45-DAY EXPRESS TERMS

FOR
PROPOSED BUILDING STANDARDS
OF THE
DIVISION OF THE STATE ARCHITECT - STRUCTURAL SAFETY (DSA-SS AND DSA-SS/CC)

REGARDING PROPOSED CHANGES TO
2016 CALIFORNIA ADMINISTRATIVE CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1

LEGEND FOR EXPRESS TERMS

1. Existing California amendments or code language being modified are in italics when they appear in the model code text: All such language appears in *italics*, modified language is underlined.
2. New California amendments: All such language appears *underlined and in italics*.
3. Repealed text: All such language appears in ~~strikeout~~.
4. Relocated text: All relocated language is prefaced within parenthesis in bold text **(relocated from..)**
5. Instructions: Texts which are instructions only that are not amendments and will not be printed appears in blue highlight.

EXPRESS TERMS

CHAPTER 4
ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS)

ARTICLE 1
ESSENTIAL SERVICES BUILDINGS

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4-205. Application of building standards. Building standards are set forth in Parts 2, 3, 4, 5, 6, ~~7~~, 9, 10, 11 and 12 of Title 24, CCR, and have been adopted as a basis for the approval of plans and specifications. These regulations shall not be construed to prevent the use of higher design standards nor to restrict the use of new or innovative design or construction techniques.

Where the designer desires to use innovative design or construction techniques not addressed in these regulations, it shall be necessary to submit for review and approval information including computations, test data and recommendations covering the design in question. The Division of the State Architect or local enforcement agency must be satisfied that the degree of safety achieved is equivalent to that achieved by the standards contained in Title 24, CCR. The enforcement agency review and approval of the innovative design or construction techniques shall precede the submission of plans and specifications utilizing these techniques.

Notation
Authority: Health and Safety Code Section 16022.

Reference(s): Health and Safety Code Section 16001.

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4-207. Definitions. The words defined in this section shall have the meaning stated therein throughout the rules and regulations contained in Part 1~~I~~ (Administrative), Title 24, CCR.

ACT shall mean the Essential Services Buildings Seismic Safety Act of 1986, Sections 16000-16023, inclusive, of the Health and Safety Code.

ADDITION shall mean an increase in floor area or volume of enclosed space which is physically attached to an existing building by connections which are required for transmitting vertical or horizontal loads between the addition and the existing structure. The area exemption in Section 16010 of the Act does not apply to additions to essential services buildings when the total area of the existing building and the addition exceeds 2,000 square feet. An "addition" which is not required to be physically attached either for its own support or for support of the existing building shall be separated as required by Part 2, Title 24, CCR, and shall be deemed to be the construction of a new essential services building.

ALTERATION shall mean changes within an existing building as defined in Part 2, Title 24, CCR. Alterations to existing essential services buildings shall conform to the requirements of Title 24, CCR. Major alterations will be permitted, provided the entire essential services building as modified, including the structural alterations or additions, conforms to the requirements of Title 24, CCR, if the area of the existing building, including additions, exceeds 2,000 square feet.

APPROVED PLANS AND SPECIFICATIONS shall mean plans, specifications, addenda and change orders which have been duly approved by the appropriate enforcement agency pursuant to Sections 16013 and 16016 of the Health and Safety Code and which are identified by a stamp bearing the name of the enforcement agency, the identification number, the date and the signature of the qualified reviewer as required in Section 16011 of the Act.

COMPLYING BUILDING shall mean a building which has been constructed or reconstructed in accordance with these rules and regulations.

DIVISION OF THE STATE ARCHITECT, or **DIVISION** or the initials DSA shall mean the Division of the State Architect in the Department of General Services, State of California.

ENFORCEMENT AGENCY shall mean the Division of the State Architect for state-owned or state-leased buildings and shall mean the enforcement agency of any city, county or city and county having jurisdiction over locally owned or locally leased essential services facilities.

ESSENTIAL SERVICES BUILDING means any building, or any building a portion of which is used or designed to be used as a fire station, police station, emergency operations center, California Highway Patrol office, sheriff's office or emergency communication dispatch center.

EQUIPMENT shall mean all new or replacement equipment installed in any new or existing owned or leased building which is required for the functioning of the essential services operation. The installation of such equipment shall meet the support, bracing and anchorage requirements of Title 24, CCR. The area exemption in Section 16010 of the Act does not apply to the anchorage or bracing of equipment necessary to the operation of the essential services function.

FIRE STATION shall mean any building that contains the operational facilities, fire suppression, alarm and communications equipment necessary to respond to fire emergencies.

MAINTENANCE shall mean and include ordinary upkeep or repair work such as replacement in kind, repainting, replastering and reroofing.

NEW ESSENTIAL SERVICES BUILDING shall mean any newly erected essential services building or any existing building converted to essential services use subsequent to the effective date of the Act regardless of whether the building is owned or leased by the public agency. Existing buildings housing essential services facilities owned or leased by the state, a city, a city and county or a county prior to the effective date of the Act are exempt from these regulations except for the installation of new or replacement equipment. When a portion of a building is to be utilized for an essential services operation, the area so utilized and the utilities systems and components servicing the area shall be constructed according to these rules and regulations and shall be separated or protected from damage due to failures of other portions of the structure to the extent determined by the enforcement agency to insure continued functioning after an earthquake or other disaster. Ancillary buildings and facilities related to the essential services building function may be exempt from these regulations if the enforcement agency determines that such buildings and facilities are not necessary to the functioning of the essential services operation after an earthquake or other disaster.

NONSTRUCTURAL ALTERATIONS shall mean only such alterations which do not affect the safety of the essential services building and do not change, in any manner, its structural elements.

OWNER for the purposes of these regulations shall mean the public agency responsible for the essential services functions performed under its authority within an essential services building. The owner is responsible for applying for and obtaining the approvals and certifications required by these regulations.

PLANS as used in these regulations shall mean the drawings associated with the project such as, but not limited to, vicinity maps, site plans, foundation plans, floor plans, ceiling plans, roof plans, cross-sections, interior elevations, exterior elevations and details which are used in conjunction with the project specifications and which are necessary to accomplish construction in conformance with the requirements of the Act.

POLICE STATION shall mean any building that contains the operational facilities and the alarm and communications equipment necessary to respond to police emergencies. This definition shall include the offices of local police departments, county sheriffs, California Highway Patrol and all offices necessary to the functioning of the essential services operation after an earthquake or other disaster.

PROJECT INSPECTOR shall mean any individual duly approved by the enforcement agency as the on-site inspector for a particular project. The project inspector shall be employed and paid by the owner and shall act under the general direction of the architect or registered engineer in general responsible charge of the project and under the supervision of the enforcement agency. The project inspector shall be responsible for inspecting all work included in the construction contract, except for work that must be inspected by an approved special inspector. (See Section 4-211 (c) for special inspection.)

RECONSTRUCTION is the repair of damage to an existing complying essential services building or an alteration of an existing noncomplying building to bring it into conformance with the safety standards established by these regulations for essential services buildings.

REGISTERED ENGINEER as used in these regulations shall mean a structural engineer, civil engineer, mechanical engineer or electrical engineer holding a valid certificate under Chapter 7, Division 3, of the California Business and Professions Code.

SPECIFICATIONS as used in these regulations shall mean the written document which is used in conjunction with the project plans to establish the job conditions, the quality and quantity of construction

materials used in the project and the quality of workmanship required to accomplish the construction in conformance with the provisions of the Act.

Notation
Authority: Health and Safety Code Section 16022.
Reference(s): Health and Safety Code Sections 16003, 16011, 16018 and 16019.

4-208. Application for approval of drawings and specifications.

(a) Before adopting plans and specifications, the agency responsible for the essential services function shall submit an application to the appropriate enforcing agency for written approval of said plans and specifications except where the new construction is a Type V or Type II-*B* ~~N~~ one-story structure which contains 2000 square feet or less of floor area and is not located in a special studies zone as defined in Section 2622 of the Public Resources Code.

(b) An architect, structural engineer or civil engineer may act as the agent for the essential services agency when filing the application for approval of plans and specifications.

Notation
Authority: Health and Safety Code Section 16022.
Reference(s): Health and Safety Code Sections 16010, 16011 and 16015.

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4-210. Plans, specifications, computations and other data.

(a) **General.** When an application is filed, it shall be accompanied by the required number of complete sets of the plans and specifications, the complete structural design calculations, site data and a fee as established by the enforcement agency.

(b) **Plans.** Plans shall show the use or occupancy of all parts of the essential services buildings and shall give such other information as may be required to indicate the nature of the work proposed and to show compliance with the act and these regulations. The drawings shall be legible and sufficiently detailed and cross-referenced to show clearly the pertinent features of the construction, and shall have sufficient dimensions to be readily interpreted. Where a project includes several buildings, the plans for each shall be drawn independently except that details common to all need not be repeated. Submitted plans and specifications, which are obviously incomplete or incorrect, shall be returned to the architect or registered engineer in general responsible charge with a request for compliance with these regulations before checking is begun or resumed by the enforcement agency.

(c) **Specifications.** Specifications shall completely set forth the requirements for the various types of materials that will enter into the permanent construction and shall describe the methods not covered in the technical regulations which are to be used to obtain the required quality of the work shown on the plans ~~and described in the specifications~~.

(d) **Design computations.** Computations, stress diagrams and other pertinent data shall accompany the plans and specifications and shall be sufficiently complete so that calculations for individual structural members can be readily interpreted. The computations shall be prefaced by a statement clearly and concisely outlining the basis for the structural design and indicating the manner in which the proposed essential services building will resist vertical loads and horizontal forces. The computations shall be sufficiently complete to establish that the structure will resist the loads and forces prescribed in Part 2, Title 24, CCR. Assumed safe bearing pressures on soils and specified strengths of

concrete shall be given in the computations and noted on the plans. Where unusual conditions occur, such additional data as are pertinent to the work shall be submitted.

(e) **Site data.** Site data for all essential services buildings covered by these regulations shall include a soil investigation report providing information on subsurface site work and laboratory testing, an evaluation of site soil conditions, a recommendation for the type of foundation to be used and an allowable design value for the soil bearing capacity. For all essential services building sites not exempted from the provisions of the A~~a~~ct, a geologic and earthquake hazard report including an evaluation of both known and potentially active local and regional fault systems, slope stability, liquefaction potential and other hazards shall be prepared by competent persons and submitted with the application, plans and specifications. All or parts of the geologic and earthquake hazard investigation and report may be waived by the enforcement agency when in the judgment of the enforcement agency those requirements are unnecessary and would not be beneficial to public safety.

(f) **Signatures required.** All plans and specifications submitted for approval shall bear the stamp and signature of the architect or professional engineer in general responsible charge of design. When responsibility for a portion of the work has been delegated, the plans and specifications covering that portion of design shall also bear the stamp and signature of the responsible registered engineer or architect.

Notation
Authority: Health and Safety Code Section 16022.
Reference(s): Health and Safety Code Sections 16009, 16011, 16012, 16013 and 16014.

4-211. Observation and inspection of construction.

(a) **Observation by architect or registered engineer.** The Act provides that the observation of the work of construction, reconstruction, alteration or addition shall be under the general responsible charge of an architect, structural engineer, civil engineer or, under certain conditions, a registered mechanical or electrical engineer for work involving only those respective branches of engineering. A geotechnical engineer shall provide the observation for placement of fills and shall submit a verified report attesting to the compliance of the engineered fill.

(b) **Inspection by project inspector.** The owner must provide for and require competent, adequate and continuous inspection of all construction work by a project inspector approved for each individual project by the enforcement agency. The project inspector so approved shall cooperate with the architect or registered engineer in general responsible charge of the observation of the work of construction to ensure compliance with the approved drawings and specifications. The project inspector shall request interpretations and clarifications of the approved contract drawings and specifications when necessary from the responsible architect or registered engineer.

For every project there shall be a project inspector who shall have personal knowledge as defined in Section 16021 of the Health and Safety Code of all work done on the project or its parts. On large projects adequate inspection may require the employment of one or more approved assistant inspectors. The employment of special inspectors or assistant inspectors shall not be construed as relieving the project inspector of his/her duties and responsibilities under Sections 4-214 and 4-219 of these regulations. The project inspector shall, under the direction of the architect or engineer, be responsible for monitoring the work of the special inspectors and testing laboratories to ensure that the special inspection and testing program is satisfactorily completed.

No work shall be carried out except under the inspection of the project inspector approved by the enforcement agency. The project inspector shall have had at least three years equivalent experience in

construction work of a type similar to that for which he/she is proposed as inspector, shall have a thorough knowledge of building materials, and shall be able to read and interpret plans and specifications.

The cost of project inspection shall be paid for by the owner (see “Project Inspector” definition in Section 4-207).

(c) **Special inspection.** Special inspection by inspectors specially approved by the enforcement agency may be required for masonry construction, glued laminated ~~lumber~~ timber fabrication, wood framing using timber connectors, concrete batching, shotcrete, prestressed concrete, structural steel fabrication, high-strength steel bolt installations, welding, pile driving, electrical work or mechanical work. The cost of all special inspectors required by this section shall be paid for by the owner.

The project inspector may perform special inspections if the project inspector has been specially approved for such purposes and has the time available to complete the special inspections in addition to project inspection work.

The detailed inspection of all work covered by this section is the responsibility of the project inspector when special inspection is not provided. The enforcement agency may require special inspection for shop fabrication procedures that preclude the complete inspection of the work after assembly. The enforcement agency may require special inspection at the site in addition to those listed above if found necessary because of the special use of material or methods of construction.

Approved special inspectors shall submit verified reports as required by Section 4-214, for the special work covered. Special inspectors shall periodically submit reports of inspections to the enforcement agency, the architect, the registered engineer responsible for the observation of structural work and the project inspector. Construction work that the special inspector finds not to be in compliance with the approved plans and specifications, and which is not immediately corrected upon notifying the contractor, shall be reported immediately to the project inspector, the enforcement agency, the architect and the registered engineer responsible for observation of the structural work.

Notation
Authority: Health and Safety Code Sections 16017 and 16022.
Reference(s): Health and Safety Code Sections 16015, 16017, 16020 and 16021.

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4-219. Duties of the project inspector.

(a) **General.** The project inspector shall act under the general direction of the architect or registered engineer and under the supervision of the enforcement agency.

(b) **Duties.** The general duties of the project inspector in fulfilling project inspection responsibilities are as follows:

1. **Continuous inspection requirements.** The project inspector must have actual personal knowledge obtained by personal and continuous inspection of the work of construction in all stages of its progress that the requirements of the approved plans and specifications are being executed.

   Continuous inspection means complete inspection of every part of the work. Work, such as concrete work or masonry work which can be inspected only as it is placed, shall require the

constant presence of the project inspector. Other types of work which can be completely inspected after the work is installed may be carried on while the project inspector is not present. In any case, the project inspector must personally inspect every part of the work. In no case shall the project inspector have or assume any duties which will prevent him or her from providing continuous inspection.

The project inspector may obtain personal knowledge of the work of construction, either on-site or off-site, from the inspections performed by special inspectors or approved assistant inspectors and from the reporting of others on testing and inspection of materials and workmanship for compliance with the plans, specifications and applicable standards. The exercise of reasonable diligence to obtain the facts shall be required.

2. Relations with the architect or engineer. The project inspector shall work under the general direction of the architect or registered engineer. Any uncertainties in the inspector's comprehension of the plans and specifications shall be reported promptly to the architect or registered engineer for his/her interpretation and instructions. In no case shall the instructions of the architect or registered engineer be construed to cause work to be done which is not in conformity with the approved plans, specifications and documents authorizing changes.

3. **Job file.** The project inspector shall keep a file of approved plans and specifications (including all approved documents authorizing changes) on the job at all times.

4. **Construction procedure records.** The project inspector shall keep a record of certain construction procedures including, but not limited to the following:

   A. Concrete pouring operations. The records show the time and date of placing concrete and the time and date of removal of forms in each portion of the structure.

   B. Welding operations. The record shall include identification marks of welders, lists of defective welds, manner of correction of defects, etc.

   C. Penetration under the last ten (10) blows for each pile when piles are driven for foundations. **(Relocated to below)** ~~All such records of construction procedures shall be kept on the job until the completion of the work. These records shall be made a part of the permanent records of the owner.~~

   <u>All such records of construction procedures shall be kept on the job until the completion of the work. These records shall be made a part of the permanent records of the owner.</u>

5. **Deviations.** The project inspector shall notify the contractor, in writing, of any deviations from the approved plans and specifications which are not immediately corrected by the contractor when brought to the contractor's attention. Copies of such notice shall be forwarded immediately to the architect or registered engineer and to the enforcement agency.

   Failure on the part of the project inspector to notify the contractor of deviations from the approved plans and specifications shall in no way relieve the contractor of any responsibility to complete the work covered by his or her contract in accordance with the approved plans and specifications and all laws and regulations.

6. **Verified reports.** The project inspector shall submit to the enforcement agency verified reports as required in Section 4-214.

(c) **Violations.** Failure, refusal or neglect on the part of the project inspector to notify the contractor of any work that does not comply with the requirements of the approved plans and specifications, or failure, refusal or neglect to report immediately, in writing any such violation to the architect or registered engineer, to the owner and to the enforcement agency shall constitute a violation of the Act and shall be cause for the enforcement agency to take action, which may result in withdrawal of the inspector's approval.

Notation
Authority: Health and Safety Code Section 16022.
Reference(s): Health and Safety Code Sections 16017 and 16021.

4-220. Duties of the contractor.

(a) **Responsibilities.** It is the duty of the contractor to complete the work covered by his or her contract in accordance with the approved plans and specifications therefore. The contractor in no way is relieved of any responsibility by the activities of the architect, registered engineer, project inspector or the enforcement agency in the performance of their duties.

(b) **Performance of the work.** The contractor shall study carefully the approved plans and specifications and shall plan his schedule of operations well ahead of time. If at any time it is discovered the work is being done that is not in accordance with the approved plans and specifications, the contractor shall correct the work immediately.

All inconsistencies or items which appear to be in error in the plans and specifications shall be promptly called to the attention of the architect or registered engineer, through the project inspector, for interpretation or correction. In no case, however, shall the instruction of the architect or registered engineer be construed to cause work to be done that is not in conformity with the approved plans, specifications, construction change documents ~~and change orders~~, and standards.

The contractor must notify the project inspector, in advance, of the commencement of construction of each and every aspect of the work.

(c) **Verified reports.** The contractor shall make and submit to the enforcement agency from time to time, verified reports as required in Section 4-214.

If work on the building is being done by independent contractors having contracts with the owner, verified reports shall be submitted by each contractor regardless of the type of work involved.

Notation
Authority: Health and Safety Code Section 16022.
Reference(s): Health and Safety Code Section 16021.

4-221. Records. DSA shall maintain a record of the approved plans, specifications, addenda, construction change documents~~, change orders~~ and letters of certification for state-owned or state-leased essential services buildings which have been certified as complying with the provisions of the Act. DSA shall also maintain a record of the letters of compliance for essential services buildings built under the jurisdiction of local enforcement agencies which have been submitted to DSA by those agencies.

Notation
Authority: Health and Safety Code Section 16022.
Reference(s): Health and Safety Code Section 16022.

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ARTICLE 2
STATE BUILDINGS

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4-236. Notice of start of construction. The architect or registered engineer responsible for the project shall give DSA written notification before construction is to be started. As soon as a contract has been let, the architect or registered engineer shall furnish to DSA on Form DSA-102, Contract Information, the name of the contractor, the contract price, and the date of starting of construction. DSA forms are available on the Internet at www.dgs.ca.gov/dsa, or at any of the DSA regional offices.

Notation
Authority: Health and Safety Code Section 16022.
Reference(s): Health and Safety Code Section 16016.

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ARTICLE 3
LOCAL BUILDINGS

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GROUP 1
SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS

ARTICLE 1
GENERAL PROVISIONS

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4-302. Scope.

(a) **General.** Part 2, Title 24, California Code of Regulations (C.C.R.), also known as the California Building Code, designates the structural building regulations that shall apply to the design, construction, reconstruction, rehabilitation, alteration of or addition to any school building as defined in Sections 17283 and 81131~~1~~0.5 of the Education Code. The term “school building” shall include all buildings, structures, appurtenances and related systems or facilities as defined in Section 4-314.

These regulations establish reasonable standards and minimum requirements for the structural integrity of public school buildings to resist, insofar as practicable, the forces of gravity, wind and earthquake for the protection of life and property.

The design and construction of the mechanical and electrical systems in school buildings shall conform to the applicable building regulations in Title 24, C.C.R.

Further, the design and construction of school buildings shall comply with the regulations adopted by the Division of the State Architect/Access Compliance (DSA-AC) and the Office of the California State Fire Marshal for the particular occupancies concerned. (See Title 24, C.C.R.)

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17280 and 81130.

(b) **Emergency ~~Short term temporary~~ buildings.** Installation of ~~temporary~~ relocatable school buildings, used or designed to be used for school purposes following disasters such as earthquakes, fires, ~~and~~ floods or unanticipated emergency classroom needs ~~or during modernization projects, for which repairs are in progress,~~ require approval by DSA. DSA has determined that compliance with the strict letter of the regulations ~~is~~ may be impractical in these circumstances. The modifications to the regulations granted by DSA are as indicated here and are recorded and entered in the files of DSA in accordance with Section 4-304.

~~DSA may grant "Temporary Certification" to temporary~~ Emergency relocatable buildings ~~that~~ must meet all the requirements of regulations with the following modifications ~~to the regulations~~ and limitations:

~~1 "Temporary Certification" is for 24 months.~~

~~2.~~1. The building is a one-story relocatable building no greater than 2,160 square feet in area.

~~3. Documentation is provided indicating that the building was designed and constructed according to the 1976 or later edition of the *Uniform Building Code* published by the International Conference of Building Officials. The date of construction of each building module shall be provided.~~

~~4.~~2. ~~Quality control procedures acceptable to DSA for the construction of the building to ensure compliance with the approved plans and specifications are provided~~ Documentation is provided indicating the construction of the building superstructure is DSA certified in accordance with Section 4-339.

~~5. A report is provided to show that the building has not sustained structural deterioration, been modified without enforcing agency approval and has anchorage and bracing of overhead nonstructural elements that are acceptable to DSA.~~

~~6.~~3. A foundation system is provided that has been accepted by DSA.

~~7.~~4. ~~All construction, except for the building superstructure, is to be inspected by a DSA-certified project inspector for conformance with the drawings provided by the architect. The inspector will submit a completed checklist for each campus and will submit said checklist with the final verified report.~~ Observation and inspection of construction shall be in compliance with Section 4-333.

~~8. The architect or structural engineer in general responsible charge shall prepare site plans. DSA may make such review of the site plans and other submitted documents as in its judgment is necessary for the enforcement of these regulations.~~

5. Verified reports shall be prepared and provided in compliance with Section 4-336.

6. DSA must be notified immediately by the district of the emergency need and the intent to use this

section.

7. Within 14 days following the installation of these emergency buildings, the school district will notify DSA of the extent of the damage to their permanent school buildings or extent of emergency need and the number of emergency buildings installed to house displaced students.

8. Within 60 days following installation of these emergency buildings, the design professional representing the school district shall provide DSA with a complete project submittal in compliance with Article 3 of these regulations.

~~Temporary buildings or structures such as sheds, canopies and fences used for the protection of the public around and in conjunction with construction work may be erected by special application for approval from DSA for a limited period of time.~~

~~Temporary buildings or structures are subject to the regulations indicated in Section 4-302 (a), except as modified by DSA.~~

~~When the construction has been completed in accordance with this section, DSA will issue a temporary certificate of compliance in accordance with Section 4-339. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the temporary certification letter approving the special application for approval.~~

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Section ~~17292.~~17282 and 17298

HISTORY:

1. Editorial correction of printing error (Register 83, No. 45).

2. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-302, Part1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

3. (DSA/SS 2/95) Regular order by the Division of the State Architect/Structural Safety Section to amend Section 4-302 (b). Filed with the Secretary of State on August 14, 1996, becomes effective September 13, 1996. Approved by the California Building Standards Commission on March 19, 1996.

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4-305. Application of building standards. Building standards applicable to public school buildings are set forth in Parts 2, 3, 4, 5, 6, 9, 10, 11 and 12, Title 24, C.C.R., and have been adopted as minimum design and construction standards upon which to base the approval of plans and specifications. These regulations shall not be construed to prevent the use of higher design standards nor to restrict the use of new or innovative design or construction techniques.

Where the designer desires to use innovative design or construction techniques not addressed in these regulations it shall be necessary to submit for review and approval information including computations, test data and recommendations covering the design in question. The designer shall confer

with DSA concerning the applicability of these innovative design or construction techniques to school building construction prior to the submittal of plans and specifications.

DSA must be satisfied that the degree of safety achieved by these innovative design and construction techniques is at least equivalent to that achieved by the regulations. This requirement shall apply to all buildings proposed for public school use for educational purposes as defined in these regulations. The proposed use of archaic building materials and structural systems such as those desired to be retained in buildings which have been designated as historically important shall be included in this provision. The determination of the equivalency of the degree of safety shall be the responsibility of DSA.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17280 and 81130.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-305, Part1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-306. Approval of new school buildings, rehabilitation of school buildings and additions to school buildings. Plans and specifications for any new school building or the rehabilitation of or addition to any school building, regardless of cost, shall be submitted to DSA for approval in accordance with Section 4-315.

All new construction work which is part of an addition project shall comply with currently effective regulations. Existing school buildings for which an addition project is proposed shall be retrofitted when ~~as~~ required by Section 4-309 (c).

Before the school board may award a contract or commence construction work for the rehabilitation of a structure already owned (including those pre-1933 buildings not retrofitted or subsequently abandoned for school use under the provisions of the Garrison Act), or an existing building which has been purchased or leased, into a school building, the school board shall submit application and plans of the building to DSA for approval. The plans shall provide for the retrofit necessary for full compliance with the requirements of currently effective regulations. Refer to Section 4-307 for rehabilitation of an existing nonconforming building for use as a school building.

When a rehabilitation of an existing school building is required by Section 4-309 (c), ~~Prior to submittal of project application for the structural rehabilitation of an existing school building,~~ the school board shall submit to DSA, prior to submittal of project application, a pre-application for the rehabilitation project, fees in accordance with Section 4-326, and an Evaluation and Design Criteria Report for approval. If the school board voluntarily elects to rehabilitate an existing school building to full compliance with the code, then a pre-application may be required by DSA. The report shall propose the methodologies for evaluation and design, and determination of acceptance criteria for nonconforming construction, and shall propose the material testing and condition assessment requirements for the rehabilitation. The approved Evaluation and Design Criteria Report shall establish the criteria for the evaluation and design to be used by the project design professionals and the material testing and condition assessment requirements. The seismic evaluation and retrofit design shall comply with the provisions of Sections 317~~3417~~ through 323~~3423~~, Part 10~~2~~, Title 24, C.C.R.

The relocation or moving of an existing school building within the same school district or from one school district to another regardless of cost requires approval by DSA. (See Section 4-314 for definition of "relocation.")

The provisions of this section shall not apply to a "temporary-use building community college." (See Section 4-314 for definitions of "new school building" and "temporary-use building community college.")

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17280 and 81130.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-306, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-307. Rehabilitation of an existing nonconforming building for use as a school building.

(a) An existing nonconforming building rehabilitated for use as a school building is considered, for the purpose of the application of Title 24, to be a new school building. Plans and specifications for rehabilitation of any existing nonconforming building, or portion thereof, for use as a school building shall provide for the retrofit necessary for compliance with the health and safety standards contained in Title 24, C. C. R., currently effective edition. Existing materials or systems not specifically prescribed in current safety standards are permitted to be evaluated for equivalency and approved in accordance with Section 4-304. The seismic evaluation and retrofit design shall comply with the provisions of Sections 317~~3417~~ through 323~~3423~~, Part 10~~2~~, Title 24, C. C. R.

(b) A site, which is currently not an existing school site, on which one or more existing nonconforming buildings are rehabilitated for use as school building(s) is considered to be a new school site for the purpose of the application of Title 24. Any building on a new school site which is not rehabilitated and approved as a school building shall not be used for school purposes and shall be subject to the provisions of Section 4-310.

(c) Prior to submittal of a project application for the ~~structural~~ rehabilitation of an existing nonconforming building, the school board shall submit to DSA a pre-application for the rehabilitation project, fees in accordance with Section 4-326, and an Evaluation and Design Criteria Report for approval. The report shall propose the methodologies for evaluation and design, and determination of acceptance criteria for nonconforming construction; and shall propose the material testing and condition assessment requirements for the rehabilitation. The approved Evaluation and Design Criteria Report establishes the criteria for the evaluation and design to be used by the project design professionals, and the material testing and condition assessment requirements.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17280 and 81130.

…

4-309. Reconstruction or alteration projects in excess of $25,000 in cost.

(a) **General.** Plans and specifications for any reconstruction or alteration project exceeding $25,000 in cost shall be submitted to DSA for approval in accordance with Section 4-315, except as provided within this section. The cost of work classified as maintenance as defined in Section 4-314 shall not be considered for purposes of this section.

(relocated from below)

The dollar amounts cited in this section shall be increased on an annual basis, according to an inflationary index governing construction costs that is selected and recognized by DSA. This annually adjusted dollar amount shall be published by DSA and made available to school boards and the public.

School construction projects shall not be subdivided for the purpose of evading the cost limitations of this section.

All new construction work, which is part of a reconstruction or alteration project, shall comply with currently effective regulations for design and construction, where not otherwise regulated in this section.

Exception: Fire damage repair may be accomplished utilizing the approved plans and specifications for the original construction work. All regulations and standards in effect at the time of approval shall be complied with except that the testing and inspection requirements of current regulations shall apply to the reconstruction work. Minor modifications to the original approved plans may be made, subject to the approval of DSA, provided that they do not reduce the structural capacity of the building.

All modifications affecting the existing structural elements carrying gravity load shall comply with Section 403.3, Part 10, Title 24, C.C.R.

Where any modifications to an existing school building results in an increase to the seismic or wind forces in, 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 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.

Voluntary lateral force-resisting system modifications may be used where permitted in Section 4-309(d).

~~Structural modifications to the existing structural system not exceeding the limits defined in Section 4-309 (c) 2 are permitted to be evaluated and designed in compliance with the wind and seismic provisions contained in Part 2, Title 24 that are applicable to new buildings. Alternatively, the seismic provisions for voluntary lateral-force resisting system modifications contained in Section 317.11 3417.11, Part 10 2, Title 24, are permitted to be used, and wind forces are permitted to be determined in accordance with the Envelope and Simplified Procedure in Chapters 28 and 30 of ASCE 7.~~

(relocated from above)

When the estimated cost of a reconstruction or alteration project exceeds $25,000 but does not exceed $100,000, and a licensed structural engineer determines that the project does not include any work of a structural nature, approval of the project plans and specifications by DSA is not required, provided the following three items are completed:

1. The structural engineer shall submit a written statement to DSA, indicating that the project does not contain any work of a structural nature.

2. The design professional in general responsible charge of the project shall certify, in writing, that the plans and specifications for the project meet any applicable fire and life-safety standards, and do not specify any work of construction that is regulated by the ~~fire and life-safety and~~ accessibility standards of Title 24. This certification shall be submitted to DSA, and shall bear the stamp and signature of the design professional.

3. Within 10 days of the completion of the project, a DSA certified project inspector shall sign and submit to DSA a verified report on a form prescribed by DSA, indicating that the project was completed in conformance with the plans and specifications.

(b) E**xisting noncomplying, nonstructural elements**. Existing noncomplying, nonstructural elements discovered during the design or construction of a reconstruction, alteration or addition to an existing complying school building and directly affected by the work of construction shall be corrected to comply with the bracing and anchorage requirements of currently effective regulations.

(c) **Required ~~structural~~ 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:

1. When the cost of the reconstruction, alteration, or addition project exceeds ~~$25,000 and~~ 50 percent of the replacement value of the existing building. Maintenance work and air-conditioning equipment and insulation materials costs 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 ~~shall~~ not include the cost of voluntary lateral force-resisting system modifications in accordance with Section 4-309(d), except the cost shall be included ~~. If these voluntary lateral force-resisting system modification costs are to be excluded and~~ when the structure is located in a fault hazard zone~~,~~ and a geologic hazard report ~~shall be prepared~~ demonstrates~~ing~~ that the structure is ~~not~~ located within 50 feet of the trace of an active fault as defined in Section 4-317(e), ~~otherwise these costs shall be included~~.

2. When the cost of the reconstruction, alterations or addition project ~~exceeds $25,000 but~~ does not exceed 50 percent of the replacement value of the existing building, and the proposed modifications result in any of the following:~~, either:~~

   A. An ~~I~~increase in the effective seismic weight, or wind force due to increase in surface area, in any story by more than 10 percent, cumulative since the original construction~~, or;~~.

   B. A reduction in the lateral-force resisting capacity or stiffness of any story in any one direction by more than 10 percent, cumulative since the original construction. ~~Decrease the design capacity of any existing structural component by more than 5 percent, unless the component has the capacity to resist the retrofit design forces.~~

   Exception to A and B: A rehabilitation of the structure will not be required if the elements of the existing lateral-force resisting system, without considering new strengthening as part of the project, comply with Section 319.1 or 317.7, Part 10, and Section 1609A, Part 2. The capacity of the lateral force resisting system may include past strengthening that was approved and certified by DSA as the basis for the percentage comparison.

C. A structural irregularity that is prohibited in ASCE 7 Section 12.3.3.1 and Section 1616A.1.10, Part 2.

3. When a change of occupancy results in a structure being reclassified to a higher risk category.

~~If the base shear capacity has been increased since the original construction, the percent change in base shear is permitted to be calculated relative to the increased capacity.~~

(d) **Voluntary lateral force-resisting system modifications.** Alterations to existing structural components or additions of new structural components that do not exceed the limitations of Section 4-309(c)2 and are initiated for the purpose of increasing the strength or stiffness of the lateral force-resisting system of an existing structure are permitted to be evaluated and designed in accordance with Section 317.11 ~~3417.11~~ of Part 10 ~~2~~, Title 24, C.C.R. for voluntary lateral force-resisting system modifications.

(e) When building ~~structural~~ damage due to an earthquake or wind is repaired, all portions of the building ~~structure~~ associated to this damage shall be retrofitted to comply with currently effective regulations.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17280, 17295, 81130 and 81133.

HISTORY:

1. New section filed 2-28-86; effective 30th day thereafter (Register 86, No. 9).

2. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-309, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-310. School garages, warehouses, storage and similar buildings, dwellings for employees and miscellaneous structures. The Act does not apply to buildings or structures constructed by a school district for the purpose of, and used solely for housing, buses and minor mechanical equipment or for non-school 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 for employees or 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. **(relocated from below)** DSA approval for accessibility is required for such buildings 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.

The Act does not apply to school based health centers, social services or support services qualifying under the provisions of California Education Code, Section 17296, housed in stand-alone buildings located on school property which are not to be used for school purposes. Approvals from other agencies will be required for these facilities. Proof of qualification and a copy of the building permit from the local building official will be required to be provided to DSA prior to start of construction.

It shall be the responsibility of the school board to take all necessary measures and precautions to prevent such use and to prevent injuries to pupils or teachers on school grounds as a result of collapse of such buildings or structures. Any such building excluded from the provisions of these regulations shall be posted with a sign pursuant to Sections 17368 and 81165~~5~~0 of the Education Code.

In authorizing and completing the design and construction of district-owned buildings as described in this section, the school board assumes responsibility for employing appropriately licensed architects or registered engineers to prepare the plans and specifications and for adequate inspection of the materials and work of construction to ensure compliance with the provisions of Parts 2, 3, 4, 5, 6, 9, 10, 11 and 12, Title 24, C.C.R., as adopted by the Building Standards Commission.

For these cases DSA requires that a resolution be passed by the school board stating that the building or structure shall not be used for school purposes and that no pupils or teachers, as such, will be permitted to use or enter the said building for said purposes or be subjected to a hazard resulting from its collapse. A copy of the resolution shall be submitted to DSA.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17280, 17296, 17368, 81130 and 8116~~5~~0.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-310, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

…

ARTICLE 2
DEFINITIONS

4-313. General. The words defined in Section 4-314 shall have the meaning stated therein throughout the regulations contained in Part 1, Section 4-300, et. seq, Title 24, C.C.R.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17283, 81130, 8113~~1~~0.5 and 81529.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-313, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-314. Definitions.

ACT shall mean the Field Act, Sections 17280-17316 and 81130-81147, inclusive of the Education Code.

ADDITION as that term is used in these regulations shall mean an increase in permanently constructed floor area or volume of enclosed space placed immediately adjacent to or above and sharing use with an existing certified building. The addition may be of the same occupancy or a different occupancy and may be either structurally attached or structurally detached from the existing building. An existing building with an existing expansion joint, indicating that it was previously added on to at one time in the past, is considered one single building.

~~an increase in floor area or volume of enclosed space that is structurally attached to an existing certified building by connections which are required for transmitting vertical or horizontal loads between the addition and the existing structure. An addition which is not required to be structurally attached either for its own support or for support of the existing building shall be separated as required by Part 2, Title 24, C.C.R., and shall be deemed to be the construction of a new school building as that term is used in Sections 17280 and 81130 of the Act.~~

ALTERATION ~~is a change within or~~ Any construction or renovation to an existing certified building other than reconstruction, rehabilitation, or addition. The relocation or moving of an existing certified school building is considered to be an alteration requiring filing of the plans and specifications with, and certification by, DSA.

APPROVED PLANS AND SPECIFICATIONS as used in these regulations shall mean plans, specifications, addenda, construction changes and other documents which have been duly approved by DSA pursuant to Sections 17295 and 81133 of the Education Code. The plans and specifications shall be identified by a stamp bearing the name "Division of the State Architect," the application number, initials of the plan reviewers and date of stamping. The written approval as required by Section 17297, Education Code, shall not be issued until a copy of plans and specifications bearing DSA's identification stamp is on file at the DSA.

ARCHITECT shall mean a certified architect holding a valid license under Chapter 3, Division 3, of the California Business and Professions Code.

CERTIFIED BUILDING shall mean a building which was constructed or reconstructed in accordance with Article 3 or 7 commencing with Sections 17280 and 81130, respectively, of the Education Code and with the regulations in effect at the time of their certification.

DIVISION OF THE STATE ARCHITECT or **DIVISION**, or initials **DSA**, shall mean the Division of the State Architect in the Department of General Services, State of California. Approval, disapproval, orders and certificates of compliance shall be issued directly by the State Architect who shall act for the Department of General Services in carrying out the provisions of the Act.

GARRISON ACT (1939), Sections 17280–17316 and 81160–81192 of the Education Code, as amended, prescribes the actions to be taken by school board members to preclude personal liability for the continued use of unsafe school buildings.

GEOTECHNICAL ENGINEER shall mean a professional engineer holding a certificate to use the title geotechnical engineer, soil engineer or soils engineer under the law regulating the practice of civil engineering comprising Chapter 7 of Division 3, of the California Business and Professions Code.

INSPECTOR shall mean any person duly approved by DSA to perform construction inspection for a particular project. (See Sections 4-333 and 4-342.)

MAINTENANCE shall mean and include ordinary upkeep or repair work such as replacements in kind, repainting, replastering and reroofing. Reroofing shall be limited to one additional application and shall include an examination of the structural elements of the roof, walls, ceilings and all other elements which may have suffered deterioration from moisture resulting from roof leaks. Maintenance shall not include work, other than repainting, on structural framing nor include the replacement of large mechanical, electrical or plumbing units or systems.

NEW SCHOOL BUILDING shall mean any newly erected school building and/or existing owned, leased or purchased building converted to school use and certified by DSA.

NONCONFORMING BUILDING is a building that has not been certified by DSA as a school building.

NONSTRUCTURAL ALTERATIONS shall mean only such alterations as do not affect the structural safety of the school building and that do not change, in any manner, its structural elements.

OFFSITE LOCATION is a building designated by the governing board to be used for less than full-time instruction in educational programs which require such offsite facilities in order to fulfill the objectives of the programs. Such designated buildings shall not be located on, or adjacent to, a school site and its primary use shall be for other than public school purposes. The designation of off-site location is subject to review by DSA. (See Education Code Section 81529.)

PLANS as used in these regulations shall mean the drawings associated with the project such as, but not limited to, vicinity maps, site plans, foundation plans, floor plans, ceiling plans, roof plans, cross sections, interior elevations, exterior elevations and details.

PROFESSIONAL ENGINEER as used in these regulations shall mean an engineer holding a valid certificate under Chapter 7, Division 3, of the California Business and Professions Code, in that branch of engineering which is applicable.

PUPILS as used in these regulations shall mean persons who are performing a required activity or entering a building by virtue of being a pupil enrolled in an elementary or secondary school district or a community college district.

RECONSTRUCTION is the repair of damage to an existing certified school building.

REGISTERED ENGINEER as used in these regulations shall mean a structural engineer or a professional engineer as defined in this section.

REHABILITATION is the evaluation and resulting retrofit~~ting~~ of an existing nonconforming building or a school building conforming to earlier code requirements to bring the building, or portion thereof, into conformance with the safety standards of the currently effective regulations, Parts 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12, Title 24, C. C. R.

RELOCATABLE BUILDING is any building with an inte-gral floor structure which is capable of being readily moved. (See Education Code Section 17350.) Relocatable buildings that are to be placed on substandard foundations not complying with the requirements of Part 2, Title 24, C.C.R., require a statement from the school district stating that the durability requirements for those foundations may be waived and acknowledging the temporary nature of the foundations.

RELOCATION shall mean the physical moving of any certified building either as a single unit or in parts ~~form~~from its original location to a new location on the same campus or on a different campus. Relocation of a building requires the approval of DSA.

RETROFIT is the construction of any new element or system, or the alteration of any existing element or system required for the rehabilitation of the building.

SCHOOL BOARD shall mean and include district Boards of Trustees, city or county Boards of Education and other appropriate authorities for which any school building used or designed to be used for elementary or secondary school or community college purposes is to be constructed, reconstructed, altered or added to by the state, or by any county, city, city and county, or other political subdivision, or by any school or community college district of any kind or character within the state, or by the United States government, or any agency thereof.

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

The following are not considered to be school buildings but may be submitted separately or may be included in the plans and specifications for a school building project and will be checked under the provisions of the Act if submitted by the school district: one-story buildings not over 250 square feet in area when used exclusively as accessory facilities to athletic fields (equipment storage, toilets, snack bars, ticket booths, etc.); greenhouses, barns and materials or equipment storage sheds, used exclusively for plant or animal production or protection and not used for classroom instruction (small groups of pupils and teachers may enter these structures for short periods of time); lighting poles less than 35 feet above the grade, antenna towers less than 35 feet above the grade ~~or less than 25 feet above a building roof line~~, retaining walls less than 4 feet above the top of foundations and not supporting a surcharge, concrete or masonry fences less than 6 feet above adjacent grade, ballwalls or yard walls less than 6 feet above adjacent grade, signs, scoreboards or solid-clad fences less than 8 feet above adjacent grade, bleachers and grandstands five rows of seats or less above grade; playground equipment; flagpoles less than 35 feet above grade; open-mesh fences and baseball back-stops~~; trailer coaches~~; and ~~"~~temporary-use~~"~~ community college buildings as defined below. For work described in this paragraph that is not submitted to DSA for approval under the Act, the school board assumes responsibility for employing appropriately licensed architects or registered engineers to prepare the plans and specifications and for adequate inspection of the materials and work of construction to ensure compliance with the provisions of Parts 2, 3, 4, 5, 6, 9, 10, 11 and 12, Title 24, C.C.R., as adopted by the Building Standards Commission.

Buildings and other structures constructed by students that upon completion of construction will not be used for school purposes and will not be entered by pupils or teachers are not considered school buildings and shall not be checked under the provisions of the Act. These student-constructed buildings shall not remain at the school site more than 90 days following completion, unless the building meets all the requirements of Section 4-310.

(Split paragraph in 2)

"School Building" in a complex operated by the state for correctional or forestry purposes shall include only those structures used or designed to be used for elementary or secondary school instruction or community college instruction. Living units, dining areas, administration buildings or structures used for support services in such correctional or forestry complexes shall not be considered school buildings for purposes of Field Act requirements.

SCHOOL DISTRICT as used in these regulations shall mean a Kindergarten through 12th grade school district of any kind or character within the state, a community college district of any kind or character within the state, a county office of education, elementary or secondary school operated by the United States government, or any agency thereof, and any elementary or secondary school administered directly by the State Department of Education.

STRUCTURAL ENGINEER as used in these regulations shall mean a professional engineer holding a valid certificate to use the title structural engineer under the law regulating the practice of civil engineering comprising Chapter 7 of Division 3 of the Business and Professions Code, relating to professional engineers.

TEACHERS as used in these regulations shall mean persons who are performing a required activity or entering a building by virtue of being teachers employed by an elementary or secondary school district or a community college district.

TEMPORARY-USE BUILDING COMMUNITY COLLEGE is any community college building for which the intended use by the school district at the time of entering into a lease contract or agreement is not for more than three years from the date of first occupancy.

TEMPORARY-USE BUILDING K-12 is any temporary school buildings, other than those for community colleges, used or designed to be used for school purposes following disasters such as earthquakes, fires and floods, unanticipated emergency classroom needs or during modernization projects, for which repairs are in progress. The use of such buildings is limited to a maximum of three years.

~~**TRAILER COACH** is a building that conforms to the requirements of Part 2 (commencing with Section 18000) of Division 13 of the Health and Safety Code and is not expanded or fitted together to form a unit greater than 16 feet in width and is used for special education purposes for not more than 12 students at one time.~~

> ~~**Exception:** Trailer coaches may be used for not more than 20 students at a time for driver training purposes.~~

WAIVER OF DURABILITY refers to a waiver, as may be requested by the school district, of certain durability requirements of Part 2, Title 24 for foundations of relocatable buildings.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17280, 17283, 17405, 81130, 8113~~1~~0.5 and 81529.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-314, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

ARTICLE 3
APPROVAL OF DRAWINGS AND SPECIFICATIONS

4-315. Application for approval of drawings and specifications.

(a) **General.** Before awarding a contract or commencing with construction of a school building project, the school board shall submit an application to the Division of the State Architect and obtain written approval of the plans and specifications for any of the following:

1. The construction of any new school building, or rehabilitation of or addition to any existing school building. School building is defined in Section 4-314.

2. The reconstruction or alteration of an existing school building if the estimated cost exceeds $25,000. (See Section 4-308 and 4-309.)

3. The lease or purchase of any relocatable building except where occupied as a temporary-use community college building.

Exception: The school board may award a contract and commence construction of a "relocatable building" for emergency housing ~~of a type previously approved by DSA under emergency conditions and with concurrence by DSA. These structures shall not be placed on a school site until the plans and specifications for the site work have been approved by DSA.~~ in compliance with 4-302(b).

~~4. The extension of a lease for a "temporary-use building for more than three years from the date of first occupancy.~~

~~5.~~4. The rehabilitation of a nonschool building to use as a "school building." (See Sections 4-306 and 4-307.)

It is not necessary to secure approval for maintenance work on school buildings, in accordance with Sections 4-308 and 4-309. See Section 4-314 for the definition of "maintenance."

(b) **Filing.** A separate application shall be submitted to DSA for each school building or group of school buildings on each school site. ~~In the event that a number of school buildings, on various and separate sites, are to be constructed from the same plans and specifications, only one application shall be required, provided that all buildings are constructed at the same time and within the same school district.~~ The application shall be submitted on a form prescribed by DSA. The application shall contain a project name for the school building or group of buildings, the name of the architect or registered engineer in general responsible charge of the work, the names of the architects or registered engineers who have been delegated responsibility for portions of the work (see Section 4-316), the estimated cost of the project and all such other information as is requested thereon.

(c) **Delayed filing.** In case the plans and specifications for the reconstruction or alteration of any school building have not been submitted to DSA under the assumption that the cost will not exceed $25,000, the school board shall, if the bids which are received indicate that the cost will be in excess of $25,000, delay letting a contract until such time as the plans and specifications have been submitted and the approval by DSA obtained. The contract or contracts, when made, shall be based on the duly approved plans and specifications.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17295,17297,17302,81133 and 81138.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-315, Part1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-316. Designation of responsibilities.

(a) **General responsible charge.** For every project there shall be an architect or structural engineer in general responsible charge of the preparation of the plans, specifications and observation of the work of construction~~,~~.

~~except~~ Exception: ~~that where~~Where the plans, specifications or work of construction for alterations or repairs do not involve architectural or structural changes, the said plans, specifications and observation of the work of construction may be under the responsible charge of a professional engineer qualified to perform services and registered in that branch of engineering applicable to the work.

A project may be divided into parts, provided that each part is clearly defined by a building or similar distinct unit. The part, so defined, shall include all portions and utility systems or facilities necessary to the complete functioning of that part. ~~Separate assignments of general responsible charge may be made for the parts.~~

(b) **Delegation of responsibility.** The architect or structural engineer in general responsible charge may delegate responsibility for any portion of the preparation of the plans, specifications and observation of the work of construction ~~of the work to~~, or may employ or retain, other architects or registered engineers. No delegation to, or employment or retention of others shall be construed as relieving the architect or structural engineer in general responsible charge of his or her rights, duties and responsibilities under Sections 17302 and 81138 of the Education Code and Sections 4-336, 4-341 and 4-344 of these regulations. ~~Whenever an engineer or architect has accepted delegation for the design of portions of the plans and specifications, that same engineer or architect shall observe the construction of the same portions of the design.~~

Subject to the provisions of the immediately precedent sentence, the architect or structural engineer in general responsible charge may ~~shall~~ employ or retain, under his or her supervision, professional engineers registered in the applicable branches of engineering to design and observe the construction, including the making of verified reports (see Section 4-336)~~, of the mechanical and electrical portions of the work, but this requirement for observation of construction may be waived by DSA when special mechanical and electrical inspection is provided~~.

(c) **Assumption of responsibility.** The architect or registered engineer who has been delegated responsibility becomes the "responsible design professional" for that delegated portion of the work. Any design professional delegated responsibility for any portion of the work ~~submits for approval plans and specifications for any project or portion of a project which have been prepared by others~~ shall perform the duties prescribed in section 4-341(c). Any design professional delegated responsibility for any portion of the observation of construction shall perform the duties prescribed in section 4-341(f). ~~assume responsibility for the safety of design of the completed construction and for the interpretation of and any necessary amplification of the plans and specifications of the project. The responsible architect or engineer shall stamp and sign all original tracings or all copies of plans submitted for approval to indicate his or her assumption of responsibility or may in lieu thereof stamp and sign and submit plans prepared under his or her own charge. [See Section 4-317 (h) for other signatures.]~~

When an architect or registered engineer accepts the responsibility for completion of a project or portion of a project started by another, that architect or registered engineer thereby assumes responsibility as follows:

1. If the change in responsibility occurs prior to the ~~completion~~ approval of the design documents, all responsibility shall be assumed. (See first paragraph of this subsection for procedure.)

2. If the change in responsibility occurs after the design drawings and specifications have been ~~completed and~~ approved by DSA, the assuming architect or registered engineer shall be responsible for the construction of the project in accordance with the design of the previous architect or engineer. The assuming architect or registered engineer shall assume responsibility for the interpretation of and any necessary amplification of the plans and specifications and shall stamp and sign any such documents prepared for that purpose.

(d) **Acceptance of responsibility.** The assumption of general responsible charge or of delegated responsibility shall be established by the following:

1. Acceptance as architect or registered engineer in general responsible charge for the preparation of the plans, specifications, and observation of the work of construction shall be reported using the form(s) prescribed by DSA.

2. Acceptance as the responsible design professional to who portions of the preparation of the plans and specifications has been delegated shall be reported using form(s) prescribed by DSA.

3. Acceptance as the responsible design professional to who portions of the observation of work of construction has been delegated shall be reported using form(s) prescribed by DSA. Any change in the assumption of the general responsible charge or of delegated responsibility shall be reported using the form(s) prescribed by DSA. If no form is available for a specific delegation or change, the delegation of responsibility shall be reported in letter form, which shall include an indication that the school board has been notified.

~~(e) **Evidence of responsibility.** The stamp and signature of the architect or registered engineer on a plan, specification or other document shall be deemed evidence that full responsibility is assumed by the signatory for the work shown thereon, including also those portions of the accompanying computations, specifications or plans which pertain to such work, unless express notice of disclaimer of responsibility is given in writing to DSA prior to the approval of the plans and specifications.~~

~~(f)~~ (e)**Alternates.** The applicant, or the architect or registered engineer having general or delegated responsibility, may name one or more persons to act as alternate(s) for the design and/or observation of the work of construction, provided such persons are architects or registered engineers who themselves are qualified under these rules and regulations to assume the responsibility assigned.

Alternates ~~may~~ shall be named on a form prescribed by DSA, or if no form is available, reported in letter form. Letters or forms shall be submitted to DSA prior to performance of work by the alternate and shall include an indication that the school board has been notified.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17302 and 81138.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-316, Part I, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

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

(a) **General.** When an application for approval of plans and specifications is filed, it shall be accompanied by three complete sets of the plans and specifications, a copy of the structural design calculations, the site data and a fee payment calculated on the estimated cost. The three complete sets of plans and specifications include the set required by Section 5-103 of Title 24, Part 1, California Code of Regulations. (See Section 4-320.)

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

Plans and specifications which when submitted are determined, through initial plan check, by DSA to be incomplete or incorrect, shall be returned to the architect or engineer in general responsible charge with a request for compliance with these regulations before detailed plan checking ~~is started by DSA.~~ commences.

(b) **Plans.** Plans shall designate the use or occupancy of all parts of the school buildings and shall give such other information as may be required to indicate the nature of the work proposed and to show compliance with the act and these regulations. The plans shall be legible and sufficiently detailed and cross-referenced to show clearly the pertinent features of the construction, and shall have sufficient dimensions to be readily interpreted. Where a project includes several school buildings, the plans for each shall be drawn independently except that details common to all need not be repeated.

The architect or engineer in general responsible charge or the professional engineer delegated responsibility for the design of the structural system of the project shall design and detail the anchorage and bracing of nonstructural elements. The details for the bracing and anchorage of nonstructural elements shall be shown and cross-referenced on the drawings. ~~adjacent to the nonstructural elements to which they apply.~~

(c) **Specifications.** Specifications shall completely set forth the requirements for the various types of materials that will enter into permanent construction and shall describe the methods not covered in the technical regulations which are to be used to obtain the required quality of the work shown on the plans as described in the specifications.

Due to the difficulty of anticipating every unsatisfactory condition that might be found in existing construction where addition, alteration, rehabilitation or reconstruction work is proposed, the following clause or one of similar meaning shall be included in the specifications:

> "Should any existing conditions such as deterioration or non-complying construction be discovered which is not covered by the DSA approved documents wherein the finished work will not comply with Title 24, California Code of Regulations, a construction change document, or a sepa-rate set of plans and specifications, detailing and specifying the required repair work shall be submitted to and approved by DSA before proceeding with the repair work."

(d) **Design calculations.** Calculations, stress diagrams and other pertinent data shall accompany the plans and specifications and shall be sufficiently complete so that capacities for individual structural members and their connections can be verified without additional calculations. All assumptions used in the calculations and their bases shall be stated. The calculations shall be prefaced by a statement clearly and concisely outlining the basis for the structural design and indicating the manner in which the proposed school building will resist vertical loads and horizontal forces.

The calculations shall be sufficiently complete to establish that the structure will resist the loads and forces prescribed in Part 2, Title 24, C.C.R. Assumed safe bearing pressures on soils and specified strengths of concrete shall be given in calculations and noted on plans. Where unusual conditions occur, such additional data as are pertinent to the work shall be submitted.

(e) **Site data.** Site data for all school sites shall include a geotechnical engineering report including subsurface site work, laboratory testing, an evaluation of site soil conditions, a recommendation for the type of foundations to be used and an allowable design value for the soil-bearing capacity.

A geologic and earthquake hazard report shall be submitted with the application for all new school sites, and for all construction on existing school sites located in a Seismic Hazard Zone, an Alquist-Priolo Earthquake Fault Zone, or in a seismic hazard zone designated in the Safety Element of a Local General Plan. DSA may require a geologic and earthquake hazard study for any construction on a

school site outside of the boundaries of any geologic hazard zone where a potential geologic hazard has been previously identified.

Reports shall be prepared, and signed by a California-certified engineering geologist and a California-registered geotechnical engineer. Geologic hazard reports shall include an evaluation of the potential for damage due to flooding.

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

(f) **Estimates of cost.** Estimates of cost shall be based on the cost prevailing at the time the plans and specifications are sub-mitted to DSA. The estimated cost of a project shall be increased as necessary to include the estimated cost of every alternate building or portion thereof shown on the plans or specifications as if each alternate building and portion were to be constructed separately and simultaneously.

For projects using the collaborative process for project review per Education Code Section 17319 or 81133.1, the estimated cost of the project shall be based on the cost prevailing at the time that the application is submitted. Upon submittal of complete plans and specifications, DSA may require the applicant to revise the estimated cost based on prevailing costs at that time. If the estimated cost has increased, the applicant shall submit additional filing fees based on the revised estimated cost.

When a contract amount, or the cumulative total of two or more contract amounts, exceeds the estimated cost by more than 30 percent, the estimated cost may be revised. An additional fee, if required, based on the revised estimated cost of the revision shall be paid before proceeding with the work. When the actual cost of constructing all the work shown on the approved plans is less than 70 percent of the estimated cost, a refund of overpaid fees may be claimed. (See Section 4-322 for actual cost and Section 4-325 for billing for further fees.)

(g) **Deferred submittals.** Only where a portion of the construction cannot be adequately detailed on the approved plans because of variations in product design and/or manufacturer, the approval of plans for such portion, when specifically accepted by DSA, may be deferred until the material suppliers are selected, provided the following conditions are met:

1. The project plans clearly indicate that DSA approval of the deff~~e~~rred submittal is required for the indicated portions of the work prior to fabrication and installation.

2. The project plans and specifications adequately describe the performance and loading criteria for such work.

3. A California licensed architect or California registered engineer stamps and signs the plans and specifications for the deferred submittal item. The architect or engineer in general responsible charge of the design of the project shall submit the plans and specifications for the deferred submittal item to DSA, with notation indicating that the deferred submittal documents have been found to be in general conformance with the design of the building.

4. Fabrication of deferred submittal items shall not begin without first obtaining the approval of deferred portions of the plans and specifications by DSA.

(h) **Signatures required.** The original signature sheet for the specifications and all plans, submitted for approval shall bear the stamp and signature of the architect or professional engineer in general responsible charge of the design of the project.

When responsibility for a portion of the work has been delegated, the plans and the original cover sheet for the specifications covering that portion of the design shall bear the signature and stamp of the responsible professional engineer or architect to whom the work has been delegated as well as that of the architect or engineer in general responsible charge. As an option, the architect or engineer in general responsible charge may sign the documents with notation indicating that the documents have been coordinated with the design documents and found to be in general conformance with the design.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17299, 17212, 17212.5, 17319, 81133.1, 81135~~,~~ and 81033 ~~and 81033.5~~.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-317, Part1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

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

Changes in plans and 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 backchecking. 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 backcheck. 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 sheets of drawings and master cover sheet of the specifications. The stamped drawings and specifications will be temporarily retained by DSA 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.

(b) **Approval of application.** DSA shall issue to the school district ~~a letter approving~~ written approval of the application for the project within five working days of stamping the approved plans and specifications. This ~~letter~~ written approval shall constitute the "written approval of the plans, as to safety of design and construction" required by Sections 17297 and 81134, Education Code, before letting a contract for any construction. (See Section 4-330 for construction time limitations.)

(c) **Voidance of application.** Any change, erasure, alteration or modification of any plans or specification bearing the stamp of DSA may result in voidance of the approval of the application. However, the "written approval of plans" may be extended by DSA to include revised plans and specifications after documents are submitted for review and approved. (See Section 4-323 for revised plans and Section 4-338 for addenda and construction changes.)

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 may be voided where either (1) prints from corrected plans or corrected original plans are not filed for backcheck within 6 months after the date of return of checked plans to the architect or engineer, or (2) at the discretion of DSA, any remaining unapproved increment(s) of the application may be voided 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 checking.

For voided applications, upon request by the school district, 30 percent of the ~~paid~~ total structural portion of the fee 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.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17295, 17297, 17307, 81133~~,~~ and 81134 ~~and 81140~~.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-318, Part1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-319. Withdrawal of application. If a request is made by the school board for the cancellation or withdrawal of the application and return of the plans and specifications, together with the paid fee, it will be granted only when the check of plans and specifications has not actually started. If the checking of plans and specifications has started, 30 percent of the ~~paid~~ total structural fee will be refunded or applied to a new application for the same project.

No refund will be allowed for projects upon which only the minimum fee has been paid. No refund will be allowed after a contract has been let for any portion of the work except as provided by Section 4-317(f).

For projects using the collaborative process for project review per Education Code Section 17319 or 81133.1, if the project is voided by DSA or a request by the applicant is made to withdraw the application prior to submittal of completed plans and specifications, filing fees minus costs incurred by DSA will be refunded.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17295, 17300, 81133 and 81136.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-3 19, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

ARTICLE 4
FEES

4-320. Application fees. The fees required by Sections 17300 and 81136 of the Education Code shall be in accordance with Section 4-321. The fee schedule in effect at the time of filing shall apply throughout the duration of such application. A list of prior fee schedules is available upon request from DSA. The words "filing fee" mean the fee which shall accompany the application, or as corrected pursuant to Section 4-317(f)~~,~~ and the words "further fee" mean the fee which shall be paid to DSA if the actual cost exceeds the estimated cost by more than 5 percent. The application is considered to be received when it, accompanied by the plans and specifications, structural design computations, other required documents and filing fee, has been received by DSA, and the application number assigned.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17300 and 81133.

HISTORY

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-320, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-321. Fee Schedule 11. The filing fee for projects shall be 0.7 percent of the first $1,000,000 of estimated cost and 0.~~5~~6 percent on the excess of the estimated cost over $1,000,000, except that the minimum fee in any case shall be $250.00.

If the actual cost exceeds the estimated cost by more than 5 percent, the further fee for such projects shall be equal to the difference between the filing fee paid and the amount computed under Fee Schedule 11 on the actual cost, the actual cost being determined according to Section 4-322.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17300 and 81133.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-32 1.1, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

2. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-321.2, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December

15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

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4-323. Revisions of plans and specifications. Revisions are changes to the DSA approved plans or specifications made after DSA approval. Revisions shall be submitted to and approved by DSA.

An hourly fee may be charged to the school district for the review of revisions to approved plans and specifications in accordance with the published rates and collection procedures established by DSA.

If determined by the enforcement agency that the original plans which add buildings to the project scope are abandoned and the plans and specifications submitted in lieu thereof are for a new project rather for an identical building, or a modified set of plans is for an essentially different structural concept, then it is necessary that a new application be filed and fee paid. This is regardless of the fact that the school building may have the same name, be of the same general size, and be situated at the same location as the school building for which the original application was made.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17300 and 81133.

4-324. Examples and explanations of fee computation.

(a) **Filing fee to accompany application.**

Filing Fee under Schedule 11		
Estimated Cost $8,000		
0.7% × $8,000	=	$ 56.00
Filing Fee is the minimum charge		$250.00
Filing Fee under Schedule 11		
Estimated Cost: $925,000.00		
0.7% × $925,000	=	$6,475.00
Filing Fee under Schedule 11		
Estimated Cost: $1,260,000.00		
0.7% × $1,000,000	=	$7,000.00
0.~~5~~6 % × $260,000		1,560.00 ~~1,300.00~~
		$8,560.00 ~~8,300.00~~
Corrected Estimate under Schedule 11		
Estimated Cost on Application: $925,000.00		
0.7% × $925,000	=	$ 6,475.00
1st Contract		700,000.00
2nd Contract		525,000.00
		$1,225,000.00

(Exceeds $925,000 by more than 30%)

Corrected Estimated Cost: $1,225,000.00*

0.7% × $1,000,000	=	$7,000.00
0.~~5~~6 % × 225,000	=	1,350.00 ~~1,125.00~~
		$8,350.00 ~~8,125.00~~

Fee previously paid	$6,475.00
Corrected filing fee due	$1,875.00

(b) **Further fees where the actual cost exceeds the estimated or corrected estimated cost by more than 5 percent.**

Further Fee under Schedule 11
Corrected Estimated Cost: $1,225,000*
Actual Cost $1,352,740.50

0.7% × $1,000,000.00	=	$7,000.00
0.~~5~~6 % × 352,740.50	=	2,116.44 ~~1,763.70~~
		$9,116.44 ~~8,763.70~~

Filing Fee Paid

0.7% × $1,000,000	=	$7,000.00
0.~~5~~6 % × 225,000	=	1,350.00 ~~1,125.00~~
		$8,3500.00 ~~8,125.00~~
Further Fee	=	$ 766.44 ~~638.70~~

*The corrected estimated cost could be more than the sum of contracts if all work called for on plans is not yet under contract.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17300 and 81133.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-324, Part 1,Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-325. Billing for further fees. The school district shall be billed for further fees upon completion of the project or portion thereof if fee is due. Claims for refunds ~~of $5.00 or less~~ due to errors in cost reporting or fee computation shall be made within six months from date of billing.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17300 and 81133.

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ARTICLE 5
CERTIFICATION OF CONSTRUCTION

…

4-333. Observation and inspection of construction.

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

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

(b) **Inspection by a project inspector.** The school board must provide for and require competent, adequate and continuous inspection by an inspector satisfactory to the architect or registered engineer in general responsible charge of observation of the work of construction; to any ~~architect or~~ 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 which 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 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 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:

A. is appropriately certified by DSA, per Section 4-333.1; and

B. has adequate knowledge and experience to perform the required duties for the project. He or she shall have at least three years experience in inspection or construction work on building projects of a type similar to the project; and

C. will provide sufficient time on the project to fulfill all inspection responsibilities required by these regulations.

6. An approved project 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 inspector's approval for the project due to failure of project inspector to comply with the requirements contained in Section 4-342(b). DSA shall communicate the withdrawal of the project inspector's approval in writing to the school district and the architect or registered engineer in general responsible charge. ~~responsible architect or engineer.~~ 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.

9. The detailed inspection of all work, as specified in Section 4-335(f), is the responsibility of the project inspector when a special inspector is not provided.

(c) **Special inspection.** Special inspection by qualified inspectors shall be in accordance with Title 24, Part 2, Chapter 17A.

DSA may require special inspectors for types of construction in addition to those listed in Chapter 17A Title 24, Part 2 if found necessary because of the special use of materials or methods of construction.

~~Where responsibility for observation of construction for mechanical work and electrical work is not delegated to professional engineers registered in these particular branches of engineering [see Section 4-316(b)], special mechanical and electrical inspection shall be provided.~~

(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 certified project inspector.

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

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:

A. Be certified as a Class 1, Class 2, Class 3 or Class 4 inspector in accordance with Section 4-333.1.

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

C. 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(c).

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17280, 17309, 17311, 81130, 8113~~9~~8, ~~3~~81141 and 81143.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-333, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

2. (DSA/SS 2/95) Regular order by the Division of the State Architect/Structural Safety Section to amend Section 4-333. Filed with the Secretary of State on August 14, 1996, becomes effective September 13, 1996. Approved by the California Building Standards Commission on March 19, 1996.

4-333.1. Project inspector certification. To become a DSA certified project inspector, an applicant must successfully complete a written examination administered by DSA. The examination measures the applicant's ability to read and comprehend construction plans as well as the construction, inspection and testing requirements of the California Building Standards Code. Examinations are given in four classes.

1. A Class 1 certified inspector may be approved to inspect any project.

2. A Class 2 certified inspector may be approved to inspect any project, except a project containing one or more new structures or additions with a primary lateral force resisting system of steel, masonry or concrete.

3. A Class 3 certified inspector may be approved to inspect projects containing alterations to approved buildings, site placement of relocatable buildings and construction of minor structures.

4. A Class 4 certified inspector may be approved to inspect projects containing site placement of relocatable buildings and associated site work.

An applicant shall be not less than 25 years of age, possess a high school diploma or equivalent, and shall meet the following minimum qualifications:

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

1. Six years of experience as an architect's, engineer's, owner's, or local building official's representative in building code-enforcement inspection of non-residential construction with a valid certification as a commercial combination building inspector by a state or nationally-recognized organization, as accepted by DSA. (Note: Possession of a valid California registration as a ~~structural engineer,~~ civil engineer responsible for the design and/or construction of buildings and structures~~, or a valid California license as an architect~~ may be substituted for four years of required experience); or,

2. Six years of qualifying experience as the lead project construction superintendent on:

    a. new building public school construction projects subject to the requirements of Education Code Sections 17280 or 81130, and these regulations; and/or,

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

3. ~~Three~~ Two years of qualifying experience as a DSA certified Class 2 project inspector and valid certification as a special inspector for steel, or concrete, or masonry construction by a state or nationally-recognized organization, as accepted by DSA, with two years of experience in special inspection of steel, concrete or masonry construction; or,

4. Possession of certification as a DSA Class 2 project inspector and ~~four~~ three years of experience as an assistant project inspector in Class 1 school construction projects. (Note: DSA Class 2 project inspector experience on Class 2 projects may be substituted for the required assistant project inspector experience on a month-for-month basis; similarly, special inspector experience (inspecting steel, concrete or masonry construction) may be substituted for the required assistant project inspector experience on a month-for-month basis up to a maximum of one year of assistant project inspector experience.); or,

5. Three years of qualifying experience as a DSA certified Class 2 project inspector; or,

6. Possession of a valid California registration as a structural engineer or a valid California license as an architect, and one year qualifying experience in construction observation as a structural engineer or architect.

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

1. Four years of experience as an architect's, engineer's, owner's, or local building official's representative in building code-enforcement inspection of non-residential construction with a valid certification as a commercial combination building inspector by a state or nationally-recognized organization, as accepted by DSA. (Note: Possession of a valid California registration as a ~~structural engineer~~, civil engineer responsible for the design and/or construction of buildings and structures, ~~or a valid California license as an architect~~ may be substituted for three years of required experience.); or,

2. Four years of qualifying experience as the lead project construction superintendent on:

    a. new building public school construction projects subject to the requirements of Education Code Sections 17280 or 81130, and these regulations; and/or,

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

3. ~~Three~~ Two years of qualifying experience as a DSA certified Class 3 project inspector; or,

4. Possession of certification as a DSA Class 3 project inspector and ~~four~~ three years of experience as an assistant project inspector in Class 1 or 2 school construction projects. (Note: DSA Class 3 project inspector experience on Class 3 projects may be substituted for the required assistant project inspector experience on a month-for-month basis; similarly, special inspector experience (inspecting steel, concrete or masonry construction) may be substituted for the required assistant project inspector experience on a month-for-month basis up to a maximum of one year of assistant project inspector experience.); or,

5. Possession of a valid California registration as a structural engineer or a valid California license as an architect, and one year qualifying experience in construction observation as a structural engineer or architect.

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

1. Three years of experience as an architect's, engineer's, owner's, or local building official's representative in building code-enforcement inspection of non-residential construction with a valid certification as a commercial combination building inspector by a state-or nationally-recognized organization, as accepted by DSA. (Note: Possession of a valid California registration as a civil engineer responsible for the design and/or construction of buildings and structures may be substituted for two years of required experience.) ; or,

2. Possession of a valid California registration as a structural engineer, civil engineer, or a valid California license as an architect, and one year qualifying experience in construction observation as a structural engineer or architect; or,

3. Four years of qualifying experience as the lead project construction superintendent. (Note: Experience may be substituted with college education with major work in architecture, engineering, building inspection and/or construction on a year-for-year basis for a maximum of two years); or,

4. Two years of qualifying experience as a DSA certified Class 4 project inspector and two years of qualifying education with major work in architecture, engineering, building inspection and/or construction; or,

5. Possession of certification as a DSA Class 4 project inspector and three years of experience as an assistant project inspector in Class 1, 2, or 3 school construction projects. (Note: DSA Class 4 project inspector experience on Class 4 projects may be substituted for the required assistant project inspector experience on a month-for-month basis; similarly, special inspector experience (inspecting steel, concrete or masonry construction) may be substituted for the required assistant project inspector experience on a month-for-month basis up to a maximum of one year of assistant project inspector experience.); or,

6. Six years of relevant construction experience at a minimum of journeyman level in the carpentry, steel, concrete or masonry trades on projects consistent with the DSA Class 3 project classification with a valid certification as a building code enforcement inspector or structural special inspector by a state-or nationally-recognized organization as accepted by DSA. (Note: Experience may be substituted with college education with major work in architecture,

engineering, building inspection and/or construction on a year-for-year basis for a maximum of two years.)

(d) For Class 4 inspector exam, one of the following:

1. Two years of experience as an architect's, engineer's, owner's, or local building official's representative in building code-enforcement inspection with a valid certification as a commercial combination building inspector by a state- or nationally-recognized organization, as accepted by DSA; or,

2. Two years of qualifying experience as the lead project construction superintendent. (Note: One year of experience may be substituted with one year of college education with major work in architecture, engineering, building inspection and/or construction); or,

3. Four years of ~~a~~ relevant ~~and varied~~ construction experience at a minimum of journeyman level in the carpentry, steel, concrete or masonry trades on commercial or residential construction projects. (Note: Experience may be substituted with college education with major work in architecture, engineering, building inspection and/or construction on a year-for-year basis for a maximum of two years); or,

4. Valid certification as a building code-enforcement inspector by a state-or nationally-recognized organization, as accepted by DSA, and three years of qualifying inspection experience. Certification and experience may be gained in building inspection or structural special inspection.

DSA may charge an examination fee to recover reasonable fees and costs.

An applicant for the certification examination or an inspector possessing a valid certificate issued by DSA, shall file changes of name, mailing address or telephone number with the DSA headquarters office within 10 working days of that change. The information filed shall include the new and former name, mailing address or telephone number.

Certification will be valid for a period of four years unless revoked in accordance with Section 4-342(d) or upgraded by achieving certification in a different class. Certification may be renewed by attending DSA training classes and passing a recertification examination.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17311 and 81143.

4-334. Supervision by the Division of the State Architect.
During construction, reconstruction, rehabilitation, repair, alteration of, or addition to any school building, DSA, as provided by the Act, shall make such site visits as in its judgment are necessary for proper enforcement of the Act and the protection of the safety of the pupils, the teachers and the public. If at any time as the work progresses, prior to the issuance of the certification of compliance it is found that modifications or changes are necessary to secure safety or to comply with code requirements, DSA shall notify the ~~responsible architect, or responsible structural engineer~~ architect or registered engineer in general responsible charge, the contractor, and school district, of the necessity for such modifications or changes.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17311 and 81143.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-334, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

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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~~responsible architect or structural engineer~~, 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 which 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 ~~responsible architect or structural engineer~~ 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.

(b) **Payments.** The school board shall pay for all tests/ inspections, but if so specified the amount or a portion thereof may be collected from the contractor by the school board. When in the opinion of the architect or registered engineer, additional tests/inspections are required because of the manner in which the contractor executes his or her work, such tests/inspections shall be paid for by the schoolboard, but if so specified the amount paid may be collected from the contractor by the school board. Examples of such tests/inspection are: tests of material substituted for previously accepted materials, retests or re-inspections made necessary by the failure of material to comply with the requirements of the approved construction documents and specifications, and load tests necessary because certain portions of the structure have not fully met specification or plan requirements.

(c) **Sampling and testing of materials**. Samples or specimens of material for testing shall be taken by a qualified representative of the laboratory of record. For a minor scope of work, the project inspector may, if qualified and other duties permit, be authorized in writing by DSA to obtain, handle, prepare, protect, transport, and/or store test specimens.

In general, samples may be selected at random; however, if there is reason to believe that specific materials may be defective, sample locations may be selected by the project inspector, responsible architect or structural engineer or DSA representative. In no case shall the contractor or vendor select the sample location or obtain specimens.

Obtaining, handling, preparing, protecting, transporting or storing of samples and testing shall be in accordance with the standards as provided for in the approved plans, specifications and in the applicable building regulations.

In cases where a tested sample has failed to meet the requirements of the DSA approved documents, the responsible architect or structural engineer, subject to the approval of DSA, may permit retest of the material or in-place work.

(d) **Test reporting requirements.**

1. The laboratory of record shall complete detailed test reports outlining all structural material tests. Report format shall be as prescribed by DSA.

2. Reports shall include all tests made, regardless of whether such tests indicate that the material is satisfactory or nonconforming.

3. The reports shall clearly state that the material or materials were sampled and tested in accordance with the requirements of these regulations and the approved plans and specifications. Reports shall also clearly state whether or not the material or materials tested met the requirements of the DSA approved documents.

4. All reports of tests performed on-site shall be submitted to the project inspector ~~on~~ within one work day of the day the tests were performed.

5. Within ~~14~~ 7 calendar days of the date of any material test, the laboratory of record shall submit all such test reports to the design professional in general responsible charge, the structural engineer, the project inspector, the contractor, and the school district. DSA may request test reports as proof of compliance.

6. Reports of material tests not conforming with the requirements of the DSA approved documents shall be forwarded immediately to DSA, the design professional in general responsible charge, the structural engineer, the project inspector, the contractor, and the school district.

(e) **Verified reports by the laboratory of record.** The laboratory of record shall submit a verified report to DSA, and provide a copy to the architect or registered engineer in general responsible charge ~~design professional(s)~~, the school board and the project inspector, covering all of the tests and special inspections that were required to be made by that laboratory. Such report shall be furnished within 14 days of the completion of the testing/special inspection program, whenever required by DSA, or any time that work on the project is suspended, or services of the laboratory of record are terminated. The report shall cover the tests and special inspections completed at that time.

The verified report shall be signed, under penalty of perjury, by the California registered civil engineer charged with engineering managerial responsibility for the laboratory of record. The verified report shall state that the structural tests and special inspections required by the DSA approved documents were made. The report shall include a list of any noncompliant material or inspected work that has not been resolved by the date of the verified report. Any required test~~s~~ or special inspection work that

was~~ere~~ not conducted by the laboratory of record shall be listed on the verified report, with an explanation why they were not performed.

(f) **Special inspection.** A special inspector shall not be less than 25 years of age, shall have had at least three years of experience in construction work or special inspection work on one or more projects similar to the project for which the inspector is applying, shall have a thorough knowledge of the building materials of his or her specialty, and shall be able to read and interpret plans and specifications.

~~In addition, for special inspection of masonry construction, shotcrete, and structural glulam laminated timber,~~ DSA may require evidence of the proposed special inspector's knowledge and experience by requiring proof of valid certification, as appropriate, from national, regional, or state authorities and/or by successful completion of a written and/or oral examination by the applicant before approval is granted. DSA may charge a fee to administer such examinations. DSA will maintain a list of special inspectors who have successfully completed an examination by DSA, and continued eligibility to remain on that list will be dependent on demonstrated accept-able performance of duties assigned and/or attendance at continuing education classes.

1. Special inspectors shall be employed by the laboratory of record or contract individually and directly with the school board.

   A. **Special inspectors employed by laboratory of record.**

   Assignment to a project: Special inspectors employed by the laboratory of record, under the supervision of the laboratory's engineering manager, do not require DSA project specific approval. ~~.,, shall be reported on a Special Inspector Identification form prescribed by DSA. The form shall be completed and signed by the engineering manager prior to commencing special inspection work. Copies shall be sent to DSA, the design professional(s) and the project inspector. Any changes or substitutions in special inspectors during the course of work will require submission of a revised form to DSA, the design professional(s) and the project inspector.~~

   Supervision: Supervision of special inspectors employed by the laboratory of record shall be provided by the engineering manager, whose supervision duties shall include but are not limited to the following tasks:

   (i) Providing oversight and responsible control of special inspection services and associated report documents.

   (ii) Verifying that special inspectors meet all employment requirements and possess the training, education, technical knowledge, experience, and/or certifications necessary to perform the duties assigned. The engineering manager shall also ensure that records of relevant certifications, qualifications, training, and experience of inspection personnel, are maintained at the laboratory facility, and made available upon request to DSA.

   (iii) Verifying that special inspectors conduct the required field-related services in strict accordance with DSA approved documents and applicable standards.

   (iv) Monitoring special inspection activities to assure that the qualified special inspector is performing his or her duties as required.

(v) Verifying that special inspectors properly document their activities, and that reports and logs are prepared and distributed in accordance with these regulations.

B. **Special inspectors who contract individually and directly with the school board.**

Approval for a project: The school board, or architect or registered engineer in general responsible charge ~~design professional in responsible charge~~ shall secure DSA approval for special inspectors as required prior to commencement of work for which special inspection is required.

Supervision: The duties of the architect or registered engineer in general responsible charge ~~design professional in responsible charge~~ in directing the special inspector shall include but are not limited to the following tasks:

(i) Verifying that special inspectors possess the training, education and/or certifications necessary to perform the duties assigned.

(ii) Verifying that special inspectors conduct the required special inspection services in strict accordance with DSA approved documents and applicable standards.

(iii) Monitoring special inspection activities to assure that the qualified special inspector is performing his or her duties as required.

(iv) Verifying that special inspectors properly document their activities, and that reports and logs are prepared and distributed in accordance with these regulations.

(v) Verifying that all special inspectors working under the direction of the design professional have filed verified reports as prescribed by Section 4-336(c), and that all code-required special inspections were completed.

2. The acceptance or approval of special inspectors may be withdrawn by DSA if the special inspector fails to comply with any part of these regulations or the applicable inspection-related referenced standards on the approved plans and specification.

3. The duties of the special inspector shall include but are not limited to the following:

A. Review and comprehend all applicable DSA approved construction documents, shop drawings, requirements of applicable code and code referenced standards.

B. Perform the inspections in conformance with the requirements of the DSA approved documents, applicable code and code referenced standards.

C. Verify whether or not the work conforms to the requirements of the DSA approved documents, applicable code and code referenced standards.

D. The special inspector shall not accept any deviation from the DSA approved documents unless the revision has been approved by DSA.

E. Report in writing immediately any work that the special inspector deems nonconforming, and which is not immediately corrected upon notifying the contractor. Submit the report 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.

F. Complete and submit all required reports, as set forth in sub-section 4 below.

G. Special inspectors who contract individually and directly with the school district shall maintain records of all special inspections on a job-by-job basis for at least six (6) years, and shall make such records available to the school district, design professional in responsible charge and DSA upon request. Such records shall include all special inspection reports, noted deficiencies and dates of resolution of such deficiencies, verified reports, photographs, and such other information as may be appropriate to establish the sufficiency of the inspection program.

4. **Inspection reporting requirements:**

A. 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 ~~on~~ within one day of the day the inspections were performed.

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

Within ~~14~~7days of the date of any special inspection, the special inspector shall submit copies of all daily reports to the school district, the architect or registered engineer ~~design professional~~ in general responsible charge, the structural engineer ~~delegated responsibility for design and construction observation~~ delegated responsible charge for observation of construction, the contractor, and the project inspector.

Report format shall be as prescribed by DSA. Reports shall clearly state whether the work was inspected in accordance with the requirements of the DSA approved documents for the project. Reports shall also clearly state whether the work inspected met the requirements of the DSA approved documents. Reports shall include all special inspections made regardless of whether such inspections indicate that the work is satisfactory or nonconforming.

B. **Special inspector verified report.** Each special inspector who contracts individually and directly with the school board, shall complete a verified report, as required by Section 4-336, and submit it to DSA, the architect or registered engineer in general responsible charge~~design professional(s)~~, the structural engineer delegated responsible charge for observation of construction, the school board, and project inspector. Such report shall be furnished within 14 days of the conclusion of work requiring special inspection, whenever required by DSA, or any time that work on the project is suspended, or services of the special inspector are terminated. The report shall cover the special inspection work completed at that time.

The verified report shall indicate that all special inspections were made as required by the approved plans and specifications, and shall list any noncompliant work that has not been resolved by the date of the verified report. Any required special inspections that were not conducted by the special inspector shall be listed on the verified report, with an explanation.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17309 and 81141.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-335, Part1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-335.1. DSA Laboratory Evaluation and Acceptance program.

(a) **General.** Laboratories conducting any special inspection, testing, or obtaining, handling, preparing, protecting, transporting or storing of samples must be accepted by the DSA Laboratory Evaluation and Acceptance (LEA) program. A laboratory may apply for DSA acceptance by submitting an application on a form prescribed by DSA, along with supporting documentation, to DSA. Upon receipt of a valid application, DSA shall evaluate the laboratory to verify that requirements of these regulations are met and that engineering managerial and supervisory staff are familiar with Title 24, C.C.R. requirements pertinent to materials testing and special inspection.

A letter of acceptance by DSA shall be issued to the laboratory and shall state that the laboratory has demonstrated that it has met the criteria established by DSA for performance of material testing and special inspection of work under DSA jurisdiction. A list of accepted LEA laboratories showing the types of tests and inspections for which they have been approved shall be posted on the DSA website.

(b) To qualify for acceptance, a laboratory shall comply with the following requirements:

1. **Qualification criteria:** The laboratory shall obtain and maintain accreditation for ASTM E329-11: Standard Specification for Agencies Engaged in Construction Inspection, Testing, or Special Inspection, through required evaluation and accreditation as described below.

   Other nationally recognized evaluation services or accreditation bodies, equivalent to those indicated below, may be accepted by DSA with prior approval.

   A. The laboratory shall receive on-site assessments and quality system evaluations by the American Association of State Highway and Transportation Officials (AASHTO) Materials Reference Laboratory (AMRL) or the Cement and Concrete Reference Laboratory (CCRL).

   B. The laboratory shall maintain accreditation from the AASHTO Accreditation Program (AAP).

   In addition, the laboratory must maintain accreditation for the following standards, as applicable: ASTM C1077 (Aggregate), ASTM C1077 (Concrete), ASTM C1093 (Masonry) and ASTM D3740 (Soil).

   The laboratory shall maintain participation in applicable AMRL and CCRL proficiency sample programs.

The laboratory must authorize the release of accreditation, assessment, and proficiency sample testing information to DSA.

2. **Laboratory structure:** The laboratory shall have a full-time engineering manager who is a State of California registered civil engineer. The engineering manager shall possess a minimum of 5 years of relevant experience in the inspection and testing industry and hold a management position in the company. All testing and special inspection services shall be performed under his or her general supervision. The engineering manager shall be responsible for ensuring that all technicians and special inspectors employed by the laboratory are appropriately trained, qualified, and certified in their area of expertise. The engineering manager may not be employed by any other laboratory that provides special inspection or testing services. Administration and business practices of the laboratory shall comply with all relevant California State and Federal laws.

3. **Supervision:** Supervision by the engineering manager shall include but is not limited to the following tasks:

    A. Providing oversight and responsible control of all field and laboratory testing services, special inspection services and associated report documents.

    B. Verifying that technicians and special inspectors meet all employment requirements and possess the training, education and/or certifications necessary to perform the duties assigned.

    C. Verifying that qualified technicians and special inspectors conduct the required laboratory and field-related services in strict accordance with DSA approved documents and applicable standards.

    D. On-site monitoring of the special inspection activities to assure that the qualified special inspector is performing his or her duties as required. Frequency of the visits shall be determined by the engineering manager, who shall consider the size and complexity of the ~~school~~ project.

    E. Verifying that special inspectors properly document their activities, and that reports and logs are prepared and distributed in accordance with these regulations.

4. **Limitation of duties:** LEA laboratory activities are specifically limited to those tests/special inspections for which the laboratory has been approved and for which it has satisfied the requirements set forth in these regulations. No laboratory shall conduct any test or special inspections for which the laboratory is not qualified or approved by DSA to perform. The laboratory of record may subcontract tests/special inspections for which it is not approved to another LEA accepted laboratory possessing that approval.

5. **Equipment and tools.** A DSA accepted laboratory shall have adequate facilities, equipment, personnel expertise and technical references to permit the performance of testing and special inspections in compliance with applicable national standards and regulations. The laboratory shall possess and maintain all tools and equipment required to perform the specific tests and special inspections for which it is approved. Such tools and equipment shall be maintained and calibrated periodically in accordance with applicable nationally accepted standards.

6. **Documentation.** A laboratory shall maintain records of all tests and special inspections on a job-by-job basis for at least six (6) years, and shall make such records available to the school board, design professional in responsible charge, and DSA upon request. Such records shall include all laboratory test reports, special inspection reports, noted deficiencies and dates of resolution of such deficiencies, verified reports, photographs, and such other information as may be appropriate to establish the sufficiency of the testing/special inspection program.

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

7. **Obligation to avoid conflict of interest.** Laboratories shall not engage in any activities that may conflict with their objective judgment and integrity, including but not limited to having a financial and/or other interest in the construction, installation, manufacture or maintenance of structures or components that they inspect, test, verify, or certify.

8. **Evaluations.** The qualifications and capabilities of testing laboratories statewide are subject to evaluation by DSA LEA program personnel. Evaluations occur upon application for initial acceptance, application for renewal, ~~the addition of services or~~ a change in responsible engineering manager, laboratory location, supervisory personnel, and company name and/or services. Evaluations may include but are not limited to a review of the application submittal, consultation with the engineering manager as well as an on-site examination/evaluation of the quality system, equipment, personnel and records.

9. **Audits.** The operations of a DSA accepted laboratory may be subject to audit by DSA. Audits may occur upon receipt of complaints or evidence of failure by the laboratory to meet the requirements of these regulations. Audits may include but are not limited to the following: review of LEA program records, project specific records, on-site examination of equipment, and records of special inspection and testing services. An audit may result in a requirement that the laboratory be re-evaluated.

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

(c) **Duration of LEA laboratory acceptance.** Acceptance will remain valid for a period of four years unless approval is withdrawn for failure to comply with the requirements of these regulations. Examples of such failure include, but are not limited to:

1. Making changes in engineering management, supervisory personnel, laboratory location, major equipment, or other key factors without prior notification to the DSA LEA program.

2. Failing to have the laboratory facility evaluated and accredited as outlined in Section 335(b)1, as applicable to services offered.

3. Reporting that materials and/or workmanship meet the requirements of DSA approved documents when they do not.

4. Failing to sample, handle and/or test materials as required by the approved documents, code and referenced standards.

5. Utilizing technicians or special inspectors that do not meet the qualification and/or certification requirements.

6. Failing to adequately supervise technicians and/or special inspectors.

7. Failing to comply with any of the other requirements of these regulations or the DSA approved documents for a project.

(d) **Fees for testing laboratory evaluation.** DSA may charge a fee to cover the costs of evaluating and reevaluating the laboratory. DSA reserves the right to visit, audit and observe the laboratories.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17309 and 81141.

4-336. Verified reports.

(a) **General.** As the work of construction progresses, the architect or registered engineer in general responsible charge ~~architect, structural engineer or professional engineer in charge~~ of observation of construction of the work, each architect or registered engineer delegated responsibility for a portion of observation of construction of the work ~~of the work,~~ the project inspector, the geotechnical engineer, the laboratory of record, approved special inspectors contracting individually and directly with the school board, and the contractor shall each make and sign under penalty of perjury, a duly verified report to DSA and provide a copy of the same report to the project inspector. The verified report shall be made upon a prescribed form or forms~~, showing~~ attesting that of his or her own personal knowledge the work during the period covered by the report has been performed and materials have been used and installed in every material respect in compliance with the duly approved plans and specifications, and setting forth such detailed statements of fact as shall be required.

The term “personal knowledge” as applied to an architect or registered engineer means the personal knowledge that is obtained from periodic visits of reasonable frequency to the project site for the purpose of general observation of the work, and that is obtained from the reporting of others on the progress of the work, testing of materials, inspection and superintendence of the work. The exercise of reasonable diligence to obtain the facts is required.

The term “personal knowledge” as applied to the project inspector means the actual personal knowledge that is obtained from the inspector’s personal continuous inspection of the work in all stages of its progress. For work performed away from the site, the project inspector may obtain personal knowledge from the reporting of testing or special inspection of materials and workmanship for compliance with approved plans, specifications and applicable standards. The exercise of reasonable diligence to obtain the facts is required.

The term “personal knowledge” as applied to a special inspector means the actual personal knowledge which is obtained from the inspector’s personal inspection of the work assigned. The verified report shall clearly describe the work assigned to each individual special inspector. The exercise of reasonable diligence to obtain the facts is required.

The term “personal knowledge” as applied to the contractor means the personal knowledge gained from constructing the building. The exercise of reasonable diligence to obtain the facts is required.

(b) Verified report form. Verified reports shall be made on specific forms prescribed by DSA.

(c) Required filing. Verified reports shall be made as follows:

1. By each contractor having a contract with the school board, at the completion of the contract.

2. By the architect, registered engineers and project inspector at the completion of the project.

3. By the architect, registered engineers, engineering manager of the laboratory of record, as required by Section 4-335(e), project inspector, and approved special inspectors contracting individually and directly with the school board, at the suspension of all work for a period of more than one month and at identified milestones of completed construction prescribed by DSA.

4. By the project inspector when any building included in the scope of the project is occupied or reoccupied.

5. By any of the following, whenever their services in connection with the project have been terminated for any reason: the architect or registered engineer in general responsible charge ~~architect, registered engineer~~, engineering manager of the laboratory of record, project inspector, approved special inspector contracting individually and directly with the school board, or the contractor.

6. By the responsible geotechnical engineer, as required by Section 4-333(a), upon completion of his or her duties.

7. By the engineering manager of the laboratory of record, as required by Section 4-335(e), at the completion of the testing program.

8. By the approved special inspector contracting individually and directly with the school board at the conclusion of work requiring special inspection.

9. By any party listed above at any time a verified report is requested by DSA.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17309 and 81141.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-336, Part1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

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4-338. Addenda and construction changes.

(a) **General.** Work shall be executed in accordance with the approved plans addenda and construction change documents. Changes in the plans and specifications shall be made by addenda or construction change documents approved by DSA. [See Section 4-318 (b).]

(b) **Addenda.** Changes of the approved plans or specifications made during the bidding phase and prior to letting a construction contract for the work involved shall be made by means of addenda. Addenda for changes to the structural, accessibility or fire-life safety portions of the project shall be submitted to and approved by DSA prior to commencement of the work shown thereon. Addenda shall refer to the portions of the approved plans and specifications being changed, clearly describe the work to be accomplished, and, where necessary, shall be accompanied by supplementary drawings, technical data and calculations. Addenda shall be numbered sequentially for easy reference. All addenda shall be stamped and signed by the architect or registered engineer in general responsible charge.

If required by DSA, all other addenda shall be submitted to the DSA for concurrence that they do not contain changes to the structural, accessibility and/or fire-life safety portions of the project.

~~Changes or alterations of the approved plans or specifications made during the bidding phase and prior to letting a construction contract for the work involved shall be made by means of addenda which shall be submitted to and approved by DSA prior to distribution to contractors. Original copies of addenda shall be stamped and signed by the architect or engineer in general responsible charge of preparation of the plans and specifications and by the architect or registered engineer delegated responsibility for the portion affected by the addenda. [See Section 4-317 (h).] One copy of each addendum is required for the files of DSA.~~

(c) **Construction changes.** Changes of the approved plans or specifications after a contract for the work has been let shall be made by means of construction change documents. Construction change documents for changes to the structural, accessibility or fire-life safety portions of the project shall be submitted to and approved by DSA prior to commencement of the work shown thereon. Construction change documents shall refer to the portions of the approved plans and specifications being changed, clearly describe the work to be accomplished, and, where necessary, shall be accompanied by supplementary drawings, technical data and calculations. Construction change documents shall be numbered sequentially for easy reference. All construction change documents shall be stamped and signed by the architect or engineer in general responsible charge ~~of observation of the work of construction of the project~~ or by the architect or registered engineer delegated responsibility for ~~observation of~~ the portion of the work of construction affected by the change.

If required by DSA, all other construction change documents shall be submitted to the DSA for concurrence that they do not contain changes to the structural, accessibility and/or fire-life safety portions of the project.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 1~~2~~7927 and 81134.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-338, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

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ARTICLE 6
DUTIES UNDER THE ACT

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

(a) **General.** The architect or ~~professional~~ registered engineer in general responsible charge is responsible to the school board and to DSA to see that the completed work conforms in every material respect to these regulations and to the approved plans and specifications. (See Section 4-316.) The ~~responsible~~ architect or registered engineer in general responsible charge may, if so authorized, act as agent for the school board in completing and submitting the application for approval of plans and specifications to DSA. (See Section 4-315.)

The architect or registered engineer in general responsible charge in no way is relieved of any responsibility by the activities of DSA in the performance of its duties.

(b) **General responsible charge.** The architect, structural engineer or professional engineer in general responsible charge shall advise the school board in regard to filing of the application for approval of plans, the selection of an inspector and the selection of a testing laboratory. The ~~responsible~~ architect or registered engineer in general responsible charge shall prepare plans, specifications, design calculations and other data and shall prepare addenda and construction change documents authorized by the school board and as required by conditions on the project.

The ~~responsible~~ architect or registered engineer in general responsible charge shall make, or cause to be made, the corrections required on the various documents to comply with the requirements of these regulations. The ~~responsible~~ architect or registered engineer in general responsible charge shall perform general observation of the work of construction, interpret the approved drawings and specifications and shall provide the project inspector and testing facility with a complete set of stamped plans, specifications, addenda and construction change documents prior to the start of construction.

In general, DSA directs all technical correspondence to the architect or registered engineer in general responsible charge of the project.

(c) **Delegated responsibility.** An architect or registered engineer to whom responsibility has been delegated shall, under the general direction of the ~~design professional~~ architect or registered engineer in general responsible charge, prepare plans, specifications, calculations and other data, and make corrections on these documents as required to comply with these regulations. Such architect or registered engineer shall consult with the ~~design professional~~ architect or registered engineer in general responsible charge in the preparation of addenda, deferred submittals and construction change documents and the selection of inspectors and the testing facility. The architect or registered engineer to whom responsibility has been delegated shall ~~indicate~~ provide evidence of his or her responsibility for the documents, which affect his or her portion of the work and are presented to DSA for approval, by his or her stamp and signature thereon. ~~The architect or registered engineer shall observe the work of construction of his or her portion of the project and shall consult with the design professional in general responsible charge in the interpretation of the approved drawings and specifications.~~

(d) **Approval of inspectors.** The school district or architect or registered engineer in general responsible charge shall obtain DSA approval for a project inspector, assistant inspector, and a replacement inspector, if any, prior to commencement or continuation of construction work, as applicable, in accordance with the project inspector approval process specified by DSA. The following shall be submitted to DSA:

1. The name of the person proposed as project inspector of the work, together with an outline of his or her experience and pertinent qualifications on a form prescribed by DSA, in accordance with the project inspector approval process specified by DSA.

2. The name of any proposed assistant inspector together with an outline of his or her experience and pertinent qualifications on a form prescribed by DSA, in accordance with the project inspector approval process specified by DSA.

3. The name of any special inspector to be used, in accordance with Section 4-335(f)1(B).

4. When a replacement project inspector is retained, the name of the person proposed as the new project inspector, together with an outline of his or her experience and pertinent qualifications on a form prescribed by DSA.

The ~~responsible~~ architect or registered engineer in general responsible charge shall provide general direction of the work of the project inspector and shall immediately notify the school board and DSA in writing if the project inspector is found to be unable or unwilling to perform such duties properly. This notification shall include a statement as to whether the architect or engineer is recommending that DSA withdraw its approval of the project inspector and that the school board terminate the inspector's employment. Upon concurrence by DSA, with the recommendation of the ~~responsible~~ architect or registered engineer in general responsible charge, DSA will communicate the withdrawal of the project inspector's approval in writing to the inspector, the school district and the ~~responsible~~ architect or registered engineer in general responsible charge. Upon completion of a terminating verified report, the inspector's duties and responsibilities for the project are ended.

In view of the architect or engineer's responsibilities for directing the activities of the inspector, such ~~responsible~~ architect or registered engineer in general responsible charge shall review and evaluate the inspector's qualifications before recommending the approval of the inspector to DSA.

(e) **Report of contract.** The architect or registered engineer in general responsible charge or the school board shall report contract information and time of starting work to DSA. (See Section 4-331.)

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

(g) **Structural tests and special inspection program.** The architect or registered engineer in general responsible charge shall establish the extent of the structural tests and special inspection program consistent with the needs of the particular project (see Section 4-335) and shall issue specific instructions to the testing facility and special inspectors prior to start of construction. He or she shall also notify DSA as to the disposition of materials noted on laboratory testing, and/or special inspection, reports as not conforming to the DSA approved documents.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17302, 17309, 17310, 81138, 81141 and 81142.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-341, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effec-tive July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-342. Duties of the project inspector.

(a) **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.

(b) **Duties.** The general duties of the project inspector in fulfilling his or her responsibilities are as follows:

1. **Continuous inspection requirement.** The project inspector must have actual personal knowledge, obtained by personal and continuous inspection of the work of construction in all stages of its progress, that the requirements of the approved plans and specifications are being completely executed.

   Continuous inspection means complete inspection of every part of the work. Work, such as concrete work or masonry work which can be inspected only as it is placed, shall require the constant presence of the inspector. Other types of work which can be completely inspected after the work is installed may be carried on while the inspector is not present. In any case, the inspector must personally inspect every part of the work. In no case shall the inspector have or assume any duties that will prevent the inspector from giving continuous inspection. DSA may require verification from the project inspector of time spent at the construction site during all phases of the work. The project inspector may obtain personal knowledge of the work of construction, either on-site or off-site, per-formed under the inspection of special inspectors and/or assistant inspectors (Section 4-333). The project inspector may obtain personal knowledge that materials used in the construction conform to the DSA approved documents by verifying test reports performed by DSA accepted testing facilities, verifying materials certifications shipped with the materials, or other means as specified in the DSA approved documents and referenced codes and standards. The project inspector shall verify that special inspectors possess valid certifications for the work being inspected. The project inspector shall be responsible for monitoring the work of the special inspectors and testing laboratories to ensure that the testing program is satisfactorily completed. The project inspector shall be responsible for supervising the work of all assistant inspectors in accordance with Section 4-333(d). The exercise of reasonable diligence to obtain the facts shall be required.

2. **Relations with architect or engineer.** Any uncertainties in the inspector's comprehension of the plans and specifications or inconsistencies or seeming errors in the approved construction documents shall be reported promptly to the architect or registered engineer in general responsible charge for interpretation and instructions. In no case shall the instruction of the architect or registered engineer be construed to cause work to be done which is not in conformity with the DSA approved documents.

3. **Job file.** The project inspector shall keep and maintain a file on the job at all times with all of the following:

   A. DSA approved plans and specifications including DSA approved addenda and all construction change documents.

   B. Applicable parts of the edition of Title 24, C.C.R., referred to in the plans and specifications, and any pertinent reference standards.

   C. DSA approved statement of structural tests and special inspections.

   D. Copies of project inspector's semi-monthly reports.

   E. Copies of all deviation notices and a log of all deviation notices. The log shall reference all applicable details and specification sections related to nonconforming materials and workmanship including ~~field~~ construction change documents, ~~change orders,~~ addenda and deferred submittals. The log shall describe all corrective actions taken whether performed in accordance with DSA approved documents or not, the current status of each deviation issue and the resolution for each issue.

   F. Log documenting all significant communications with the design professionals, contractors, DSA representatives and other persons involved in the project. Significant communications include, but are not limited to, interpretations, clarifications or directions from the design professionals, issues identified by DSA representatives, directives from the school district, and start notices from the contractor.

   G. Laboratory tests and inspection reports.

   H. Contractor's request for information (RFI) and responses to the RFIs.

   I. Interpretations and clarifications from the design professional in general responsible charge.

   J. Special inspection reports.

   K. Concrete placing operation records showing the time and date of placing concrete and the time and date of removal of forms in each portion of the structure.

   L. Welding operation records including identification marks of welders, lists of defective welds, manner of correction of defects, etc.

   M. Pile driving operation records including penetration under the last 10 blows for each pile when piles are driven for foundations.

   N. Verified reports for all persons required by this code to file verified reports.

   O. Any other applicable documents required to provide a complete record of construction.

The job file shall be kept on the job site until the completion of the project and shall be readily accessible to DSA personnel during site visits. A copy of the job file shall be made available to DSA upon request. The job file, with the exception of building codes and reference standards, shall be made a part of the permanent school district records.

4. **Project inspector's semimonthly reports.** The project inspector shall keep the architect or registered engineer in general responsible charge thoroughly informed as to the progress of the work by making semimonthly reports in writing as required in Section 4-337.

5. **Notifications to DSA.** The project inspectors shall notify DSA by email at the following times:

    A. When construction work on the project is started, or restarted if previously suspended per Item D below.

    B. At least 48 hours in advance of the time when foundation trenches will be complete, ready for footing forms.

    C. 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.

    D. When all work on the project is suspended for a period of more than one month.

6. Deviations. The project inspector shall notify the contractor, in writing, of any deviations from the approved plans and specifications which are not immediately corrected by the contractor when brought to the contractor's attention. Copies of such notice shall be forwarded immediately to the architect or registered engineer, and to DSA.

    Failure on the part of the project inspector to notify the contractor of deviations from the approved plans and specifications shall in no way relieve the contractor of any responsibility to complete the work covered by his or her contract in accordance with the approved plans and specifications and all laws and regulations.

7. Inspector verified report. The project inspector shall make and submit directly to DSA verified reports (see Section 4-336). The project inspector shall prepare and deliver to DSA detailed statements of fact regarding materials, operations, etc., when requested.

8. Performance of duties. The inspector shall perform all duties and render all services with honesty. Inspectors who fail to carry out their duties in an ethical manner or who engage in illegal activities may be subject to disciplinary action as defined in Section 4-342(d).

(c) **Violations.** Failure, refusal or neglect on the part of an inspector to notify the contractor of any work which does not comply with the requirements of the approved plans and specifications, or failure, refusal or neglect to report immediately, in writing, any such violation to the architect or registered engineer, to the school board, and to DSA shall constitute a violation of the Act and shall be cause for DSA to take action which may result in the withdrawal of the inspector's approval. The State Architect or designee may take appropriate action as described in Section 4-342(d) when any of the following condi-tions exist:

1. The inspector has failed to fulfill any of the relevant requirements of this code.

2. The inspector has been convicted of a crime considered to be substantially related to the qualifications, functions or duties of an inspector in a manner consistent with the public health, safety or welfare.

(d) **Disciplinary actions.** Failure to satisfactorily perform inspector duties identified in this code may be cause for DSA to take action(s) which include but are not limited to the following:

1. Requiring the inspector to meet with DSA in the regional office for counseling.

2. Requiring the inspector to attend training classes.

3. Withdrawal of the inspector's approval for the project.

4. Downgrading of the inspector's class of certification.

5. Suspension of the inspector's certification.

6. Withdrawal of the inspector's certification.

(e) **Notice of disciplinary actions.** Notice of disciplinary action shall specify the grounds for the actions taken.

(f) **Criteria for reinstatement**. When considering reversal of any disciplinary action taken pursuant to Section 4-342(d), the State Architect or designee evaluating the reinstatement of an inspector's approval for a project, or certification, may consider the following criteria:

1. Nature and severity of the act(s) or offense(s).

2. The time that has elapsed since the commission of the act(s) or offense(s).

3. If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.

(g) **Filing an appeal.**

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

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

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

4. An appeal of an action by the State Architect or his/her designee to suspend approval of a project inspector for a project, or certification, or to deny renewal of a certification must be filed in writing

with DSA within 60 days of the date posted on the certified service of the written notice of the final determination from the State Architect. Unless a hearing is specifically requested as provided in Section 4-342(g)6 the appeal will be based on an analysis of the materials available.

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

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

7. The appellant shall be notified in writing of the determination made by State Architect or his/her designee regarding the appeal. Service of the written notice of the decision shall be confirmed by certified mail.

8. Any appeal of a decision rendered by the State Architect or his/her designee to rescind approval for a project or certification may be appealed to the Superior Court.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17309, 17311, 81141 and 81143.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-342, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

4-343. Duties of the contractor.

(a) **Responsibilities.** It is the duty of the contractor to complete the work covered by his or her contract in accordance with the approved plans and specifications therefore. The contractor in no way is relieved of any responsibility by the activities of the architect, engineer, inspector or DSA in the performance of such duties.

(b) **Performance of the work.** The contractor shall carefully study the approved plans and specifications and shall plan a schedule of operations well ahead of time. If at any time it is discovered that work is being done which is not in accordance with the approved plans and specifications, the contractor shall correct the work immediately.

All inconsistencies or items which appear to be in error in the approved plans and specifications shall be promptly called to the attention of the architect or registered engineer, through the inspector, for interpretation or correction. In no case, however, shall the instruction of the architect or registered engineer be construed to cause work to be done which is not in conformity with the approved plans, specifications and construction change documents.

The contractor must notify the project inspector, in writing, of the commencement of construction of each and every aspect of the work at least 48 hours in advance.

The contractor must notify the inspector of the completion of each aspect of the work.

(c) **Contractor verified reports.** The contractor shall make and submit to DSA from time to time, verified reports as required in Section 4-336.

If work on the building is being done by independent contractors, having contracts with the school board, verified reports shall be submitted by each contractor regardless of the type of work involved.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17280, 17309, 81130 and 81141.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-343, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

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ARTICLE 7
EXAMINATION AND REPORT
OF EXISTING BUILDINGS

4-345. Request for examination.

(a) **Examination and report requested of DSA by the school district.** Upon written request by the governing board of any school district or by at least 10 percent of the parents having pupils enrolled in any school district as certified to by the county superintendent of schools, DSA shall make an examination and report on the structural condition of any school building of the district. DSA must report whether or not each building examined is substantially compliant with applicable code provisions. Whether or not such examination is requested of DSA is entirely optional with the school district or parents concerned, and consequently, in making such examination and report DSA acts as the agent of the school district to whom DSA makes its report and by whom it is guided in determining the extent and character of the examination made.

DSA may prescribe a form, which shall be filled out by the applicant, supplying such information as is available.

DSA is not authorized to prepare plans or make estimates of the cost necessary to make such repairs to the building or buildings as are necessary to meet structural safety standards. (See Sections 17367 and 81162 of the Education Code.)

(b) **Examination and report by school district's structural engineer.** The school district may retain a structural engineer, at the school district's expense, to examine and report on the structural condition of any school building of the district. The structural engineer shall consult with DSA for guidance as to the standard of safety to which the structural condition must measure. The structural engineer must report on whether or not each of the buildings examined is safe or unsafe for school use, and whether or not each of the buildings is substantially compliant with applicable code requirements as required by DSA under Section 4-345 (a) above.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17313 and 8114~~5~~62.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-345, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

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ARTICLE 8
DOCUMENTS AND RECORDS

4-350. Records. The records 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 8114~~5~~62 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.

Notation
Authority: Education Code Sections 17310 and 81142.
Reference(s): Education Code Sections 17295, 17313, ~~1~~81133 and 8114~~5~~62; and Health & Safety Code Sections 19850 through 19853.

HISTORY:

1. (OSA/SS 1/92) Regular order by the Office of the State Architect/Structural Safety Section to amend Section 4-350, Part 1, Title 24, C.C.R. Filed with the Secretary of State on December 15, 1992; effective July 1, 1993. Approved by the California Building Standards Commission on December 9, 1992.

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

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GROUP 2
SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS: Fire & Life Safety (FLS)

ARTICLE 1
GENERAL PROVISIONS

4-401. Purpose.
These regulations implement Section 14963 of the Government Code to ensure that elementary, secondary or community college buildings and facilities constructed or altered pursuant to these regulations are in compliance with the California Code ~~or~~ of Regulations, Title 24 related to the design aspects of the Fire and Life Safety (FLS) elements, components and systems.

Notation
Authority: Government Code Section 14963.
Reference(s): Government Code Section 14963.

4-402. Scope. Title 24, California Code of Regulations (C.C.R.) parts 2, 3, 4, 5, and 9; known as the California Building Code, designate building regulations that are applicable to the Fire and Life Safety portions of the design, construction, reconstruction, rehabilitation, alteration of or addition to any school building as defined in Sections 17283 and 81~~131~~050 of the Education Code. The term "school building" shall include all buildings, structures, appurtenances and related systems or facilities as defined in Section 4-314. Section 14963, Government Code, authorizes Division of the State Architect (DSA) to carry out the functions and duties related to plan check and inspections of the construction of school buildings.

Notation
Authority: Government Code Section 14963
Reference(s): Government Code Section 14963 Education Code Sections 17283 and 81~~131~~050

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ARTICLE 2
DEFINITIONS

4-410. General.
The words defined in Sections 4-314 and 4-411 shall have the meaning stated therein throughout the regulations contained in Part 1, Section 4-440, et seq. Title 24, C.C.R.

Notation
Authority: Education Code Sections 17310 and 81142. Government Code Section 14963
Reference(s): Education Code Sections 17283, 81130, 81~~131~~050and 81529.

4-411. Definitions.

DIVISION OF THE STATE ARCHITECT or **DIVISION**, or initials **DSA**, shall mean the Division of the State Architect in the Department of General Services, State of California.

INSPECTOR shall mean any person duly approved by DSA to perform construction inspection for a particular project. (See Sections 4-333 and 4-342.)

Notation

Authority: Education Code Sections 17310 and 81142. Government Code Section 14963
Reference(s): Education Code Sections 17280, 17283, 17405, 81130, 81~~131~~050 and 81529. Health and Safety Code Section 13143

ARTICLE 3
APPROVAL OF DRAWINGS AND SPECIFICATIONS

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ARTICLE 4
FEES

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ARTICLE 5
CERTIFICATION OF CONSTRUCTION

4-430. General.

Certification of construction shall be in accordance Chapter 4 Group 1 Article 5 as follows:

(a) Time of beginning construction and partial construction: Section 4-330.
(b) Notice to DSA at start of construction: Section 4-331.
(c) Notice of suspension of construction: Section 4-331.
(d) Observation and inspection of construction: Section 4-333.
(e) Project inspector certification: Section 4-333.1.
(f) Verified Reports: Section ~~3-336~~4-336.
(g) Semimonthly reports: Section 4-337.
(h) Addenda and construction changes: Section 4-338.
(i) Final certification of construction: Section 4-339.

Notation
Authority: Government Code Section 14963.
Reference(s): Government Code Section 14963. Health and Safety Code Section 13143.

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ARTICLE 6
DUTIES

4-435. General.

Duties of the various individuals involved in the design and construction shall be in accordance with Chapter 4 Group 1 Article 6 Sections 4-341 through 4-344.

Notation
Authority: Government Code Section 14963.
Reference(s): Government Code Section 14963. Health and Safety Code Section 13143.