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## PROCEDURE: EXEMPT CONCURRENCE

**PURPOSE:** To provide procedure for external stakeholders to obtain written concurrence that a qualifying project is exempt from DSA review and approval of plans.

**BACKGROUND:** DSA reviews and approves plans for construction projects under its jurisdiction for California Code of Regulations, Title 24 compliance. The scope of DSA's review depends on the type of facility and the scope of the project. The majority of DSA's plan review and approval focuses on new construction and alteration projects for California school and community college districts. Certain types of projects, depending on the scope, may be exempt from the requirement to obtain DSA's review and approval of plans.

**1. EXEMPTION DEFINED:** When a project is found to be exempt from DSA review and approval, it can be constructed without an approval from DSA. However, the project must be fully compliant with all applicable portions of the California Code of Regulations, Title 24. In authorizing and completing the design and construction of exempt projects, the school board assumes the responsibility for employing appropriately licensed architects or engineers to prepare the plans and specification, and assumes the responsibility for employing DSA certified inspectors to provide for the adequate inspection of materials and work of construction.

**2. TYPES OF EXEMPTIONS:** DSA reviews and approves plans for code compliance in three main areas, Structural Safety, Fire & Life Safety, and Accessibility. It is possible for a project to be exempt from DSA review and approval in any or all of these areas.

**2.1 Exemption from DSA review and approval for Structural Safety and Fire & Life Safety:** Types of exempt projects in this category can be found in DSA IR A-10, IR A-22, and in Appendix A of this document.

**2.2 Exemption from DSA review and approval for Accessibility:** Types of exempt projects in this category can be found in DSA IR A-10 and IR A-22. In addition, types of scope that can trigger the requirement for accessibility upgrades (along with the need to submit the project to DSA) are found in Appendix A of this document.

**3. PROCESS TO OBTAIN DSA CONCURRENCE IF THE PROJECT IS EXEMPT FROM DSA REVIEW AND APPROVAL:** It is not mandatory to obtain DSA concurrence that a project is exempt. However, some clients desire to have written concurrence from DSA. In those cases, the following process is provided:

- The applicant needs to complete form DSA 7 (replaced form DSA 39-1) and contact the appropriate DSA regional office to determine the best method to submit the form. DSA contact information is available at the following link:  
[www.dgs.ca.gov/dsa/AboutUs/contact.aspx](http://www.dgs.ca.gov/dsa/AboutUs/contact.aspx)
- Upon receipt of form DSA 7, DSA will assign an "exempt request" number to the project. The numbering will be sequential starting at E00001 for each regional office as follows:
  - Oakland regional office starts at: 01-E00001
  - Sacramento regional office starts at: 02-E00001
  - Los Angeles regional office starts at: 03-E00001
  - San Diego regional office starts at: 04-E00001
- DSA will open a "project exempt request" folder in DSAbbox and send an invite to the applicant and district contact as identified on the form DSA 7.
- The applicant will then upload the construction documents for the project into the DSAbbox folder.

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- The applicant will contact the DSA regional office and set up an over the counter (OTC) concurrence review for the project.
- At the OTC concurrence review, the applicant must remit a \$400 non-refundable fee, after which DSA staff, together with the applicant, will review the project. The possibilities for the outcome of the review are:
  - The project is found by DSA to meet the criteria to be exempt. In this case, DSA will sign the “Project is Exempt” section on form DSA 7 and upload it to the DSAbbox folder.
  - The project is found by DSA to not meet the exempt criteria. DSA will inform the applicant what scope in the project triggers the non-exempt decision and the applicant may:
    - 1) Choose to revise and resubmit the drawings, and again schedule an OTC concurrence review. This is limited to one additional review without remitting an additional \$400 fee.

Or

    - 2) If minor items need to be excluded from the scope of work, the applicant can note the changes on the plans electronically, at the OTC appointment, using their own portable system or the BlueBeam software on DSA’s computer. The revised plans will then be uploaded to the DSAbbox.
  - The project is found by DSA to not meet the exempt criteria. DSA will inform the applicant what scope in the project triggers the non-exempt decision. If the applicant decides to not revise and resubmit the drawings, DSA will sign the “Project is Not Exempt” section on form DSA 7 and upload it to the DSAbbox folder.
- If the project is not exempt it must be reviewed and approved by DSA. Submittal information is found on DSA’s website. Projects with minor qualifying scope can be plan reviewed OTC and/or otherwise expedited.

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**Appendix A  
Review/Approval Requirements for Structural & Fire & Life Safety**

<b>No.</b>	<b>Project Type</b>	<b>DSA SS &amp; FLS Review and Approval: Required?<sup>[1]</sup></b>	<b>DSA SS &amp; FLS Review and Approval: Notes/References</b>
1	Heating, ventilation, and air conditioning (HVAC)	Yes	DSA approval is not required for HVAC unit replacement in kind with units of equal or lesser weight or in the same location, and no structural framing is being altered. Ensure automatic shutoff of the HVAC units where CFM exceeds 2000 (see CMC).
2	Reroofing with "cool" roof	No	Roof covering replacement and insulation is limited to type and weight of existing roof covering and insulation.
3	Weatherization/caulking	No	
4a	Non-rated and non-safety window replacement (glazing only)	No	
4b	Window replacement (frames and glazing)	Yes	DSA approval is not required if the entire project cost is below the lower threshold identified in DSA IR A-10.
5a	Window shading devices— window screens (applied to glazing)	No	
5b	Window shading devices— solar shading devices requiring structural attachment	Yes	DSA approval is not required if the entire project cost is below the lower threshold identified in DSA IR A-10, or not fire & life safety related.
6	Energy Management Systems (EMS)	No	
7	Lighting upgrades— relamping, ballast replacements, fixture replacement	No	Exterior light pole fixture replacement is required to be approved if the light poles are greater than 35 feet high, unless the entire project cost is below the lower threshold identified in DSA IR A-10.
8	Water heating upgrades	No	
9	Skylights	Yes	DSA approval is not required if the entire project cost is below the lower threshold identified in DSA IR A-10.

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**California Building Code Requirements for Accessibility Upgrades**

<b>No.</b>	<b>Project Type</b>	<b>Path of Travel Access Upgrades: Required?</b>	<b>Path of Travel Access Upgrades: Applicable 2013 Code Sections</b>
<b>1</b>	Heating, ventilation, and air conditioning (HVAC)	No <sup>[2]</sup>	11B-202.4 Exceptions: 7
<b>2</b>	Reroofing with "cool" roof	No <sup>[2]</sup>	11B-202.4 Exceptions: 7
<b>3</b>	Weatherization/caulking	No <sup>[3]</sup>	2-202 Definitions "Alterations" and 11B-202.4 Exceptions: 7
<b>4a</b>	Window replacement (glazing only)	No <sup>[4]</sup>	2-202 Definitions "Alterations" and 11B-202.4 Exceptions: 7
<b>4b</b>	Window replacement (frames and glazing)	Yes <sup>[3]</sup>	2-202 Definitions "Alterations" and 11B-202.4
<b>5a</b>	Window shading devices—window screens (applied to glazing)	No <sup>[5]</sup>	2-202 Definitions "Alterations" and 11B-202.4
<b>5b</b>	Window shading devices—solar shading devices requiring structural attachment	Yes <sup>[6]</sup>	2-202 Definitions "Alterations" and 11B-202.4
<b>6</b>	Energy Management Systems (EMS)	No <sup>[7]</sup>	2-202 Definitions "Alterations" and 11B-202.4 Exceptions: 7
<b>7</b>	Lighting upgrades—relamping, ballast replacements, fixture replacement	No <sup>[8]</sup>	2-202 Definitions "Alterations" and 11B-202.4 Exceptions: 7
<b>8</b>	Water heating upgrades	No <sup>[9]</sup>	2-202 Definitions "Alterations" and 11B-202.4 Exceptions: 7
<b>9</b>	Skylights	Yes <sup>[10]</sup>	2-202 Definitions "Alterations" and 11B-202.4

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### Notes

<sup>1</sup>Exempted projects must comply with all currently effective design, construction, and inspection provisions contained in Title 24 as adopted by DSA and the State Fire Marshal (see DSA IR A-10).

<sup>2</sup>Projects consisting only of heating, ventilation, air conditioning, reroofing, electrical work not involving placement of switches and receptacles, cosmetic work that does not affect items regulated by this code, such as painting, and equipment not considered to be a part of the architecture of the building or area, such as computer terminals and office equipment, shall not be required to comply with 11B-202.4 unless they affect the usability of the building or facility.

<sup>3</sup>ALTERATION: A change, addition, or modification in construction, change in occupancy or use, or structural repair to an existing building or facility. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, resurfacing of circulation paths or vehicular ways, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions. *Normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility.*

<sup>4</sup>Replacement of glazing units is considered normal maintenance of the glazing system that **does not affect the "usability of the building"**; therefore, would not qualify as alterations under 11B-202.4.

<sup>5</sup>Replacement of screens is considered normal maintenance of a glazing subsystem that **does not affect the "usability of the building"**; therefore, would not qualify as alterations under 11B-202.4.

<sup>6</sup>The addition of fixed and operable solar shading devices, such as horizontal sun shades or vertical fins that require structural connections to the building or ground, is *"A change, addition, or modification in construction"* and would qualify as alterations under 11B-202.4.

<sup>7</sup>The addition of an Energy Management System would be a **"change to an electrical or mechanical system"** and not considered an alteration for purposes of accessibility under 11B-202.4. See note 4 above.

<sup>8</sup>Lighting Upgrades—relamping, ballast replacements, and fixture replacement are *"electrical work not involving placement of switches and receptacles."* See note 3 above. By definition, these upgrades are also *"changes to mechanical and electrical systems"* that would not qualify as alterations for purposes of accessibility upgrades under 11B-202.4.

<sup>9</sup>Upgrades to water heating systems are considered *"changes to mechanical and electrical systems"* and not alterations for purposes of accessibility upgrades. See note 5 above.

<sup>10</sup>The addition of skylights or solar tubes in the roof of an existing building would be *"A change, addition, or modification in construction"* and qualifies as an alteration. See note 5 above.