disciplinary actions.~~** ~~Failure to satisfactorily perform inspector duties identified in this code may be cause for DSA to take action(s) that include but are not limited to the following:~~

* + - 1. ~~Requiring the inspector to meet with DSA in the regional office for counseling.~~
			2. ~~Requiring the inspector to attend training classes.~~
			3. ~~Withdrawal of the inspector’s approval for the project.~~
			4. ~~Downgrading of the inspector’s class of certification.~~
			5. ~~Suspension of the inspector’s certification.~~
			6. ~~Withdrawal of the inspector’s certification.~~

(Relocate last 2 sentences of last paragraph of 4-333.1 to here and modify as shown.) ~~Noncompliance~~ DSA may ~~result in immediate expulsion~~ expel an applicant from a certification or recertification ~~the~~ examination without passage of any or all parts, require forfeiture of fees, require~~d~~ payment of fines and other costs incurred by DSA in addressing noncompliance, and nonentry to future certification or recertification examinations for any act in violation of Section 4-364, or acts affecting good standing associated with examinations, including but not limited to those specified in Section 4-365. ~~Noncompliance by certified inspectors attempting to elevate their inspector classification may be cause for DSA to take disciplinary action in accordance with Section 4-342(d).~~

DSA may withdraw project approval, deny issuance or renewal of certification, or suspend or revoke certification for any act in violation of Section 4-364, or acts affecting good standing associated with inspector certification or project approval, including but not limited to those specified in Section 4-365. In case of withdrawal of project approval or suspension of certification, failure to successfully address the corrective measures specified may lead to additional adverse action, including revocation of certification.

1. DSA will withdraw the approval of the inspector from any or all active projects if DSA determines an action by the inspector causes the risk of immediate and serious harm to public health, life and safety.
2. DSA will issue a written notice to the Project Inspector or DSA Certified Special Inspector of the intent to suspend or revoke certification, or to deny issuance or renewal of certification.
	* + 1. (Relocated from 4-342(e) and modified)~~(e)~~**~~Notice of disciplinary actions.~~** ~~Notice of disciplinary action shall specify the grounds for the actions taken.~~The written notice shall include the action being taken, a summary of the facts and allegations, and, if applicable, material upon which the action is based. The notice shall provide the Project Inspector or DSA Certified Special Inspector ten (10) calendar days to respond, and the effective date of the action if no response is received within the 10 calendar days. Service of the written notice shall be by registered mail addressed to the individual at the most recent address filed by the individual with DSA. Service by mail is complete at the time of mailing.
			2. DSA shall issue a decision in writing within 15 calendar days from the receipt of the response. The time to render the decision may be extended as necessary. Service of the decision shall be by registered mail addressed to the individual at the most recent address filed by the individual with DSA. Service by mail is complete at the time of mailing.
3. The individual with suspended or revoked certification shall not use the DSA Certified Project Inspector or DSA Certified Special Inspector designation or perform work requiring certification beyond the effective date of suspension or revocation of certification.
4. The individual will be removed from the published Certified Inspectors List and/or DSA Special Inspector List published.
5. The individual may make a request for reinstatement as set forth in Section 4-369 after DSA determines that the individual has met the criteria for reinstatement set forth in Section 4-368.

**4-367.** (Relocated from 4-342(g) and modified as shown.) **Filing an appeal.** ~~(g)~~An individual may appeal the decision of denial of candidate eligibility, denial of issuance or renewal of certification, or suspension or revocation of certification.

1. The Appeal from the denial of eligibility shall be accompanied by supporting documentation and shall be filed with DSA within 30 calendar days from the date of mailing of the denial. DSA shall issue its decision within 30 calendar days of the appeal. The decision from appeal of candidate eligibility is final. A candidate may reapply for eligibility as set forth in Section 4-363.1.

~~The State Architect or his/her designee has the discretion to immediately order that approval of a project inspector for a project, or certification, be temporarily invalidated or to seek additional information, pending a final determination by the State Architect or his/her designee pursuant to Section 4-342(c). The decision to temporarily invalidate approval of a project inspector for a project, or certification, will be made on a case by case basis, as necessary to ensure public health, safety and welfare.~~

~~The State Architect or his/her designee shall provide the appellant with written notice that their approval for a project, or certification, has been temporarily invalidated as of a specific date or is subject to suspension or denial pursuant to Section 4-342(d), pending a final determination. The written notice shall include the reasons for the action being taken or investigated, as applicable, and provide a summary of the facts and allegations. Service of the written notice of the proposed action shall be confirmed by certified mail.~~

~~3. Written notice of the final determination by the State Architect or his/her designee shall be confirmed by certified mail within 60 days from the initial written notification. The time to render his/her determination may be extended an additional 30 days, as necessary to consider any additional supporting documentation provided to the State Architect relevant to the issue being investigated.~~

~~An appeal of an action by the State Architect or his/her designee to suspend approval of a project inspector for a project, or certification, or to deny renewal of a certification must be filed in writing with DSA within 60 days of the date posted on the certified service of the written notice of the final determination from the State Architect. Unless a hearing is specifically requested as provided in Section 4-342(g)6 the appeal will be based on an analysis of the materials available.~~

1. A decision of denial of issuance or renewal of certification, or suspension or revocation of certification may be appealed to the State Architect. Appeal hearings shall be conducted in accordance with the Administrative Procedures Act, Chapter 5, Part 1 of Division 3, Title 2, Government Code, commencing with section 11500. There shall be no stay of the decision pending an appeal.

~~Within 60 days from the date of receipt of the appeal the State Architect or his/her designee shall render his/her determination on the appeal. The time to render the determination may be extended an additional 30 days, as necessary to conclude any research or investigation required, at the discretion of the State Architect or his/her designee.~~

~~Should an individual submit a written request for a hearing, the State Architect may designate an appropriate hearing officer to conduct the hearing. Written notice of the date and time of the hearing and the reasons for the action being taken or investigated, as applicable, shall be provided to the appellant. The hearing shall be limited in scope to the actions stated in the written notice. The appellant may bring a representative of his/her choice.~~

1. ~~Any appeal of a decision rendered by the State Architect or his/her designee to rescind approval for a project or certification may be appealed to the Superior Court.~~
2. The appeal shall be filed in writing to DSA within 30 calendar days of the date of the mailing of the decision.
3. ~~7.~~ The appellant shall be notified in writing of the final determination made by the State Architect or his/her designee. Service of the ~~written notice of the decision~~final determination shall be ~~confirmed~~by registered~~certified~~ mail. Service shall be complete at the time of mailing.

**4-368.** (Relocated from 4-342(f) and modified as shown.) **Criteria for reinstatement.** ~~(f)~~When considering reinstatement~~reversal~~ of ~~any disciplinary action taken pursuant to Section 4-342(d)~~candidate eligibility for examination, or reinstatement of certification eligibility after disciplinary action pursuant to Section 4-365 to 4-367, the State Architect ~~or designee evaluating the reinstatement of an inspectors approval for a project, or certification,~~ may consider the following criteria:

1. ~~1.~~ Nature and severity of the act(s) or offense(s) leading to the conviction.
2. ~~2.~~ The time that has elapsed since ~~the commission of the act(s) or offense(s)~~conviction.
3. ~~3.~~ If applicable, evidence of expungement proceedings pursuant to Sections 1203.4, 1203.4a, or 1203.41 of the Penal Code.
4. Evidence submitted by the candidate or the individual whose certificate had been revoked including but not limited to the circumstances surrounding the dismissal, any pattern of successful rehabilitation after the dismissal, improved behavior, acceptance of responsibility, demonstration of readiness, and any other relevant information.

**4-369. Reinstatement after disciplinary action.** An individual may request reinstatement of candidate eligibility for examination, or reinstatement of certification eligibility after disciplinary action, according to the following:

1. A request for reinstatement shall be filed in writing to the State Architect and may be granted upon proof of compliance of all provisions of the decision as to reinstatement or, in the absence of that decision, upon proof of rehabilitation pursuant to 4-368.
2. If certification is reinstated prior to certification expiration, no extension of the certification period will be granted, and the certification will expire on the last day of the certification period.
3. The provisions of Section 4-363.6 are not applicable to a certification that has expired after disciplinary action.
4. If reinstatement of eligibility for certification is granted by DSA after certification expiration, the individual may obtain certification by meeting the requirements commencing with Section 4-363 except as provided in Section 4-369(e).
5. If after certification expiration an appellant has had eligibility for certification reinstated through the appeal process as set forth in Section 4-367, the individual is subject to the requirements of Section 363.4, which must be completed prior to receiving project approval, and if renewal is successful, the four-year certification period is established from the day after the original expiration date of the previous certification period.

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

**Reference:** Education Code Sections 17311 and 81143.

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17311 and 81143.

### ITEM 10Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), Group 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, Article 11: LABORATORY ACCEPTANCE

**ARTICLE 11**

**LABORATORY ACCEPTANCE**

(Relocated from 4-335.1(a) and modified as shown.) **4-370~~35.1~~. DSA Laboratory Evaluation and Acceptance ~~program~~.** ~~(a)~~ **~~General.~~** ~~Laboratories conducting any special inspection, testing, or obtaining, handling, preparing, protecting, transporting or storing of samples must be accepted by the DSA Laboratory Evaluation and Acceptance (LEA) program. A laboratory may apply for DSA acceptance by submitting an application on a form prescribed by DSA, along with supporting documentation, to DSA. Upon receipt of a valid application, DSA shall evaluate the laboratory to verify that requirements of these regulations are met and that engineering managerial and supervisory staff are familiar with Title 24, C.C.R. requirements pertinent to materials testing and special inspection.~~Only laboratories who hold a valid laboratory acceptance letter issued by the DSA Laboratory Evaluation and Acceptance (LEA) program in accordance with Section 4-372 are eligible to conduct special inspection and/or material testing services on public school and community college construction projects.

**4-370.1.** (Relocated from 4-335.1(d) and modified as shown.) ~~(d)~~ **Fees ~~for testing laboratory evaluation~~.** Fees are required in the Laboratory Evaluation and Acceptance program ~~DSA may charge a fee~~ to cover the costs of evaluating ~~and re-evaluating~~the laboratory. ~~DSA reserves the right to visit, audit and observe the laboratories.~~These fees are nonrefundable and shall not exceed the following:

1. Application Fee. Fee is due at application submittal and is assessed each time an application is submitted.
	1. $8,000.00 for New Applicant, Renewal of Acceptance, Re-Evaluation (following Acceptance Withdrawn).
	2. $2,000.00 for Laboratory Location Change.
	3. $1,000.00 for Engineering Manager Change.
	4. $500.00 for Changes to Supervisors, Laboratory Name, Laboratory Services.

**4-371. Laboratory accreditation criteria.** (Relocated from 4-335.1(b)1 and modified as shown, including reorganization.) ~~1.~~ **~~Qualification criteria.~~** The laboratory shall obtain and maintain accreditation ~~for~~in accordance with ASTM E329-11: *Standard Specification for Agencies Engaged in Construction Inspection, Testing, or Special Inspection*, through ~~required evaluation and accreditation as described below~~the period of acceptance, including:

1. ~~A. The laboratory shall r~~Receiving on-site assessments and quality system evaluations, as applicable to the laboratory’s scope of services, by the following:
	1. ~~by t~~The American Association of State Highway and Transportation Officials (AASHTO) re:source ~~and/or~~.
	2. ~~t~~The Cement and Concrete Reference Laboratory (CCRL).
2. ~~B. The laboratory shall m~~Maintaining accreditation from the AASHTO Accreditation Program (AAP).
3. ~~In addition, the laboratory must~~Obtaining and maintaining accreditation for the following standards, as applicable:
	1. ASTM C1077 (Aggregate)~~,~~.
	2. ASTM C1077 (Concrete)~~,~~.
	3. ASTM C1093 (Masonry) ~~and~~.
	4. ASTM D3740 (Soil).
4. ~~The laboratory shall m~~Maintaining participation in applicable AASHTO re:source and CCRL proficiency sample programs.
5. Other nationally recognized evaluation services or accreditation bodies~~, equivalent to those indicated below,~~ may be accepted if such entities are deemed equivalent by DSA ~~with prior approval~~.

**4-372. Acceptance requirements.** A laboratory shall meet the requirements of this section to obtain laboratory acceptance.

**4-372.1 Laboratory acceptance process.** (Relocated from 4-335.1(b)) ~~(b)~~ To ~~qualify for~~ begin the laboratory acceptance process, a laboratory shall submit~~comply with~~ the following ~~requirements~~:

1. A laboratory evaluation application including:
	1. Laboratory Contact Information.
	2. Personnel List.
	3. Personnel Qualifications/Certifications.
	4. Laboratory Accreditation Information.
	5. Laboratory Scope of Services.
	6. Subcontractors.
	7. Quality Management System.
2. (Relocated from 4-335.1(b)1.B and modified as shown.)~~The laboratory must~~Provide or authorize the release of accreditation, assessment and proficiency sample testing information in accordance with Section 4-371~~to DSA~~.
3. Disclosure of personnel who are restricted from being on a school site when minors are present.
4. Payment of an application fee.
5. A completed tax/child or family support delinquency form upon successful completion of the on-site laboratory evaluation.

**4-372.2. Engineering manager.** (Relocated from [first, second, and fifth sentence of] 4-335.1(b)2 and modified as shown.) ~~Each~~A laboratory ~~facility~~shall employ a full-time engineering manager ~~who~~ with the following qualifications:

1. Holds valid ~~is a State of~~ California license~~registered~~ as a civil engineer.
2. ~~The engineering manager shall p~~Possesses a minimum of 5 years of relevant experience in the inspection and testing industry ~~and~~.
3. ~~h~~Holds a management position in the laboratory~~company~~.
4. Is knowledgeable of Title 24, California Building Standards Code requirements pertaining to materials testing and special inspection.
5. ~~The engineering manager may~~Is not ~~be~~ employed by any other DSA accepted laboratory that provides special inspection or testing services on ~~DSA regulated~~ projects where DSA has jurisdiction.

**4-372.3 On-site laboratory evaluation.** Upon review that the submission of the documentation required by Section 4-372.1 meets the requirements, DSA will perform an on-site laboratory evaluation including but not limited to assessment of the following:

1. Compliance with Sections 4-335.1, and 4-371 through 4-373.
2. Demonstrable evidence that the laboratory engineering managerial and supervisory staff are familiar with Title 24, C.C.R. requirements pertinent to materials testing and special inspection.
3. Demonstrable evidence of adequate quality management system, facilities, equipment, personnel expertise and technical references to permit the performance of testing and special inspections in compliance with applicable national standards and regulations.

**4-372.4. Letter of acceptance.** (Relocated from 4-335.1(a) and modified as shown.) Upon successful completion of the on-site laboratory evaluation, DSA will issue a~~A~~ letter of laboratory acceptance ~~by DSA shall be issued~~ to the ~~laboratory~~engineering manager ~~and shall state that the laboratory has~~which demonstrates~~d~~ that the laboratory ~~it~~ has met the criteria established ~~by DSA~~ for performance of material testing and special inspection ~~of work~~on projects under DSA jurisdiction, limited to the applicable scope of services for which the laboratory has been accepted. (Relocated from [first sentence in] 4-335.1(c) and modified as shown.) ~~(c)~~ **~~Duration of LEA laboratory acceptance.~~** Laboratory ~~A~~acceptance is~~will remain~~ valid for a period of four years ~~unless approval is withdrawn for failure to comply with the requirements of these regulations~~from the date of the letter of acceptance. (Relocated from 4-335.1(a) and modified as shown.) Laboratories with valid acceptance will appear on the ~~A l~~List of ~~a~~Accepted ~~LEA l~~Laboratories published by DSA, indicating~~showing~~ the types of tests and inspections for which they have been approved~~shall be posted on the DSA website~~.

**4-372.4.1. Conditions of acceptance.** As a condition of acceptance, laboratories shall abide by the following:

* 1. Laboratories shall submit to audit in accordance with Section 4-372.5.
	2. Engineering managers shall ensure that laboratory personnel who perform work on a school site have no criminal convictions or restraining orders that restrict their ability to be in the vicinity of a school.

**4-372.5. Laboratory** (Relocated from 4-335.1(b)9 and modified as shown.) ~~9.~~ **~~A~~audits.** ~~The operations of a~~A ~~DSA accepted~~laboratory who holds a valid letter of acceptance is ~~may be~~ subject to audit ~~by DSA~~at any time during the period of acceptance. ~~Audits may occur upon receipt of complaints or evidence of failure by the laboratory to meet the requirements of these regulations. Audits may include but are not limited to the following: review of LEA program records, project specific records, on-site examination of equipment, and records of special inspection and testing services. An audit may result in a requirement that the laboratory be re-evaluated.~~

**4-372.5.1. Scope of audit.** An audit of the laboratory includes, but is not limited to:

1. LEA program records as defined in Section 4-335.1.
2. Project specific records.
3. On-site examination of equipment and associated records.
4. Records of special inspection and testing services.

**4-372.5.2. Unsatisfactory audit.** Laboratories who have an unsatisfactory audit are subject to adverse action in accordance with Section 4-375.

**4-372.6. Acceptance renewal.** Laboratories shall renew acceptance prior to the last day of the acceptance period to avoid expiration. A request for laboratory acceptance renewal is demonstrated by meeting anew the requirements of Section 4-372 and shall be submitted to DSA a minimum of 60 calendar days prior to laboratory acceptance expiration.

**4-372.7. Acceptance expiration.** If a laboratory fails to renew acceptance prior to the date of expiration, laboratory acceptance is no longer valid. A laboratory without valid acceptance shall not conduct material testing and special inspection on projects where DSA has jurisdiction.

**4-372.8. Acceptance extension.** If extenuating circumstances prevent timely laboratory acceptance renewal, a laboratory may receive an extension of the acceptance period by either of the following actions:

1. Any delay in laboratory acceptance renewal process for laboratories in good standing who submitted for timely renewal in accordance with Section 4-372.6 will be given a maximum extension of 60 calendar days to facilitate DSA review and on-site evaluation, or to resolve cited deficiencies. Upon successful laboratory acceptance renewal, the effective date of the acceptance period will be four years from the original date of laboratory acceptance.
2. The submission of a written request for extension after receiving notification of issues required to be resolved to maintain acceptance, with an explanation of the factors that will prevent a timely acceptance renewal in accordance with Section 4-372.6, by email or postal mail a minimum of 60 calendar days prior to laboratory acceptance expiration. If granted, the extension is valid for no more than 90 calendar days. Extensions of laboratory acceptance are at the sole discretion of DSA, and only one extension period will be considered. Laboratories with acceptance extension shall complete the requirements for acceptance renewal prior to expiration of the extension. Upon successful laboratory acceptance renewal, the effective date of the acceptance period will be four years from the original date of laboratory acceptance.

**4-373. Professional conduct.** A laboratory and the engineering manager shall maintain good standing in accordance with the following:

* + - 1. The designation of DSA Accepted Laboratory shall only be used by laboratories who have successfully completed the laboratory acceptance process required by DSA.
			2. The engineering manager and laboratory personnel shall conduct themselves in a professional and ethical manner on projects under DSA jurisdiction.
			3. A change in contact information of the laboratory’s mailing address, email address and telephone number shall be submitted to DSA within 10 business days of such change.
			4. Laboratory leadership shall notify DSA of changes in engineering management, supervisory personnel, laboratory location, major equipment, or other key factors upon which acceptance is contingent within 30 calendar days of such change.
			5. Laboratories shall not engage in any act specified in Section 4-374 that affects good standing. The engineering manager shall report an act that affects good standing as set forth in Section 4-374 immediately to DSA.

**4-374. Cause for action.** DSA may suspend or withdraw laboratory acceptance, deny renewal of laboratory acceptance, or restrict the services a laboratory can provide on projects under DSA jurisdiction for any of the following acts including, but not limited to:(Relocated from 4-335.1(c) [other than first sentence] and modified as shown.) ~~Examples of such failure include, but are not limited to:~~

1. Failure to maintain laboratory acceptance, and failure to perform work in accordance with Article 5, Article 6, Article 10 and Article 11 of Group 1 in this chapter.~~7. Failing to comply with any of the other requirements of these regulations or~~ (text that follows show stricken has been relocated to item (k) below): ~~the DSA approved documents for a project.~~
2. Failure to employ a full-time engineering manager approved by DSA in compliance with Section 4-372.2.
3. Failure of the engineering manager to maintain a valid professional license as a civil engineer issued by the State of California.
4. Conviction of a crime by laboratory owners, engineering manager, or by personnel performing work on a school site that is substantially related to the qualifications, functions, or duties of the laboratory. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
5. Failure to notify DSA of ~~1. Making~~ changes in engineering management, supervisory personnel, laboratory location, major equipment, or other key factors upon which acceptance is contingent in accordance with Section 4-373~~without prior notification to the DSA LEA program~~.
6. ~~2.~~ Failure~~ing~~ to ~~have the~~maintain laboratory ~~facility evaluated and~~ accreditation~~ed~~ as specified~~outlined~~ in Section 4-371~~335(b)1~~, as applicable to the DSA letter of acceptance~~services offered~~.
7. Failure to report that materials and/or workmanship of tested construction fails to meet the requirements of DSA-approved documents.~~3. Reporting that materials and/or workmanship meet the requirements of DSA approved documents when they do not.~~
8. ~~4. Failing to~~Incorrectly obtaining test samples, mishandling~~e~~ test samples and/or failing to test materials as required by the approved documents, code and referenced standards.
9. (Relocated from [fourth sentence of] 4-335.1(b)2 and modified as shown.) ~~The engineering manager shall be responsible for ensuring that all technicians and special inspectors employed by the laboratory are appropriately trained, qualified and certified in their area of expertise.~~ Failure to ~~5. U~~utilize~~ing~~ technicians or special inspectors that ~~do not~~ meet the qualification and/or certification requirements in accordance with Article 5.
10. ~~6.~~ Failure~~ing~~ to adequately supervise technicians and/or special inspectors in the performance of tests and inspections.
11. Failure to comply with ~~7. Failing to comply with any of the other requirements of these regulations or~~ the DSA-approved documents for a project.
12. Failure to immediately report to DSA information that compromises laboratory acceptance, and/or failure to provide documentation requested/required by DSA.
13. Receiving an unsatisfactory audit by DSA.
14. Making a false statement or omitting to state a material fact required to be disclosed in reporting requirements.
15. Acts of dishonesty, fraud, or deceit by laboratory personnel with the intent to substantially benefit themselves or another, or substantially injure another.
16. The appearance on a certified list of outstanding tax obligations due to the Franchise Tax Board or the State Board of Equalization, pursuant to Business and Professions Code Section 494.5, and failure to come into compliance within 90 calendar days of issuance of a written notice of intent to suspend or withhold issuance or renewal of laboratory acceptance. Temporary acceptance will be offered for a period of 90 calendar days, which, upon expiration, the temporary acceptance will be invalidated unless DSA has received a release from the Franchise Tax Board or the State Board of Equalization that submitted the name on the certified list.

**4-375. Adverse action.** DSA may suspend or withdraw laboratory acceptance, deny issuance or renewal of laboratory acceptance, or restrict the services a laboratory can provide on projects under DSA jurisdiction for any cause for action specified in Section 4-374.

* 1. DSA may take disciplinary action and/or issue corrective measures when the laboratory fails to perform their required duties or functions on projects where DSA has jurisdiction. Failure to successfully complete the corrective measures will lead to additional adverse action, including suspension or withdrawal of laboratory acceptance.
	2. DSA will issue a written notice to the laboratory of the intent to suspend or withdraw laboratory acceptance, or to deny issuance or renewal of acceptance. The written notice shall include the action being taken, a summary of the facts and allegations, and, if applicable, material upon which the action is based.
		+ 1. The engineering manager shall be given ten calendar days to respond to the notice, otherwise the action being taken will be effective as specified in the notice. Service of the written notice shall be by registered mail to the laboratory at the most recent address filed with DSA. Service is complete on at the time of mailing.
			2. DSA shall issue a decision in writing within 15 days from the receipt of the response. The time to render the decision may be extended as necessary. Service of the decision shall be by registered mail addressed to the laboratory at the most recent address filed with DSA. Service is complete at the time of mailing.
	3. DSA has the discretion to immediately order that a letter of acceptance be suspended as necessary to ensure public health, life and safety.
	4. A laboratory with suspended or withdrawn acceptance shall not use the DSA Accepted Laboratory designation or perform work requiring laboratory acceptance beyond the effective date of suspension or withdrawal of acceptance.
	5. The laboratory will be removed from the DSA List of Accepted Laboratories published by DSA.
	6. The laboratory may make a request for laboratory reinstatement as set forth in Section 4-378 after DSA determines that the laboratory has met the criteria for reinstatement set forth in Section 4-377.

**4-376. Filing an appeal.** A laboratory may appeal the decision of suspension or withdrawal of acceptance, or denial of laboratory acceptance renewal.

1. A laboratory that has had a laboratory acceptance application denied may file an appeal without payment of an additional application fee. The appeal shall be accompanied by supporting documentation and shall be filed with DSA within 30 calendar days from the date of mailing of the denial. DSA shall issue its decision within 30 calendar days of the appeal. After appeal, the decision on initial laboratory acceptance by DSA will be final. A LEA program applicant may reapply for laboratory acceptance as set forth in Section 4-372.
2. A decision of suspension or withdrawal of laboratory acceptance, or denial of laboratory acceptance renewal may be appealed to DSA. Appeal hearings shall be conducted in accordance with the Administrative Procedures Act, Chapter 5, Part 1 of Division 3, Title 2, Government Code, commencing with Section 11500. There shall be no stay of a decision to suspend or withdraw laboratory acceptance pending an appeal.
	1. The appeal shall be filed in writing to DSA within 30 calendar days of the date of the mailing of the decision.
	2. The appellant shall be notified in writing of the final determination by the State Architect regarding the appeal. The final determination shall be effective immediately upon service. Service of the final determination shall be by registered mail and shall be complete at the time of mailing.

**4-377. Criteria for reinstatement.**

1. The State Architect may consider the following criteria for reinstatement:
2. Nature and severity of the act(s) or offense(s).
3. The time that has elapsed since commission of the act(s) or offense(s).
4. Demonstration of meeting the conditions for reinstatement as determined upon the conclusion of the investigation of a violation that results in denial of laboratory acceptance, suspension or withdrawal of laboratory acceptance, or denial of laboratory acceptance renewal.

**4-378. Reinstatement.** A laboratory may seek reinstatement of laboratory acceptance according to the following:

1. A request for reinstatement shall be in writing to the State Architect and may be granted upon proof of compliance of all provisions of the decision pertaining to reinstatement or, in the absence of DSA’s decision, upon proof of rehabilitation pursuant to Section 4-377.
2. If laboratory acceptance is reinstated prior to acceptance expiration, no extension of the acceptance period will be granted, and the acceptance will expire on the last day of the acceptance period.
3. The provisions of Section 4-372.8 are not applicable to a certification that has expired after disciplinary action.
4. If reinstatement of eligibility for laboratory acceptance is granted by DSA after certification expiration, the laboratory may obtain acceptance by meeting the requirements commencing with Section 4-372 except as provided in Section 4-378(e).
5. If after acceptance expiration an appellant has had acceptance eligibility reinstated through the appeal process as set forth in Section 4-376, the laboratory is subject to the requirements of Section 4-372 and the four-year acceptance period is established from the day after the original expiration date of the previous acceptance period.

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

**Reference:** Education Code Sections 17309 and 81141.

**Notation:**

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17309 and 81141.

### ITEM 11Chapter 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 1: GENERAL PROVISIONS

**…**

**4-402. Scope.** Title 24, California Code of Regulations (C.C.R.) parts 2, 3, 4, 5, ~~and~~ 7, 9 and 10; known as the …

**Notation:**

Authority: Government Code Section 14963.

Reference: Government Code Section 14963. Education Code Sections 17283 and 81050.

**…**

**4-405. Application of building standards.** Building standards applicable to public school buildings are set forth in Parts 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12, Title 24, C.C.R….

**…**

**Notation:**

Authority: Education Code Sections 17310 and 81142. Government Code Section 14963.

Reference: Education Code Sections 17280 and 81130. Government Code Section 14963**.**

### ITEM 12Chapter 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 2: DEFINITIONS

**…**

**4-411. Definitions.**

**CLASSROOM** shall mean a room or area in a school or college in which a class of students receives instruction related to an academic program.

**…**

**SHADE STRUCTURE** shall mean a free-standing permanent canopy structure of rigid construction over which a covering is attached that provides weather protection.

**…**

**Notation:**

Authority: Education Code Sections 17310 and 81142. Government Code Section 14963.

Reference: Education Code Sections 17280, 17283, 17405, 81130, 81050 and 81529. Health and Safety Code Section 13143.

### ITEM 13Chapter 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

**…**

**4-420. Fees.**

1. The filing fee **…**

**…**

1. If the applicant requests the cancellation or withdrawal of the application or incremental submittal(s) of an application and return of the ~~plans and specifications and~~ paid filing fee, this shall be granted unless the review has begun. ~~No portion of the filing fee can be returned after the review has started.~~ If review of plans and specifications has commenced, 30 percent of the Fire and Life Safety filing fee will be refunded or applied to a new application for the same project. No refund will be allowed for projects upon which only the minimum fee has been paid. No refund will be allowed after a contract for construction has been let for any portion of the work except as provided by Section 4-317(f).

…

**Notation:**

Authority: Education Code Sections 17300 and 17301.

Reference: Government Code Section 14963. Health and Safety Code Section 13138.

### ITEM 14Chapter 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 5: CERTIFICATION OF CONSTRUCTION

**…**

**4-430. General. …**

**…**

1. Project inspector certification: Section 4-~~333.1~~360.

**…**

**Notation:**

Authority: Government Code Section 14963.

Reference: Government Code Section 14963. Health and Safety Code Section 13143.