

**<http://www.dgs.ca.gov/dsa/Programs/progProject/projsubmitplanning/juris.aspx>**

## **Jurisdiction of DSA**

This brief description of the jurisdiction of DSA is intended for general guidance only. Please refer to the Government Code, Education Code and other applicable laws and standards for complete information. This information is not intended to contradict or interpret any law or regulation.

### **Enforcement Responsibility**

DSA has responsibility for enforcement in two separate areas of State law:

#### **1. Access Compliance**

DSA has jurisdiction over access compliance requirements for all buildings in California (including schools) that are publicly-funded in whole or in part by the use of state funds per Government Code Section 4450 through 4461. Plan review of access compliance related features only, is performed for the following entities when public funds are used in construction:

- Public elementary and secondary Schools (grades K–12)
- Community colleges
- All state-owned or state-leased essential services buildings
- University of California
- California State University
- All state-owned State of California property
- All state-leased State of California property (enforced by DGS/Real Estate Services Division)
- Publicly-funded Charter schools

#### **2. General California Building Code Enforcement (for Public Schools and Essential Services Buildings Only)**

For public schools and State Essential Services Buildings (ESB), DSA has jurisdiction over **all** aspects of construction (including access compliance), to ensure that plans, specifications, and construction comply with the building code (Title 24 of the California Code of Regulations). Plan review and construction oversight is provided for **all** construction (except as noted in Section 2.1 and 2.3 below) on the following facilities:

- Public elementary and secondary schools (grades K–12) - see Education Code, Sections 17280-17317 and 17365-17374.
- Public Community colleges - see Education Code, Sections 81130-81149.
- All state-owned or state-leased essential services buildings - see Health and Safety Code, Sections 16000-16023.

## **DSA Jurisdiction – Building/Construction Type**

All construction must be reviewed and approved by DSA, except as noted below, before a contract for construction can be awarded. Title 24, Part 1 defines several exceptions (not including access compliance) to DSA jurisdiction for Building Code enforcement for various types of construction as described below (for more information on construction types, see **Scope of Projects for DSA Plan Submittal by Construction Type**).

### **1. NEW CONSTRUCTION**

Per Title 24, Part 1, Section 4-314 - Definitions, the following structures are classified as "school buildings" and are therefore subject to complete review and approval by DSA:

- facilities or structures used for instructional purposes or intended to be entered by pupils or teachers for school purposes,
- dwellings for pupils or teachers on the school site,
- any structure, utility system or facility necessary to the complete functioning of the school, and
- any structure on school grounds that could endanger pupils or teachers if it were to collapse.

## **Excluded Structures and Other Exceptions**

Title 24, Part 1, Section 4-314 also defines certain types of structures that are not considered to be "school buildings." When the entire scope of a construction project includes only these structures they may be constructed without first obtaining structural or fire/life safety approval from DSA (**note that access compliance review by DSA is still required**). These structures may be submitted to DSA for full review at the option of the school district. **Note that these structures must still be designed, constructed and inspected per code requirements even if they are not submitted to DSA for structural or fire/life safety review.**

Structures that are not considered to be regulated by DSA as "school buildings," when they constitute the entire scope of construction, include:

- One-story buildings not over 250 square feet in floor area when used exclusively as accessory facilities to athletic fields (equipment storage, toilets, snack bars, ticket booths, etc.).

- Greenhouses, barns and storage sheds used exclusively for plants or animals and not used for classroom instruction (small groups of pupils or teachers may enter these structures for short periods of time).
- Light poles or flagpoles less than 35 feet tall.
- Antenna towers less than 35 feet tall or less than 25 feet above a building roofline.
- 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.
- Ball walls 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 with five rows of seats or less.
- Playground equipment, open-mesh fences and baseball backstops.
- "Temporary-use" buildings on community college sites used for less than three years.
- "Trailer Coaches" that conform to the requirements of the Health and Safety Code, Division 13, Part 2, commencing with section 18000, that are not greater than 16 feet in width and used for special education purposes for no more than 12 pupils at a time (or 20 pupils for driver training purposes).

Note that additional exceptions to DSA approval requirements exist for various unusual situations. For more information about these exceptions please refer to the Education Code or contact one of [DSA's Regional Offices](#).

Section 4-310 of Title 24, Part 1 states that the following types of buildings are not subject to Field Act requirements and therefore need not be submitted to DSA for structural or fire/life safety review; however, **these structures must still be designed, constructed and inspected per code requirements even if they are not submitted to DSA**. These types of buildings must also be reviewed and approved by DSA for access compliance requirements (see above):

- Bus garage, warehouse, storage and similar buildings,
- Dwellings for non-teacher, non-pupil employees,
- Other 'non-school use' buildings or structures,
- District-wide administration buildings that are not on a school site which are not entered by pupils or teachers for school purposes.

The school board shall take all necessary precautions to prevent injuries to pupils or teachers on school grounds as a result of collapse of 'non-school' buildings on a school site. Such precautions may include fencing-off the non-school buildings from the rest of the school site.

Also, a sign stating that: "This building does not meet the earthquake safety requirements of the California State building code and shall not be entered by pupils or teachers" shall be posted on all non-school buildings on school sites.

Finally, the school board shall pass a resolution stating that the structure shall not be used for school purposes and that no pupils or teachers, as such, will be permitted to use or enter 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.

**All structures (including those not subject to DSA approval) are still required to be designed and constructed in accordance with the requirements of the building code. The school board is responsible for hiring a licensed architect or engineer to design such structures, and must also provide for adequate inspection of the construction.**

## **2. ADDITIONS**

All additions are subject to DSA review and approval regardless of size or cost. Note that additions may only be made to DSA compliant structures unless alterations to bring the existing structure into compliance are also included in the scope of the project. See IR A-20.

## **3. ALTERATIONS**

Alteration projects require DSA review and approval except for low cost projects as described below.

- Per Section 4-308 of Title 24, Part 1, review and approval of a project involving only alterations is not required when the cost of the project does not exceed \$35,623 (as of 2009). The school board is responsible for hiring a licensed architect or engineer to prepare plans and specifications and to provide for adequate inspection of the construction.
- Per Section 4-309 of Title 24, Part 1, review and approval of a project involving only alterations is not required when the cost of the project does not exceed \$142,493 (as of 2009), under the following conditions:

1. A 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 affect the accessibility requirements of Section 4450 of the Government Code. 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 a verified report to DSA, indicating that the project was completed in conformance with the plans and specifications. Form **DSA-999: Inspection Verified Report for Projects Exempt from DSA Approval** (PDF - 121 KB) is available from the DSA website.

- As of 2009, all alterations projects costing more than \$142,493 require DSA review and approval.

- The above threshold dollar amounts are based on January 1, 1999 construction costs figures of \$25,000 and \$100,000, and are adjusted annually. The current figures are reported in DSA IR A-10.

Projects shall not be subdivided for the purpose of evading plan review requirements.

**Note that construction must still conform to all building code requirements and that the school board is still responsible for hiring a licensed architect or engineer to prepare plans and specifications for the construction, and must also provide for adequate inspection of the construction even when plan review by DSA is not required.**

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**SMALL PROJECTS EXEMPT  
FROM DSA REVIEW**

**IR A-22**

References:

Issued 08-15-08

California Building Code, Part 1, Section 4-314, Part 2, Section 1134B

Discipline: Structural, Fire-Life Safety, Access Compliance

This Interpretation of Regulations (IR) is intended for use by the Division of the State Architect (DSA) staff, and as a resource for design professionals, to promote more uniform statewide criteria for plan review and construction inspection of projects within the jurisdiction of DSA, which include State of California public elementary and secondary schools (grades K-12), community colleges, and state-owned or state-leased essential services buildings. This IR indicates an acceptable method for achieving compliance with applicable codes and regulations, although other methods proposed by design professionals may be considered by DSA.

This IR is reviewed on a regular basis and is subject to revision at any time. Please check the DSA web site for currently effective IR's. Only IR's listed in the document at <http://www.dsa.dgs.ca.gov/Pubs/default.htm> (click on "DSA Interpretation of Regulations Manual") at the time of plan submittal to DSA are considered applicable.

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**Purpose:** The purpose of this Interpretation of Regulations (IR) is to clarify when plans and specifications for small construction projects on existing public school sites are required to be submitted to the Division of the State Architect (DSA) for review, approval and construction oversight.

**1. Access Compliance Requirements:** Some projects that are exempt from the Field Act (Education Code Sections 17280-17317, 17365-17374, and 81130-81149) are required to be submitted to DSA for review and approval by the Access Compliance Section of DSA. See Government Code Sections 4450-4461. Also see Appendix A of this IR for projects that fall into this category.

**2. California Building Standards Code Compliance:** Projects subject to the Field Act but not requiring DSA approval shall comply with all currently effective design, construction and inspection provisions of the California Code of Regulations, Title 24. When authorizing construction of projects described in this interpretation, the school district assumes responsibility to assure compliance with all code provisions. Architects and engineers providing project design must be licensed as required by the rules governing the licensing of architects and engineers. See Business and Profession Code Sections 6735 and 5535 through 5538.

All projects, whether governed by the Field Act or not, shall comply with all applicable accessibility provisions of the California Code of Regulations, Title 24.

**3. Exempt Small Projects:** See Appendix A for a list of small projects and the review requirements for Structural Safety (SS), Fire-Life Safety (FLS) and/or Access Compliance (AC). Items listed in the Appendix are exempt only when they constitute the entire scope of a project.

**4. Exempt Reconstruction and Alterations:** In addition to projects listed in Appendix A, projects involving alterations, repairs or additions to existing school buildings may be exempt from DSA review and approval based on the estimated construction costs. Refer to IR A-10, "Reconstruction and Alteration Projects – Exemption from DSA Approval".

**5. Voluntary Submittal:** This interpretation does not preclude a school district from choosing to submit plans and specifications for exempt projects, with the appropriate fee to DSA for review. Voluntary submittal of an exempt project will trigger full DSA plan review for code conformance and construction oversight including inspections and materials testing.

## Appendix A – Review of Small Projects

Those items eligible for exemption listed below are exempt from DSA review and approval only when they constitute the entire scope of a project.

Project Description	SS/FLS Review Required?		Access Compliance Review Required?	
	Yes	No	Yes	No
1. Poles less than 35 feet tall (lighting poles, flag poles, poles supporting open mesh fences, etc.)		✓		✓ <sup>1</sup>
2. Poles less than 25 feet above the roof line when attached to an existing school building (antennas, flag poles, etc.)		✓		✓ <sup>1</sup>
3. Cell or antenna towers	✓			✓
4. Soil retaining walls less than 4 feet tall without surcharge or a sloping backfill		✓		✓ <sup>1</sup>
5. Baseball dugouts less than 250 sq. ft. of floor area with lightweight roof construction and walls less than 4 feet tall resisting (active, passive or at rest) soil pressure with no sloping backfills or surcharge.		✓	✓ <sup>2</sup>	
6. Ball walls or yard walls less than 6 feet above grade		✓		✓ <sup>1</sup>
7. Free standing signs, scrolling message signs, scoreboards, or solid clad fences less than 8 feet above grade		✓		✓ <sup>1,4</sup>
8. Bleachers and grandstands five rows of seats or less		✓	✓ <sup>2</sup>	
9. Ancillary accessory facilities to athletic fields with light metal or wood frame construction (one-story, not over 250 square feet, used for equipment storage, toilets, snack bars, ticket booths, etc.)		✓	✓ <sup>2</sup>	
10. Playground equipment		✓	✓ <sup>3</sup>	
11. Large playground equipment resembling buildings and over 250 square feet	✓		✓ <sup>3</sup>	
12. Open-mesh baseball backstops		✓	✓ <sup>3</sup>	
13. Open-mesh fences		✓		✓ <sup>4</sup>
14. New or replacement of sidewalks		✓	✓	
15. Landscaping		✓	✓ <sup>4</sup>	
16. Replacement in kind of mechanical, electrical, or plumbing units when the cost does not exceed the thresholds in IR A-10		✓		✓
17. Cosmetic maintenance work such as painting, re-carpeting, wallpapering, reroofing, etc., as defined in Title 24, Part 1, Section 4-314.		✓		✓

18. Installation of synthetic (artificial turf) play fields or running tracks		✓	✓	
19. Installation of new parking areas		✓	✓	
20. Installation of new surfacing over existing parking areas (such as asphalt overlays)		✓	✓ <sup>5</sup>	
21. Removal and replacement of existing parking area surfacing		✓	✓ <sup>5</sup>	
22. Installation of seal-coating at existing parking areas (including new striping), or normal maintenance such as restriping or the filling of potholes and cracks		✓		✓

- Notes:
1. No height limit for Access Compliance exemption
  2. Required for all, no exception.
  3. Access Compliance will review the accessible path of travel to the playground/facility
  4. Required if accessible path of travel is impacted
  5. If accessible parking spaces are impacted

**Education Code § 17294.**

“Construction or alteration” as used in this article includes any construction, reconstruction, or alteration of, or addition to, any school building.

**Education Code § 17295.**

(a)(1) The Department of General Services shall pass upon and approve or reject all plans for the construction or, if the estimated cost exceeds twenty-five thousand dollars (\$25,000), the alteration of any school building.

(2) To enable the Department of General Services to pass upon and approve plans pursuant to this subdivision, the governing board of each school district and any other school authority before adopting any plans for the school building shall submit the plans to the Department of General Services for approval, and shall pay the fees prescribed in this article.

(b) Notwithstanding subdivision (a) of Section 17295, where the estimated cost of the reconstruction or alteration of, or an addition to, any school building exceeds twenty-five thousand dollars (\$25,000) but does not exceed one hundred thousand dollars (\$100,000), a licensed structural engineer shall examine the proposed project to determine if it is a nonstructural alteration or a structural alteration. If he or she determines that the project is a nonstructural alteration, he or she shall prepare a statement so indicating. If he or she determines that the project is structural, he or she shall prepare plans and specifications for the project which shall be submitted to the Department of General Services for review and approval. A copy of the engineer's report stating that the work does not affect structural elements shall be filed with the Department of General Services.

(c) If a licensed structural engineer submits a report to the Department of General Services stating that the plans or activities authorized pursuant to subdivision (b) do not involve structural elements, then all of the following shall apply to that project:

(1) The design professional in responsible charge of the project undertaken pursuant to this subdivision shall certify that the plans and specifications for the project meet any applicable fire and life safety standards, and do not affect the disabled access requirements of Section 4450 of the Government Code, and shall submit this certification to the department. The letter of certification shall bear the identifying licensing stamp or seal of the design professional. This provision does not preclude a design professional from submitting plans and specifications to the department along with the appropriate fee for review.

(2) Within 10 days of the completion of any project authorized pursuant to subdivision (b), the school construction inspector of record on the project, who is certified by the department to inspect school buildings, shall certify in writing to the department that the reconstruction, alteration, or addition has been completed in compliance with the plans and specifications.

(3) The dollar amounts cited in this section shall be increased on an annual basis, commencing January 1, 1999, by the department according to an inflationary index governing construction costs that is selected and recognized by the department.

(4) No school district shall subdivide a project for the purpose of evading the limitation on amounts cited in this section.

(d) For purposes of this section, “design professional in responsible charge” or “design professional” means the licensed architect, licensed structural engineer, or licensed civil engineer who is responsible for the completion of the design work involved with the project.