

POLICY: WORKFORCE HOUSING PROJECTS AND COMMUNITY COLLEGE STUDENT HOUSING PROJECTS SUBMITTED TO DSA

Division of the State Architect (DSA) documents referenced within this publication are available on the [DSA Forms](#) or [DSA Publications](#) webpages.

DISCIPLINE(S)

Structural Safety, Fire and Life Safety, Accessibility.

PURPOSE

This policy document is provided to inform the decisions of community college districts (CCD) regarding student housing projects, and CCD and K-12 school districts (SD) regarding workforce housing projects.

BACKGROUND

Assembly Bill (AB) 358 (Chapter 83, Statutes of 2023) amended Education Code (EDC) 81050.5 which exempts CCD student housing projects from DSA plan approval and construction oversight required under EDC 81130.3, commonly known as the Field Act, and amended Government Code (GOV) 4454.5 which exempts CCD student housing from access compliance plan approval requirements under GOV 4453. Additionally, AB 306 (Chapter 49, Statutes of 2021) amended EDC 17283.5 and EDC 81050.5 which exempts residential housing (workforce housing), defined as any building used as a personal residence by a teacher or employee of a SD or CCD, with the teacher's or employee's family, from DSA plan approval and construction oversight required under EDC 17281 and EDC 81130.3, commonly known as the Field Act, and amended GOV 4454.5 which exempts workforce housing from access compliance plan approval requirements under GOV 4453.

For both workforce housing and CCD student housing, DSA authority for fire and life safety plan review and approval under GOV 14963 was addressed by neither AB 358 nor AB 306, and thus, retains said authority.

While AB 358 was specific that CCDs can elect to submit to DSA for approval, AB 306 was silent; however, DSA will continue to accept for review both workforce housing projects and CCD student housing projects upon request by the SD or CCD.

1. EARLY PROJECT PLANNING: SELECTION OF JURISDICTION

The selection of jurisdiction should occur early in project planning and be informed by this policy, project location, program, and design criteria.

1.1 The following housing projects are **not** exempt from DSA approval and construction oversight:

- Student housing projects developed by a K-12 school district.
- Housing projects that contain programmatic areas that will be utilized for educational purposes.
- Housing projects that contain shared spaces such as dining facilities or other support services that are offered to all students and/or employees on a campus.

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1.2 The statutory requirements of the EDC only exempt the residential building from DSA review, approval, and construction oversight. Housing projects co-located on a campus with other Field Act structures are required to submit site development work for the project, including utilities, to DSA for review, approval, and construction oversight if such work extends beyond five feet from the building footprint. DSA advises a pre-application meeting to confirm areas of the housing project for which DSA retains jurisdiction.

1.3 EDC 81160 and EDC 17368 specifies that any building that is not constructed in accordance with the Field Act and was not repaired, reconstructed, or replaced in accordance with the Field Act requires a public notice stating that the building does not meet the structural standards imposed by law for earthquake safety. For the protection of students and faculty on the campus, DSA will enforce this requirement, or a measure of equivalent means, for housing projects that do not meet Field Act requirements when located on a campus where the primary use is for school purposes.

1.4 Projects under DSA jurisdiction are exempt from local requirements. Additionally, housing projects submitted to DSA for review are exempt from local requirements. Housing projects submitted to the local jurisdiction for review, approval, and construction inspection may be subject to the following requirements:

- Local planning process
- Local impact fees
- Local building code amendments
- Local energy ordinances
- California Green Building Standards Code (CALGreen) residential mandatory measures
- Scheduling of inspections
- Issuance of a Certificate of Occupancy

2. HOUSING PROJECTS SUBMITTED TO DSA AFTER JANUARY 1, 2024

Housing projects submitted to DSA for review will be reviewed for structural safety, fire and life safety, and access compliance requirements, except for projects submitted for access compliance only review as described in Section 3 below of this document.

2.1 DSA approval and certification of a housing project confirms compliance with Field Act requirements, including but not limited to the enhanced structural safety requirements (DSA-SS CBC amendments), and continuous inspection during construction by a DSA-certified Project Inspector.

2.2 If a CCD student or CCD workforce housing project submitted to DSA elects to conform to the alternate structural safety requirements (DSA-SS/CC CBC amendments) in accordance with EDC 81050.5, then DSA approval and certification will confirm compliance with the alternate requirements.

3. HOUSING PROJECTS SUBMITTED TO THE LOCAL JURISDICTION

Housing projects submitted to the local jurisdiction will have all building disciplines within the footprint of the building reviewed by the local jurisdiction, including fire and life safety review.

3.1 Housing projects that are not, or will not be in the future, co-located on a site with other Field Act structures will have site development work reviewed by the local jurisdiction.

3.2 Housing projects must meet the California Building Code Chapter 11B accessibility requirements for *housing at a place of education* and *public housing*. Prior to AB 358, DSA had sole jurisdiction for access compliance for student housing projects at public educational institutions. To ensure access compliance, workforce housing projects and CCD student

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housing projects submitted to the local jurisdiction may also be submitted for concurrent access compliance only plan approval by DSA.

3.2.1 Access compliance only projects shall be submitted to the DSA regional office in the region the project resides through the regular project submission process including payment of applicable fees.

3.2.2 Projects submitted for access compliance only review by DSA are not eligible for certification.

3.2.3 DSA will not hold approval of the access compliance only project awaiting approval by the local jurisdiction, nor will DSA require the concurrence of the local jurisdiction.

3.2.4 DSA will not engage with the local jurisdiction to resolve issues of differing interpretation, and such responsibility will remain with the architect of record.

ADDITIONAL RESOURCES:

Bill text: [AB 358: Community College Student Housing](#) and [AB 306: School Districts and Community College Districts: Employee Housing](#).

Access Compliance Resources:

[DSA Academy](#): Housing at a Place of Public Education.

This on-demand course is an overview of federal and state regulations, guidelines, and standards for K-12 school student and undergraduate student housing at a place of education that is also public housing. Attendees will understand how to analyze and apply the CBC regulations for accessibility to projects that are newly constructed housing at a place of public education. The session will also compare the CBC to the Americans with Disabilities Act (ADA) and federal Fair Housing Act (FHA) requirements for accessibility of student housing at a place of public education. Lastly, attendees will understand how to analyze and apply the CBC regulations for accessibility to alterations and additions to student housing at a place of public education, including path of travel improvements.

[DSA IR 11B-11: Bathrooms in Newly Constructed Housing Facilities for Undergraduate Students at a Public School, College or University](#)

Bathrooms in Newly Constructed Housing Facilities for Undergraduate Students at a Public School, College, or University.

[DSA Access Compliance Reference Materials](#)

Including the Access Compliance Advisory Manual and the Guide to Public Housing.

REFERENCES:

Education Code section 17283.5 and 81050.5
Government Code section 4453

A DSA Policy is a formally established set of governing statements based on law and code objectives, addressing any aspect of DSA's review and approval of plans and specifications and construction oversight programs that is not clearly addressed by code. A Policy also may specify administrative or technical requirements that are not yet addressed within Title 24 but are deemed important and necessary to fulfill code objectives in advance of adoption into the code.