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# SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

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**Bill No:** AB 3058 **Hearing Date:** June 13, 2018  
**Author:** O'Donnell  
**Version:** April 2, 2018  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Ian Johnson

**Subject:** School facilities: inspections: examination and evaluation.

## SUMMARY

This bill revises the requirements for testing and evaluating school construction project inspectors.

## BACKGROUND

Existing law:

- 1) Prohibits the State Allocation Board from apportioning school bond funds to any school district that has not received approval from the Division of State Architect (DSA) that the project meets Field Act requirements.
- 2) Requires DSA, 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 to ensure that plans and specifications comply with existing law and Title 24 regulations.
- 3) Requires the Department of General Services (DGS) to make such inspection of the school buildings and of the work of construction or alteration as in its judgment is necessary or proper for the enforcement of existing law and the protection of the safety of the pupils, the teachers, and the public.
- 4) Specifies that in order to ensure the competency and adequacy of the inspectors, DGS shall do all of the following:
  - a) Revise the examination used to determine the competency of those who provide inspections. The revision of the examination shall include techniques of inspection, construction, plan reading, required submittal documents, and knowledge of statutes and regulations that apply to school construction. The revision of the examination shall be done not later than 48 months after the last revision and not earlier than 36 months after the last revision.
  - b) Provide training on an ongoing basis to all individuals who provide the inspections required under this article. The training shall be designed to ensure that all individuals who provide the continuous inspection of school building construction or alteration are sufficiently knowledgeable of the rules, regulations, and standards.

- c) Require evaluation of the competency of those who provide inspections. After an initial evaluation a reevaluation shall occur not later than 48 months after the last evaluation or reevaluation and not earlier than 36 months after the last evaluation or reevaluation. An evaluation or reevaluation shall include passage of the examination used to determine competence and attendance at training.
- 5) Authorizes the Department of General Services (DGS) to charge a fee for the evaluation and reevaluation.

## ANALYSIS

This bill revises the requirements for testing and evaluating school construction project inspectors. Specifically, this bill:

- 1) Requires DGS to revise the examination for school construction project inspectors no later than 36 months after the last revision.
- 2) Requires the reevaluation of inspectors no later than 48 months and removes the prohibition to reevaluate no earlier than 36 months.
- 3) Strikes the requirement for the inspector to pass the initial exam for reevaluation, and instead requires the evaluation and reevaluation to include meeting education and training requirements determined by DGS.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, the statutes requiring a project inspector were enacted in 1997 and need to be updated. Current law prohibits the exam from being revised any earlier than 36 months after the last revision. According to DGS, this prevents the Division of the State Architect (DSA) from updating the exam to keep up with changes in building codes and construction materials and methods.
- 2) ***The School Facility Program.*** The state created the School Facility Program (SFP) in 1998 in response to concerns about the complexity of the Lease-Purchase Program, its immediate predecessor. The SFP has two core programs: new construction and modernization. For both programs, the state provides per-student grants to participating school districts, with school districts required to provide local matching funds. School districts are required to submit specific projects for approval by several state agencies to receive state funding, including the California Department of Education (CDE), the DSA, the Office of Public School Construction, and local agencies, which can take several years.
- 3) ***The role of DSA.*** The primary role of DSA in the school construction process is to review plans and specifications to ensure that they comply with California's building codes, with an emphasis on structural and seismic safety. The review commences when the school district's architect submits working drawings to DSA. The Division of the State Architect (DSA) reviews the working drawings to assure that the proposed structures meet codes and requirements for access

compliance, structural safety (seismic), fire and life safety, and universal design compliance.

Division of the State Architect (DSA) approval of all plans and specifications is required before a construction contract is signed for new construction, modernization or alteration of any school building for which a district is seeking state funding. Local educational agencies are required to hire inspectors, who are certified by the Department of General Services (DGS), to approve project plans and provide continuous inspection throughout the construction or alteration of a school facility project.

Current law requires an inspector to take an initial exam, receive ongoing training, and be reevaluated. The exam includes techniques of inspection, construction, plan reading, required submittal documents, and knowledge of statutes and regulations that apply to school construction. Regulations adopted under Title 24 of the California Code of Regulations specify the qualifications of project inspectors and establish four levels of certification based on experience and qualifications. Certifications are valid for four years.

- 4) ***Arguments in support.*** DSA may not reevaluate an inspector earlier than 36 months, but no later than 48 months, from a prior evaluation. This prohibits DSA from ensuring that inspectors are aware of and inspecting construction projects based on the latest advancements to the building code and the construction industry. This bill updates the law by requiring DSA to revise the exam no later than 36 months, instead of no earlier than 36 months, and removes the prohibition for recertification earlier than 36 months. The bill also strikes the requirement for inspectors to pass the initial exam for certification and instead requires compliance with education and training requirements determined by the DGS.

## **SUPPORT**

American Construction Inspectors Association  
Coalition for Adequate School Housing

## **OPPOSITION**

None received

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