# 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([RULEMAKING FILE #])

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 and ellipsis.

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

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* Repealed California language appears ~~upright and in strikeout~~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

## INITIAL EXPRESS TERMS

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

**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 work area exceeds 50% of the aggregate building area.
3. ~~1.~~ When the cost of the reconstruction, alteration, or addition project exceeds 50 percent of the replacement value of the existing building. Air-conditioning equipment and insulation materials costs, including installation, need not be included in the percentage of replacement value calculation. For the purposes of this section, the cost of the reconstruction, alteration or addition project need not include the cost of voluntary lateral force-resisting system modifications in accordance with Section 4-309(d), except the cost shall be included when the structure is located in a fault hazard zone and a geologic hazard report demonstrates that the structure is located within 50 feet of the trace of an active fault as defined in Section 4-317(e).
4. ~~2.~~ 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…
		2. A reduction in the lateral-force-resisting capacity…
		3. A structural irregularity…
5. ~~3.~~ When a change of occupancy results in a structure being reclassified to a higher risk category.

**…**

**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.

**…**

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

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

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

**…**

**4-314. Definitions.**

**…**

**RECONSTRUCTION** is the repair of damage to an existing certified school building caused by fire, earthquake, flood, or other manmade or natural disasters.

**…**

**WORK AREA**. That portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Reconfigured spaces include change of use of the space, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions.

**…**

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

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

**…**

**Notation:**

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

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

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

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

**(a) 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.

**…**

**(c) 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, the entire application or remaining unapproved increment(s) may be voided 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) a~~At the discretion of DSA, any remaining unapproved increment(s) of the application may be voided 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. However, no refund will be allowed for projects upon which only the minimum fee has been paid~~, or upon which only an increment was voided~~.

**…**

**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~~ this shall be granted 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.

**…**

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.

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

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

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

**4-333(b)** **Inspection by a project inspector and any assistant inspectors.** 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.

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~~.
2. Project inspectors and any 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 (note: the assistant inspector may 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 similar to the 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 and any 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 any assistant inspector’s approval for the project due to failure of the project inspector or any assistant inspector to comply with the requirements contained in Section 4-342(b). DSA shall communicate the withdrawal of the project inspector’s or any 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.

…

**4-333(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 by the school board 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.
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 assistant inspector the individual must satisfy all of the following requirements:~~
	1. ~~Be certified as a Class 1, Class 2, Class 3 or Class 4 inspector in accordance with Section 4-333.1.~~
	2. ~~Must possess adequate experience for the type of construction that the assistant will be assigned to inspect.~~
	3. ~~Document at least three years of experience in the types of construction that the assistant will inspect. Experience must be obtained in construction or inspection of buildings similar to the buildings for which the individual is applying.~~
3. ~~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.~~
4. ~~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).~~

…

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

(a) 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 Section 4-335.1, 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 Section 4-335.1. 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. …

…

(f) **Special inspection.** …

1. **Inspection reporting requirements:**
2. **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~~. …

…

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

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

* 1. **General.** The project inspector shall act under the direction of the architect or registered engineer in general responsible charge. The project inspector is also subject to supervision by DSA.
	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 will be erected.
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.

…

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

**~~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.~~

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

* + 1. ~~Application. Applications for approval of plans and specifications shall be submitted to the DSA regional office serving the project location unless specific approval for submittal elsewhere is given by the State Architect. Processing shall be completed by the receiving office but portions of the work may be reassigned.~~
		2. ~~Construction documents. All documents such as notices in accordance with Sections 4-331 and 4-332, qualification records in accordance with Sections 4-333 and 4-341, test reports in accordance with Section 4-335, special inspection reports in accordance with Section 4-335, verified reports in accordance with Section 4-336, and semimonthly reports required by Article 5 and Article 6 of this Chapter in accordance with Section 4-337 shall be submitted to the appropriate DSA regional office according to location of the project.~~

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

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

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

**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 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).

**…**

**NOTE:** DSA is relocating and reorganizing content currently contained in Chapter 4, Group 1 Article 5 (CERTIFICATION OF CONSTRUCTION) and Article 6 (DUTIES UNDER THE ACT) and creating 2 new articles: Article 10 (INSPECTOR CERTIFICATION) and Article 11 (LABORATORY ACCEPTANCE). The intent of this effort is to consolidate and clarify inspector certification, discipline, appeals, and reinstatement requirements (Article 10) and to consolidate and clarify laboratory acceptance, discipline, appeals, and reinstatement requirements (Article 11) in articles separately from the requirements, duties and expectations for certified inspectors and accepted labs (as well as Contractor, and Design Professionals) during construction as specified in Articles 5 and 6.

The content shown on the following pages has not yet been formatted into “strikeout and underline” format but instead reflects what the published “clean” version would look like.

See draft ISOR for additional information.

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

**ARTICLE 10**

**INSPECTOR CERTIFICATION**

**4-360. 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.

**4-360.1. Project Inspector classifications.** 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. A Class 1 Project Inspector is qualified to inspect any construction project.
2. A Class 2 Project Inspector is qualified 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. A Class 3 Project Inspector is qualified to inspect projects containing alterations to buildings, site placement of relocatable buildings and construction of minor structures.
4. A Class 4 Project Inspector is qualified to inspect 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.**  Fees are required in the Project Inspector and DSA Certified Special Inspector certification program. These fees are nonrefundable and shall not exceed the following:

1. Project Inspector Certification Fees:
2. Application Fee. Fee is due at application submittal and is assessed each time an application is submitted. Fee is determined by eligibility category:
3. $175.00 for California licensed architects and registered engineers.
4. $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 Overview Course 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:
4. $200.00 Structural Plan Review.
5. $100.00 Architectural Plan Review.
6. $100.00 Mechanical, Electrical and Plumbing Plan Review.
7. $250.00 Structural Codes and Standards.
8. $100.00 Architectural Codes and Standards.
9. $150.00 Mechanical, Electrical and Plumbing Codes and Standards.
10. $100.00 Administrative Codes and Standards.

1. $400.00 Project Inspector Certification Renewal Examination Fee, charged each time the candidate registers for the examination.
2. $200.00 Project Inspector Certification Extension Fee.
3. DSA Special Inspector Certification and Renewal Fees:
4. $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.
5. $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.
6. $490.00 Structural Glued and Cross-laminated Timber Examination Fee.

**4-361. Project Inspector examination eligibility criteria.** To 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 demonstrable qualifications indicated in the Project Inspector classification. A valid California registration as a civil engineer, structural engineer, or architect, and one year documented experience post registration in the construction observation of buildings or structures will qualify an applicant as a candidate for any Project Inspector classification examination.

**4-361.1.** **Class 1 Project Inspector minimum qualifications.** A candidate for the Class 1 Project Inspector examination shall demonstrate the minimum qualifications specified in one of five categories.

**4-361.1.1.** **Category one.**

(a) Four years of demonstrable experience in construction of new buildings or additions to buildings on minimum DSA Class 2 public school or community college projects, or hospital projects, or building projects of Type I or II construction in any of the following capacities:

1. As lead project superintendent.
2. As a code enforcement entity’s representative performing construction inspection, with valid certification from any of the following:
3. Class A Hospital Inspector certified by the Office of Statewide Health Planning and Development (OSHPD).
4. Commercial Combination Inspector certified by the International Code Council (ICC).
5. Div II (Building) Registered Construction Inspector certified by the American Construction Inspectors Association (ACIA).
6. Equivalent certification issued by a state or national organization accepted by DSA.

(b) The following may be substituted for the requisite experience indicated in 4-361.1.1(a):

1. A valid California registration as a mechanical or electrical engineer responsible for the design and/or construction of respective building systems substitutes for two years of experience.

1. A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction substitutes for one year of experience.
2. An associate’s degree with major work in architecture, engineering, building inspection and/or construction substitutes for six months of experience.

**4-361.1.2.** **Category two.** Valid certification as a Class 2 Project Inspector and two years of demonstrable experience as the DSA Class 2 Project Inspector on public school or community college construction projects consistent with the classification as specified in Section 4-360.1.

**4-361.1.3. Category three.**

(a)Valid certification as a Class 2 Project Inspector with one year of demonstrable experience as the DSA Class 2 Project Inspector on public school or community college construction projects consistent with the classification as specified in Section 4-360.1, and three years of demonstrable experience on commercial construction projects consistent with minimum Class 2 classification as specified in Section 4-360.1, in any of the following capacities:

1. As an Assistant Inspector as defined in Section 4-333(d).

3. As lead project superintendent.

1. As a code enforcement entity’s representative performing construction inspection, with valid certification from any of the following:
2. Class A Hospital Inspector certified by OSHPD.
3. Commercial Combination Inspector certified by ICC.
4. Div II (Building) Registered Construction Inspector certified by ACIA.
5. Equivalent certification issued by a state or national organization accepted by DSA.
	1. The following may be substituted for the requisite experience indicated in 4-361.1.3(a):

1. Demonstrable experience as a journeyman level tradesman 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. Valid certification as a special inspector issued by ICC, AWS, ACI, or a state or national organization 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.**

(a) Valid certification as a DSA Class 3 Project Inspector and three years of demonstrable experience as the DSA Class 3 Project Inspector on public school or community college construction projects consistent with the classification as specified in Section 4-360.1, and three years of demonstrable experience on commercial construction projects consistent with minimum DSA Class 2 classification as specified in Section 4-360.1, in any of the following capacities:

1. As an Assistant Inspector as defined in Section 4-333(d).
2. As lead project superintendent.
3. As a code enforcement entity’s representative performing construction inspection, with valid certification from any of the following:
4. Class A Hospital Inspector certified by OSHPD.
5. Commercial Combination Inspector certified by ICC.
6. Div II (Building) Registered Construction Inspector certified by ACIA.
7. Equivalent certification issued by a state or national organization accepted by DSA.

(b) The following may be substituted for the requisite experience indicated in 4-361.1.4(a):

1. Demonstrable experience as a journeyman level tradesman 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. Valid certification as a special inspector issued by ICC, AWS, ACI, or a state or national organization 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.** Valid certification as a DSA Class 3 Project Inspector with one year demonstrable experience as the DSA Class 3 Project Inspector on public school or community college construction projects consistent with the classification as specified in Section 4-360.1; and ten years of demonstrable construction experience, of which four years shall be as a journeyman level tradesman working in the carpentry, steel, concrete, or masonry trades on commercial construction projects consistent with minimum DSA Class 2 classification as specified in Section 4-360.1. The following may substitute for the required experience:

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

**4-361.2.** **Class 2 Project Inspector minimum qualifications.** A candidate for the Class 2 Project Inspector examination shall demonstrate the minimum qualifications specified in one of five categories.

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

(a) Three years of demonstrable experience in construction of new buildings or additions to buildings on minimum DSA Class 2 public school or community college projects, or hospital projects, or building projects of Type I, II, III or IV construction in any of the following capacities:

1. As lead project superintendent.
2. As a code enforcement entity’s representative performing construction inspection, with valid certification from any of the following:
3. Class A Hospital Inspector certified by OSHPD.
4. Commercial Combination Inspector certified by ICC.
5. Div II (Building) Registered Construction Inspector certified by ACIA.
6. Equivalent certification issued by a state or national organization accepted by DSA.
	1. The following may be substituted for the requisite experience indicated in 4-361.2.1(a):
7. A valid California registration as a mechanical or electrical engineer responsible for the design and/or construction of respective building systems substitutes for two years of experience.
8. A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction substitutes for one year of experience.
9. An associate’s degree with major work in architecture, engineering, building inspection and/or construction substitutes for six months of experience.

**4-361.2.2. Category two.** Valid certification as a Class 3 Project Inspector and two years of demonstrable experience as the DSA Class 3 Project Inspector on public school or community college construction projects consistent with the classification as specified in Section 4-360.1.

**4-361.2.3. Category three.**

(a)Valid certification as a Class 3 Project Inspector with one year of demonstrable experience as the DSA Class 3 Project Inspector on public school or community college construction projects consistent with the classification as specified in Section 4-360.1, and three years of demonstrable experience on commercial construction projects consistent with minimum Class 2 classification as specified in Section 4-360.1, in any of the following capacities:

1. As an Assistant Inspector as defined in Section 4-333(d).

3. As lead project superintendent.

4. As a code enforcement entity’s representative performing construction inspection, with valid certification from any of the following:

(A) Class A Hospital Inspector certified by OSHPD.

(B) Commercial Combination Inspector certified by ICC.

(C) Div II (Building) Registered Construction Inspector certified by ACIA.

(D) Equivalent certification issued by a state or national organization accepted by DSA.

1. The following may be substituted for the requisite experience indicated in 4-361.2.3(a):

1. Demonstrable experience as a journeyman level tradesman 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. Valid certification as a special inspector issued by ICC, AWS, ACI, or a state or national organization 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.

**4-361.2.4. Category four.**

Eight years of demonstrable construction experience, of which three years shall be as a journeyman level tradesman working in the carpentry, steel, concrete, or masonry trades on commercial construction projects consistent with the minimum Class 2 classification as specified in Section 4-360.1. The following may substitute for the required experience:

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

**4-361.2.5. Category five.** Two valid 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 experience as a special inspector inspecting steel, concrete, mass timber, or masonry construction on commercial projects of any type of construction. A maximum of three years of experience for each type of construction can be used to qualify.

**4-361.2.6. Conditional examination eligibility.** 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. 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.** A candidate for the Class 3 Project Inspector examination shall demonstrate the minimum qualifications specified in one of seven categories.

**4-361.3.1. Category one.**

(a) Two years of demonstrable experience on public school, community college, or hospital construction projects consistent with minimum DSA Class 3 classification as specified in Section 4-360.1 in any of the following capacities:

1. As lead project superintendent.
2. As a code enforcement entity’s representative performing construction inspection, with valid certification from any of the following:

(A) Class A or B Hospital Inspector certified by OSHPD.

1. Commercial Building Inspector or Residential Combination Inspector certified by ICC.
2. Div II (Building) or Div IV (Public Works) Registered Construction Inspector certified by ACIA.
3. Equivalent certification issued by a state or national organization accepted by DSA.
4. The following may be substituted for the requisite experience indicated in 4-361.3.1(a):
5. A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction substitutes for one year experience.
6. An associate’s degree with major work in architecture, engineering, building inspection and/or construction substitutes for six months experience.
7. 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.

**4-361.3.2. Category two.** Valid California registration as a mechanical or electrical engineer with one year demonstrable experience in the construction observation of building systems.

**4-361.3.3. Category three.** Two years of demonstrable experience as the lead project superintendent on commercial building projects consistent with minimum DSA Class 3 classification as specified in Section 4-360.1. The following may substitute for the required experience:

1. A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction substitutes for one year experience.
2. An associate’s degree with major work in architecture, engineering, building inspection and/or construction substitutes for six months experience.
3. 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.

**4-361.3.4. Category four.** Valid certification as a Class 4 Project Inspector with two years of demonstrable experience as the DSA Class 4 Project Inspector on public school or community college construction projects consistent with the classification as specified in Section 4-360.1.

**4-361.3.5. Category five.**

(a) Valid certification as a DSA Class 4 Project Inspector with one year minimum demonstrable experience as the DSA Class 4 project inspector on public school and community college construction projects consistent with the classification as specified in Section 4-360.1, and one year of demonstrable experience on commercial or residential construction projects consistent with minimum DSA Class 3 classification as specified in Section 4-360.1, and three years of demonstrable experience in any of the following capacities:

1. As an Assistant Inspector as defined in Section 4-333(d).

3. As lead project superintendent.

4. As a code enforcement entity’s representative performing construction inspection, with valid certification from any of the following:

(A) Class A or B Hospital Inspector certified by OSHPD.

1. Commercial Combination Inspector or Residential Combination Inspector certified by ICC.
2. Div II (Building) or Div IV (Public Works) Registered Construction Inspector certified by ACIA.
3. Equivalent certification issued by a state or national organization accepted by DSA.

5. Demonstrable experience as a journeyman level tradesman working in the carpentry, steel, concrete, or masonry trades on commercial projects of any type of construction.

6. Valid certification as a special inspector issued by ICC, AWS, ACI, or a state or national organization accepted by DSA, with demonstrable experience inspecting steel, concrete, mass timber, or masonry construction on commercial projects of any type of construction.

1. The following may be substituted for the requisite experience indicated in 4-361.3.5(a):

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.

**4-361.3.6. Category six.** Six years of demonstrable construction experience, including two years demonstrable experience as a journeyman level tradesman working in the carpentry, steel, concrete, or masonry trades on commercial or residential construction projects consistent with minimum Class 3 classification as specified in Section 4-360.1. The following requirements substitute for the required experience:

1. A bachelor’s degree or higher with major work in architecture, engineering, building inspection and/or construction substitutes for two years experience.
2. An associate’s degree with major work in architecture, engineering, building inspection and/or construction substitutes for one year experience.
3. 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.

**4-361.3.7. Category seven.** Two valid 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 experience as a special inspector inspecting steel, concrete, mass timber or masonry on commercial projects of any type of construction. A maximum of two years of experience for each type of construction can be used to qualify.

**4-361.3.8. Conditional examination eligibility.** A candidate who is within one year of meeting the minimum qualifications specified in one of the seven 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. Certification will be withheld until the candidate demonstrates completion of the minimum qualifications specified in one of the seven categories within three years of the date of passing the examination.

**4-361.4. Assistant Inspectors.** Prior to being approved by DSA as an Assistant Inspector for a project the individual shall satisfy the following requirements:

(a) Hold valid certification as a Class 1, Class 2, Class 3 or Class 4 inspector.

(b) Have three years of demonstrable construction and/or inspection experience in the type of construction that the Assistant Inspector will be approved to inspect.

(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.** Each Project Inspector classification 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, and the construction, inspection, and testing requirements of the *California Building Standards Code*. 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. Certification is valid for a period of four years beginning on the date stipulated in the letter of certification confirmation. 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 stipulated 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 that require 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.** A Project Inspector or DSA Certified Special Inspector shall renew certification prior to the last day of the certification period to avoid certification expiration.

**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:

 (a) Submission of a renewal application.

(b) 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, 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 PI 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. A change in contact information to an inspector’s mailing address, email address and telephone number shall be submitted to DSA within 10 business days of such change.
			4. 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 specified in Section 4-365 that affects good standing. 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.** 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. Failure to satisfy the requirements of Article 5, Article 6, and Article 10 of Group 1 in this chapter, and failure to comply with the applicable inspection-related referenced standards on the DSA-approved plans and specifications.
2. Making a false statement or omitting to state a material fact required to be revealed in the candidate eligibility application, certification renewal application, or in the reporting requirements on projects under DSA jurisdiction.
3. Conviction of a crime considered to be substantially related to the qualifications, functions, or duties of a Project Inspector or a DSA Certified Special Inspector. 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 also 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 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.** DSA may withdraw project approval, deny issuance or renewal of certification, or suspend or revoke certification for any act specified in Section 4-365 that affects good standing. 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.

(a) 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.

(b) 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. 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 Project Inspector or DSA Certified Special Inspector shall be given ten calendar days before the effective date of the action to respond to DSA’s notice. The notice shall provide the date that the action will be effective if DSA does not receive a response by the end of the response period. Service of the written notice shall be by registered mail addressed to the individual at the latest address filed by the individual with DSA. Service by mail is complete on the date 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 latest address filed by the individual with DSA. Service by mail is complete on the date of mailing.

(c) 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.

(d) The individual will be removed from the published Certified Inspectors List and/or DSA Special Inspector List published.

(e) 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 rehabilitation set forth in Section 4-368.

**4-367. Filing an appeal.** An individual may appeal a denial of candidate eligibility, denial of issuance or renewal of certification, or suspension or revocation of certification.

(a) A candidate that has had candidate eligibility denied may appeal the denial and may provide additional information to support the request. The request for appeal accompanied by supporting documentation 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 of candidate eligibility is final. A candidate may renew a request for eligibility as set forth in Section 4-363.1.

(b) A decision of denial of issuance or renewal of certification, or suspension or revocation of certification may be appealed to the Office of Administrative Hearings. There shall be no stay of the decision pending an appeal.

1. DSA, who will forward the appeal to Office of Administrative Hearings. 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.

2. The appellant shall be notified in writing of the final determination by the State Architect regarding the appeal. Service of the final determination shall be by registered mail.

**4-368. Criteria for rehabilitation.** When considering reinstatement of candidate eligibility for examination, or reinstatement of certification of an individual after revocation as provided in Section 4-365 to 4-367, the State Architect may consider the following criteria:

(a) Nature and severity of the act(s) or offense(s) leading to the conviction.

(b) The time that has elapsed since conviction.

(c) If applicable, evidence of expungement proceedings pursuant to Sections 1203.4, 1203.4a, or 1203.41 of the Penal Code.

(d) 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:

(a) 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.

(b) 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.

(c) The provisions of Section 4-363.6 are not applicable to a certification that has expired after disciplinary action.

(d) 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).

(e) 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.

### 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 11: LABORATORY ACCEPTANCE

**ARTICLE 11**

**LABORATORY ACCEPTANCE**

**4-370. DSA Laboratory Evaluation and Acceptance.** Only laboratories who hold a valid laboratory acceptance letter issued by the DSA Laboratory Evaluation and Acceptance (LEA) program are eligible to conduct special inspection and/or material testing services on public school and community college construction projects.

**4-370.1. Fees.** Fees are required in the Laboratory Acceptance and Evaluation program to cover the costs of evaluating the laboratory. 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.** The laboratory shall obtain and maintain accreditation in accordance with ASTM E329-11: Standard Specification for Agencies Engaged in Construction Inspection, Testing, or Special Inspection through the period of acceptance, including:

1. Receiving on-site assessments and quality system evaluations, as applicable to the laboratory’s scope of services, by the following:
	1. The American Association of State Highway and Transportation Officials (AASHTO) re:source.
	2. The Cement and Concrete Reference Laboratory (CCRL).
2. Maintaining accreditation from the AASHTO Accreditation Program (AAP).
3. Obtaining and maintaining accreditation for the following standards, as applicable:
	1. ASTM C1077 (Aggregate).
	2. ASTM C1077 (Concrete).
	3. ASTM C1093 (Masonry).
	4. ASTM D3740 (Soil).
4. Maintaining participation in applicable AASHTO re:source and CCRL proficiency sample programs.

(e) Other nationally recognized evaluation services or accreditation bodies may be accepted if such entities are deemed equivalent by DSA.

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

**4-372.1 Laboratory acceptance process.** To begin the laboratory acceptance process, a laboratory shall submit the following:

1. A laboratory evaluation application including:
	1. Laboratory Contact Information.
	2. Personnel List.
	3. Personnel Qualifications/Certifications.
	4. Laboratory Acceditation Information.
	5. Laboratory Scope of Services.
	6. Subcontractors.
	7. Quality Management System.
2. Provide or authorize the release of accreditation, assessment and proficiency sample testing information in accordance with Section 4-371.
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.** A laboratory shall employ a full-time engineering manager with the following qualifications:

(a) Holds valid California registration as a civil engineer.

(b) Possesses a minimum of 5 years of relevant experience in the inspection and testing industry.

(c) Holds a management position in the laboratory.

(d) Is knowledgeable of Title 24, California Building Standards Code requirements pertaining to materials testing and special inspection.

(e) Is not employed by any other DSA accepted laboratory that provides special inspection or testing services on 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:

(a)Compliance with Sections 4-335.1, 4-371 and 4-372.

(b) 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.

(c) 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.** Upon successful completion of the on-site laboratory evaluation, DSA will issue a letter of laboratory acceptance to the engineering manager which demonstrates that the laboratory has met the criteria established for performance of material testing and special inspection on projects under DSA jurisdiction, limited to the applicable scope of services for which the laboratory has been accepted. Laboratory acceptance is valid for a period of four years from the date of the letter of acceptance. Laboratories with valid acceptance will appear on the List of Accepted Laboratories published by DSA, indicating the types of tests and inspections for which they have been approved.

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

(a) Laboratories shall submit to audit in accordance with Section 4-372.5.

(b) 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 audits.** A laboratory who holds a valid letter of acceptance is subject to audit at any time during the period of acceptance.

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

(a) LEA program records as defined in Section 4-335.1.

(b) Project specific records.

(c) On-site examination of equipment and associated records.

(d) Records of special inspection and testing services.

**4-372.5.2. Unsatisfactory audit.** Laboratories who have an unsatisfactory audit are subject to disciplinary 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:

(a) 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.

(b) 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:

1. Failure to maintain laboratory acceptance, and failure to perform work in accordance Article 5, Article 6, Article 10 and Article 11 of Group 1 in this chapter.
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. 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.
4. Failure to notify DSA of 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.
5. Failure to maintain laboratory accreditation as specified in Section 4-371, as applicable to the DSA letter of acceptance.
6. Failure to report that materials and/or workmanship of tested construction fails to meet the requirements of DSA approved documents.
7. Incorrectly obtaining test samples, mishandling test samples and/or failing to test materials as required by the approved documents, code and referenced standards.
8. Failure to utilize technicians or special inspectors that meet the qualification and/or certification requirements in accordance with Article 5.
9. Failure to adequately supervise technicians and/or special inspectors in the performance of tests and inspections.
10. Failure to comply with the DSA-approved documents for a project.
11. Failure to immediately report to DSA information that compromises laboratory acceptance, and/or failure to provide documentation requested/required by DSA.
12. Receiving an unsatisfactory audit by DSA.
13. Making a false statement or omitting to state a material fact required to be revealed in reporting requirements.
14. Acts of dishonesty, fraud, or deceit by laboratory personnel with the intent to substantially benefit themselves or another, or substantially injure another.
15. 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.

(a) 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.

(b) 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 before the effective date of the action to respond to DSA’s notice. Service of the written notice shall be by registered mail to the laboratory at the latest address filed with DSA. Service is complete on the date 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 latest address filed with DSA. Service is complete on the date of mailing.

(c) DSA has the discretion to immediately order that a letter of acceptance be suspended as necessary to ensure public health, life and safety.

(d) 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.

(e) The laboratory will be removed from the DSA List of Accepted Laboratories published by DSA.

(f) 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 rehabilitation set forth in Section 4-377.

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

(a) A laboratory that has had a laboratory acceptance application denied may request reconsideration and may provide additional information to support the request without payment of an additional application fee. The request for appeal accompanied by supporting documentation 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 candidate may renew a request for laboratory acceptance as set forth in Section 4-372.

(b) A decision of suspension or withdrawal of laboratory acceptance, or denial of laboratory acceptance renewal may be appealed to DSA, who will forward the appeal to Office of Administrative Hearings. 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. Service of the final determination shall be by registered mail.

**4-377. Criteria for rehabilitation.**

1. When considering laboratory acceptance eligibility or reinstatement of laboratory acceptance because of an act as set forth in Section 4-374, the State Architect may consider the following criteria:
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.

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