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Ensuring Structural Safety, Accessibility,
Fire & Life Safety, and Sustainability
in Public Schools and Community Colleges

10.29.24

Harlan Reymont, Principal Architect
DSA Sacramento Regional Office Manager
Ida A. Clair, FAIA, State Architect

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**DSA
Leadership
Headquarters**



State Architect
Ida A. Clair, FAIA, LEED AP BD+C, CASp

Deputy to the State Architect
Kurt Cooknick


**Principal Structural Engineer for
Codes and Standards**
Diane Gould, SE

**Principal Architect for
Codes and Standards**
Eric Driever, AIA, CASp

Chief of Administration
Justin Smith

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DSA Regions



Oakland Regional Office Manager:
Chris Morton, Principal Structural Engineer

Sacramento Regional Office Manager:
Harlan Reymont, Principal Architect

Los Angeles Regional Office Manager:
Douglas Humphrey, Principal Architect

San Diego Regional Office Manager:
Ron LaPlante, Principal Structural Engineer

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DSA Authority


- Design and Construction Oversight:
 - ✓ K-12 Public Schools and Community Colleges
 - ✓ Structural | Fire & Life Safety | Access | Sustainability
- Plan Approval:
 - State Essential Services Buildings
 - ✓ Structural | Access
 - State Funded Construction
 - ✓ Access
- Certification Programs
 - ✓ Project Inspector Certification
 - ✓ Testing Lab Certification
 - ✓ CASp Certification
- Code Development
 - K-12 Public Schools and Community Colleges
 - ✓ Title 24 Parts 1,2,3,4,5,10, 11, and 12
 - Accessibility and Historical Buildings (Statewide)
 - ✓ Title 24 Parts 2 and 8

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Field Act

- First legislation to mandate earthquake-resistant construction in the United States.
- Genesis was a March 10, 1933, 6.4 magnitude earthquake in Long Beach and destroyed 230 school buildings. Many were unreinforced masonry buildings with shoddy workmanship.
- Earthquake occurred at 5:55 pm on a Friday. It is likely that thousands of casualties, mostly children, would have occurred.
- Act was passed within 30 days, and named after Assemblyman Charles Field, the key sponsor.


Since the Field Act was enacted in 1933, DSA's review and approval have ensured that there has never been a major structural failure at a public California K-12 school or community college, and no students have been injured in a Field Act compliant building.



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Garrison Act

- In 1939 the Garrison Act applied Field Act Standards to existing school buildings.
- The first real world test of the Field Act took place in the 1940 Imperial Valley earthquake. This earthquake was magnitude 6.9 (larger than the Long Beach earthquake).
- The sixteen post-Field Act school buildings subjected to intense shaking suffered damage that was less than 1% of their valuation.
- In contrast, older pre-Field Act structures suffered damaged equal to 29% of their valuation.



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Greene Act

- Although the benefits of the Field Act were clearly demonstrated by the Imperial Valley earthquake, many districts still delayed inspecting or renovating older pre-Field Act structures.
- As a result, the first and second Greene Acts (named for their author, State Senator Leroy F. Greene), were passed in 1967 and 1968 respectively to set inspection deadline for school districts.
- The 1971 San Fernando earthquake spurred the State Legislature to provide additional funding to retrofit older buildings.

Private schools are exempt from Field Act provisions.

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Design and Construction Oversight: Structural Safety Fire & Life Safety Access Compliance	<div style="background-color: #e0e0e0; padding: 5px; margin-bottom: 5px;"> 1,018 K-12 School Districts 10,010 Campuses </div> <div style="background-color: #e0e0e0; padding: 5px;"> 73 Community College Districts 116 Colleges </div>
Plan Approval: Structural Safety Access Compliance	<div style="background-color: #e0e0e0; padding: 5px;"> State Essential Service Buildings </div>
Plan Approval: Access Compliance	<div style="background-color: #e0e0e0; padding: 5px;"> State Buildings, CSU, UC </div>

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DSA Authority

Plan Approval and Construction Support: Schools

- DSA does not issue Certificates of Occupancy. DSA issues Certification.
- Certification indicates that schools meet the requirements of the Field Act, all applicable codes, and that Project Inspectors have provided the necessary continuous inspection and testing, resulting in documentation to support compliance.
- Schools have "beneficial occupancy." They can occupy schools without certification, but the governing board is personally responsible for building safety until certification is issued by DSA.
- Prior to 2011, there were 16,386 project occupied without certification. Of these legacy projects, 2,187 remain uncertified. Since 2011, 98% of school construction has been certified by DSA, due to new processes.

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DSA Certification Process

Plan Approval and Construction Support: Schools

DSA Process:

1. DSA provides plan review approval for reviewed disciplines. All required work must be shown on plans. All work shown on plans gets reviewed.
2. DSA reviews post-approval documents. If a change occurs, it must be reviewed and approved.
3. Project Inspector retained by governing board provides continuous inspection of all work. PI is responsible to governing board, and accountable to DSA.
4. Project Inspector enforces all work shown on plans. Project Inspector, design professionals and contractor file verified reports with DSA indicating compliance of the work to approved plans and specifications.



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- Staff in office:
- ✓ Tuesday
 - ✓ Wednesday
 - ✓ Thursday

- Staff telework:
- ✓ Monday
 - ✓ Friday



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- To determine if submission to DSA is required.
- To determine if project is exempt.
- To discuss schedule.
- To discuss code interpretations.
- To discuss new code requirements.
- To request review for projects not under DSA jurisdiction.



Free Pre-Application Meetings

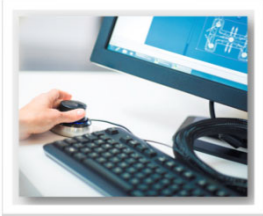

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Appointment Process/ Electronic Plan Review

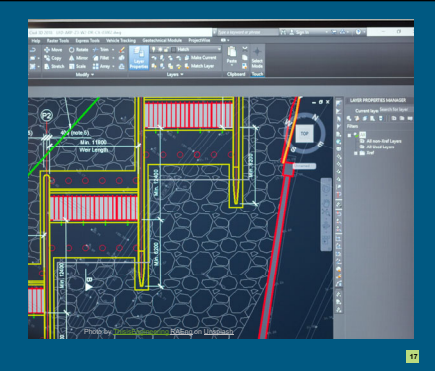

- Projects registered 6 – 8 weeks in advance.
- Submit documents to DSA box (cloud) for review upon appointment date, including fees.
- Since 2020, all services are conducted electronically: plan approval, backcheck, and post-construction documentation.
- Review uses BlueBeam Sessions.

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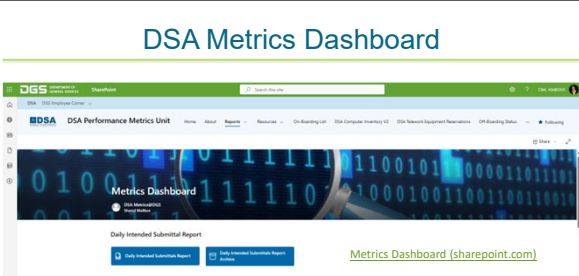

Electronic Backcheck

- Phase 1 desk review with written response to comments and not interactive with design team
- Phase 2 in-person interactive with design team (if did not pass Phase 1)

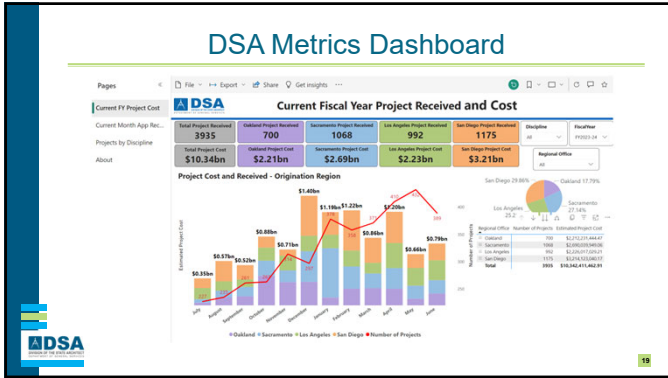



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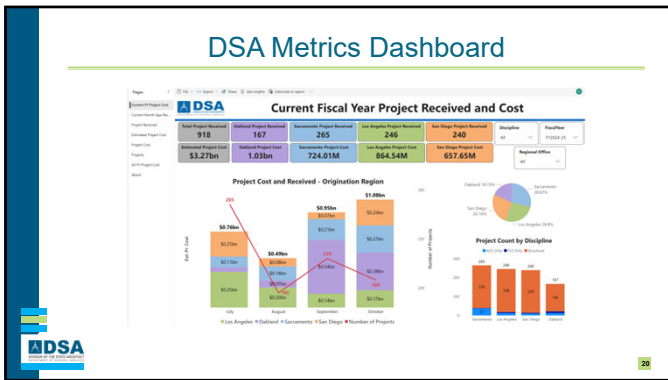
DSA Metrics Dashboard

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DSAbox

DSAbox is a secure cloud based collaborative solution that allows DSA staff and external stakeholders to share, view and collaborate in real time in one location online.

E-Tracker

E-Tracker allows DSA staff and external staff to view project approval progress.

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Statewide Teams

Creating consistency in DSA statewide:

- Structural Safety
- Accessibility
- Fire & Life Safety
- Project Services
- Business Services
- Plan Review and Field Oversight Support
- Field Services

Breaking down siloes:

- Structural Safety Interpretive Policy
- Fire and Life Safety Interpretive Policy
- Sustainability Interpretive Policy

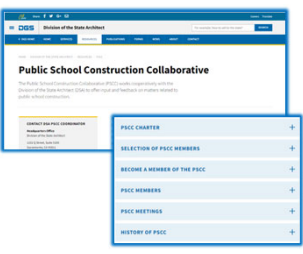


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Public School Construction Collaborative (PSCC)

- Offer insight on matters that protect the intent of the Field Act.
- Advise DSA on policy issues.
- Review and comment on proposed legislation or offer insight on adopted legislative changes.
- Review and advise DSA on Interpretations of Regulations at the request of the State Architect.
- Serve as liaison to stakeholder groups.
- Review and comment on the California Building Standards Code at Triennial and Intervening Code Cycles and offer insight on interpretive issues which may arise between code cycles.




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Modular and Relocatable Buildings Task Force

- Offer insight on matters that affect modular and relocatable school building construction and protect the intent of the Field Act.
- Advise DSA on policy issues that affect modular and relocatable buildings.
- Review and advise DSA on Interpretations of Regulations at the request of the State Architect.
- Review and comment on the California Building Standards Code at triennial and intervening code cycles and offer insight on interpretive issues which may arise between code cycles.
- Address structural safety, fire & life safety, and accessibility concerns in advance of project submission at the onset of each new code cycle.
- Arrange for Energy Code and CALGreen training and of modular and relocatable building manufacturers in advance of project submission at the onset of each new code cycle.



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Who: School District and Community College District Stakeholders

What: The EB Task Force will evaluate changes to regulations that encourages building reuse and ensure when an existing school building is modernized that safety standards are also addressed.

Why:

- Full rehabilitation is costly and derails projects.
- Up to 90% of embodied carbon is retained the reuse of an existing building.
- Building reuse preserves community identity and helps stabilize communities by preserving historic connections.
- Regulatory amendments aim to address both structural safety, resiliency and sustainability.

Existing Buildings Task Force

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DSA
Q&A

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OPSC Update
Maria Faust

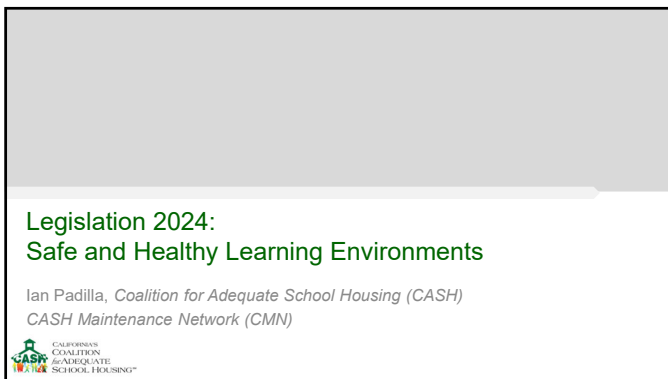
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Brief History: How Did We Get Here?

- Since the *Williams* Settlement in 2004 (Good Repair standard), Facility Inspection Tool (FIT), the Global Warming Act of 2006 (California Green Building Code/Building Code Updates and State Agency implementation), there has been a consistent and increasing focus on the policy and legislative activity needed to create and maintaining Safe and Healthy Learning Environments that support academic performance.
- The CASH Facility Inspection Tool (FIT) Guidebook released in 2007, in addition to providing guidance on the 14 essential elements of a FIT building system inspection conducted by county offices of education, this widely used reference included an additional "Going Beyond the FIT" category.



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Brief History: How Did We Get Here? Cont.

- Most of the issues in this forward leaning category have become regular parts of typical school maintenance practices (ex.: Integrated Pest Management), and the policy trend continues.
- New and overlapping state policy – *Maintenance+Energy Management+Safety*
- More broadly, there has been a significant impact for school facility and maintenance departments planning and funding.



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Recent Legislation and Agency Rulemaking Related to Safe and Healthy Learning Environments

- Security (Campus Security/AB 2565)
- Safety (Natural Disasters/Climate Change)
- Healthy Indoor Air Quality(Ventilation/HVAC/MERV13/Energy/Heat Pumps/CalShape)
- Safe Drinking Water (Lead Testing/5 ppb/AB 746)
- Water Management (MS4 Permit)
- Toxics Management (IPM/PCBs/Turf/Green Cleaning)
- Recycling (Organic Waste/SB 1383)
- Energy (Efficiency/Generation/Storage/Resiliency)
- Extreme Heat/Green Schools (SB 499/SB 515/SB 1091)



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**Legislation Introduced in 2024 Focused on
Health and Safety**



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Extreme Heat/Green Schools

SB 1091 (Menjivar D): School facilities: school projects: accessible path of travel requirements.
 Last Amend: 8/22/2024
 Status: 9/30/2024-Approved by the Governor. Chaptered by Secretary of State. Chapter 1014, Statutes of 2024.
 Location: 9/30/2024-S. CHAPTERED

Summary: The Field Act requires the Department of General Services under the police power of the state to supervise the design and construction of any school building or the reconstruction or alteration of or addition to any school building, if not exempted, to ensure that plans and specifications comply with adopted rules and regulations and building standards published in regulations, and to ensure that the work of construction is performed in accordance with the approved plans and specifications for the protection of life and property. The California Building Standards Code requires that specified buildings, structures, and facilities be accessible to, and useable by, persons with disabilities, including that when alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition is provided. Current law limits the cost of complying with the requirement to provide an accessible path of travel to a free-standing, open-sided shade structure project that meets specified requirements and that is on a school district, county office of education, charter school, or community college campus to 20% of the adjusted construction cost, as defined, of the shade structure project. This bill would additionally limit the cost of complying with the requirement to provide an accessible path of travel to a school district, county office of education, or charter school project that is approved by the Division of the State Architect on or before December 31, 2030, and that improves community ecological health and climate resilience, or pupil well-being, learning, or pupil play, and incorporates nature, as provided, to 20% of the adjusted construction cost, as defined, of the school project.

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Drinking Water Quality

AB 1851 (Holden D): Drinking water: schoolsites: lead testing pilot program.
 Introduced: 1/17/2024
 Last Amend: 6/3/2024
 Status: 8/15/2024-Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/5/2024)
 Location: 8/15/2024-S. DEAD

Summary: Would require the Superintendent of Public Instruction to establish a pilot program to test for and remediate lead contamination in drinking water at participating local educational agency facilities with plumbing that was installed before January 1, 2010. The bill would require the Superintendent to select no fewer than 6 and no more than 10 local educational agencies for participation in the pilot program and, if a selected local educational agency consents to participate in the pilot program, the bill would require the Superintendent to provide grants to the participating local educational agencies for testing and remediating drinking water lead levels at eligible facilities. If sampling results show lead levels in excess of 5 parts per billion in water at any potable water system outlet, the bill would require a participating local educational agency to notify the parents and guardians of pupils who attend the school of the elevated lead levels, as provided, to take immediate steps to shut down all potable water use at potable water system outlets where excess lead levels may exist, and to ensure that a lead-free source of drinking water is provided for pupils at each potable water system outlet that has been shut down.

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Toxics Management

AB 1864 (Connolly D): Pesticides: agricultural use near schoolsites: notification and reporting.
Introduced: 1/18/2024
Last Amend: 8/15/2024
Status: 9/25/2024-Chaptered by Secretary of State - Chapter 552, Statutes of 2024
Location: 9/25/2024-A. CHAPTERED

Summary: Current law authorizes the agricultural commissioner of a county to adopt regulations applicable in the county that are supplemental to those of the Director of Pesticide Regulation that govern the conduct of pest control operations and records and reports of those operations. Current law authorizes the commissioner to adopt regulations on the agricultural use of any pesticide for agricultural production within 1/4 mile of a school with respect to the timing, notification, and method of application. Current regulations restrict specified applications of pesticides made for the production of an agricultural commodity within 1/4 mile of a schoolsite. This bill would require the Department of Pesticide Regulation to require a separate site identification number for the portion of an agricultural field that lies within 1/4 mile of a schoolsite. The bill would also require the department, for permit applications for agricultural use of pesticides designated as restricted materials, notices of intent for use of a pesticide designated as a restricted material, and pesticide use reporting forms and procedures, as they pertain to an agricultural field of which any portion lies within 1/4 mile of a schoolsite, to require reporting on the specific method, or the specific anticipated method, of applying the pesticide, as applicable, and certain information relating to the dates and times of the pesticide application, as applicable, as specified. The bill would require the director, in evaluating a county's pesticide use enforcement program, to evaluate the county's effectiveness in enforcing specified laws and regulations regarding applying pesticides near schoolsites.

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Security

AB 2149 (Connolly D): Gates: standards: inspection.
Introduced: 2/6/2024
Last Amend: 7/3/2024
Status: 8/15/2024-Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/5/2024)
Location: 8/15/2024-S. DEAD

Summary: Current law authorizes an owner of real property to install and operate on their property an electrified security fence, as defined, to protect and secure commercial, manufacturing, or industrial property, that meets specified requirements, except where a local ordinance prohibits that installation and operation. If a local ordinance allows the installation and operation of an electrified security fence, current law requires the installation and operation of the electrified security fence to meet the requirements of that ordinance. This bill would require a regulated gate, defined as any gate that weighs more than 50 pounds and is more than 48 inches wide or more than 84 inches high that is intended to be used by the public, an entire community or neighborhood, or any considerable number of persons, except as specified, to meet certain standards. The bill would require each building department to update, on or before July 1, 2026, its code requirements to ensure that any newly installed regulated gate in its jurisdiction meets those standards. The bill would require the owner of a regulated gate to have it inspected on or before July 1, 2026, or upon installation, and have it reinspected, thereafter, at least once every 10 years. The bill would require an owner to maintain a written report regarding the regulated gate's compliance with the specified requirements for at least 10 years and make the report available to the building department upon request. The bill would require the owner of a regulated gate that a professional or qualified employee, as defined, determines, upon inspection, to pose an immediate threat to safety to immediately stop the use of the gate until necessary repairs are completed and to engage a contractor or qualified employee to perform the repairs necessary to mitigate the emergency condition. The bill would require the owner of a regulated gate to engage a contractor or qualified employee to repair a regulated gate that is in need of repairs within a prescribed period, subject to imposition of an administrative fine by the building department, as specified. The bill would deem a regulated gate that fails to comply with these provisions 30 days after the owner of the gate has been notified of the violation.

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Security

AB 2565 (McCarty D): School facilities: interior locks.
Introduced: 2/14/2024
Last Amend: 8/15/2024
Status: 9/24/2024-Chaptered by Secretary of State - Chapter 531, Statutes of 2024
Location: 9/24/2024-A. CHAPTERED

Summary: Would, contingent upon an appropriation, require a charter school, school district, or county office of education serving pupils in kindergarten or any of grades 1 to 12, inclusive, that undertakes an addition, alteration, reconstruction, rehabilitation, or retrofit of a school building, to install interior locks on each door of any room with an occupancy of 5 or more persons in that school building, except as provided. By placing a new requirement on local educational agencies, the bill would constitute a state-mandated local program.

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Other School Facility and Maintenance Regulatory Issues to be Aware of

School Facility Bills:

- AB 2192 (Carrillo) - CUPPCA
- SB 937 (Weiner) – Impact Fee Delays
- SB 1374 (Becker) – Solar Self-Generation

Regulatory Issues


- CalShape
- MS4: State Storm Water Permit



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Contact

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