

**INITIAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE DIVISION OF THE STATE ARCHITECT
REGARDING THE 2025 CALIFORNIA ADMINISTRATIVE CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1
(DSA-SS 01/25)**

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

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS

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

ITEM 1

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE
ARCHITECT—STRUCTURAL SAFETY (DSA-SS), ARTICLE 2: STATE BUILDINGS**

Section 4-231. Fees. –

DSA proposes the following amendments in this section:

- Organize language into a list format for ease of reading.
- Delete reference to the Essential Services Building Account in the Architecture Public Fund, as this fund no longer exists.
- Add clarifying language to explain that the fee schedule in effect at the time of filing shall apply throughout the duration of the application.
- Add clarifying language to explain that the department may adjust fees to maintain a reasonable working balance in the fund.

Similar revisions are proposed for Sections 4-321, 4-420, and 5-104 to promote consistency in language and format. The proposed changes are clarifying and coordinating updates to align with current practice, do not result in a change in regulatory effect, and therefore are compliant with Health and Safety Code 18942(a)(2)(A)

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 2

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE
ARCHITECT—STRUCTURAL SAFETY (DSA-SS): GROUP 1 SAFETY OF**

CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 3—APPROVAL OF DRAWINGS AND SPECIFICATIONS

Section 4-317. Plans, specifications, calculations and other data. —

DSA proposes to add language to Section 4-317 to stipulate the requirement to include a campus site plan with all project submittals identifying all buildings on the site. This new requirement will allow DSA to assign a unique building identification number that can be used to track each building's original construction and improvement history, thus providing valuable information for districts in their facility planning. The unique building identification number will be shared across multiple school project tracking systems, including the California Department of Education (CDE), the Office of Public School Construction (OPSC), and DSA. This change will facilitate the alignment of project tracking across various agencies and create efficiencies for school districts to apply and qualify for school facilities funding.

Proposition 2 (AB 247), “Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024”, requires school districts to develop 5-year master facilities plans to be eligible to receive state funding for school construction projects. Proposition 2 does not explicitly require the establishment of a unique building identification number; however, recent legislation passed by the Legislature but vetoed by the Governor (SB 394 and SB 1182 “Master Plan for Healthy, Sustainable, and Climate-Resilient Schools”) has shown a desire to develop a process to track project history, building age, and uses of the building. Additionally, recent client outreach from community colleges has shown an interest in including the unique building identification number in their project tracking systems. The unique building identification number presents an opportunity for state agencies to be more responsive to inquiries from outside stakeholders, client districts, design professionals, and other entities interested in the status and history of school facilities construction.

Thus, DSA views this proposal as a conforming amendment to facilitate a more efficient process and coordination between DSA, CDE and OPSC in the review, approval, and funding of school construction projects in accordance with the requirements established by Proposition 2. Therefore, this proposal is compliant with Health and Safety Code 18942(a)(2)(A) because it is necessary to facilitate the incorporation and implementation of Proposition 2 (AB247).

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 3

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

Section 4-320. Application Fees. —

DSA proposes to relocate language to explain that the fee schedule in effect at time of filing shall apply throughout the duration of the application from 4-320 to 4-321(c) – this

relocation provides coordination/alignment with the location of this language in Sections 4-231(d), 4-420(b) and 5-104(b).

Section 4-321. Fee Schedule 11. –

DSA proposes the following amendments in this section:

- Organize language into a list format for ease of reading.
- Relocate language to explain that the fee schedule in effect at time of filing shall apply throughout the duration of the application from 4-320 to 4-321(c) – this relocation provides coordination/alignment with the location of this language in Sections 4-231(d), 4-420(b) and 5-104(b).
- Add clarifying language to explain that the department may adjust fees to maintain a reasonable working balance in the fund – this is in alignment with existing statutory language of Education Code 17301(a)(2), so it does not reflect a change in requirements.

Similar revisions are proposed for Sections 4-231, 4-420, and 5-104 to promote consistency in language and format. The proposed changes are clarifying and coordinating updates to align with current practice, do not result in a change in regulatory effect, and therefore are compliant with Health and Safety Code 18942(a)(2)(A).

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 4

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

DSA proposes to repeal the entire Article 10 (Sections 4-360 through 4-369), and relocate those provisions relocated to Title 21, California Code of Regulations.

Relocating these provisions to Title 21 aligns the Inspector Certification Program with the structure used for the Certified Access Specialist (CASP) Program, which similarly establishes professional qualifications and certification requirements rather than building standards. This placement ensures consistency across DSA-administered certification programs and situates these administrative regulations in the appropriate title of the California Code of Regulations.

Article 10 contains only internal administrative requirements and not building standards. Its repeal from Title 24 will not materially alter any existing construction requirements, rights, responsibilities, or other regulatory obligations under the California Building Standards Code. The provisions will continue in effect within Title 21 without substantive change to program operations.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 5

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE
ARCHITECT-STRUCTURAL SAFETY (DSA-SS): GROUP 1 SAFETY OF
CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 11—LABORATORY
ACCEPTANCE**

DSA proposes to repeal the entire Article 11 (Sections 4-370 through 4-378), and relocate those provisions to Title 21, California Code of Regulations.

Relocating these provisions to Title 21 aligns the Lab Evaluation and Acceptance (LEA) Program with the structure used for the Certified Access Specialist (CASp) Program, which similarly establishes professional qualifications and certification requirements rather than building standards. This placement ensures consistency across DSA-administered certification programs and situates these administrative regulations in the appropriate title of the California Code of Regulations.

Article 11 contains only internal administrative requirements and not building standards. Its repeal from Title 24 will not materially alter any existing construction requirements, rights, responsibilities, or other regulatory obligations under the California Building Standards Code. The provisions will continue in effect within Title 21 without substantive change to program operations.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 6

**Chapter 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**

4-401. Purpose. —

DSA proposes to add language to clarify DSA's construction oversight of FLS-related elements, components, and systems. As stipulated by Government Code Section 14963, "The duties and functions formerly conducted by the State Fire Marshal that relate to construction, school, plan checking, and construction inspection are hereby transferred to

the Office of the State Architect." The proposed change is a clarifying update to align with current practice, does not result in a change in regulatory effect, and therefore is compliant with Health and Safety Code 18942(a)(2)(A).

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 7

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

Section 4-420. Fees. –

DSA proposes the following amendments in this section:

- Remove examples of filing fee calculations as these are more appropriately covered in an IR rather than in the regulation.
- Revise fee adjustment statement (e) to be consistent with language in Sections 4-231(e), 4-321(e), and 5-104(e).

Similar revisions are proposed for Sections 4-231, 4-321, and 5-104 to promote consistency in language and format. The proposed changes are clarifying and coordinating updates to align with current practice, do not result in a change in regulatory effect, and therefore are compliant with Health and Safety Code 18942(a)(2)(A).

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 8

**Chapter 5 ACCESS TO PUBLIC BUILDINGS BY PERSONS WITH DISABILITIES,
ARTICLE 1—COMPLIANCE PROCEDURES**

Section 5-104. Fees. –

DSA proposes the following amendments in this section:

- Break paragraph into separate bullets for ease of reading.
- Add additional breakdowns for fee rates to align with current fee structure utilized by DSA (decreases fees for larger projects).
- Revise fee adjustment statement (e) to be consistent with language in Sections 4-231(e), 4-321(e), and 4-420(e).

Similar revisions are proposed for Sections 4-231, 4-321, and 4-420 to promote consistency in language and format. The proposed changes are clarifying and coordinating updates to align with current practice, do not result in a change in regulatory effect, and therefore are compliant with Health and Safety Code 18942(a)(2)(A).

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

The proposed amendments do not contain any mandates for specific technologies or equipment or prescriptive standards.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Government Code Sections 11346.2(b)(2) and 11346.3(b)(1)

The Division of the State Architect has assessed whether and to what extent this proposal will affect the following:

- A. The creation or elimination of jobs within the State of California.**
The Division of the State Architect did not identify any amended regulation that would lead to the creation or elimination of jobs within the State of California.
- B. The creation of new businesses or the elimination of existing businesses within the State of California.**
The Division of the State Architect did not identify any amended regulation that would lead to the creation of new businesses or the elimination of existing businesses within the State of California.
- C. The expansion of businesses currently doing business within the State of California.**
The Division of the State Architect did not identify any amended regulation that would lead to the expansion of businesses currently doing business within the State of California.
- D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.**
Part 1, California Administrative Code is the administrative regulations for application of the California Building code, implementation of construction testing and inspection programs, and certification of construction for the safety and protection of life and property of public K-14 school buildings in compliance with the California Education Code and state-owned or state-leased essential service

buildings in compliance with the California Health and Safety Code. The benefits of the regulations provide clarity to the California Administrative Code.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

These administrative regulations are applicable to Parts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Title 24, California Code of Regulations. No other technical reports or studies were used in the development of these proposed amendments.

CONSIDERATION OF REASONABLE ALTERNATIVES

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

Alternatives were not considered as there will be no adverse impact on small business.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

There will be no adverse impact on small business.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

No significant adverse impact on business was determined and no other documents or evidence was determined applicable to the proposed provisions.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

The proposed changes to the regulations are primarily editorial to provide clarity or to align with statute, and do not result in an increase to the cost of compliance in the application and implementation of the California Administrative Code or California Building Code.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

These proposed administrative regulations do not duplicate or conflict with federal regulations.