

**ASSEMBLY BILL**

**No. 1783**

---

---

**Introduced by Assembly Member Dodd**  
(Principal coauthor: Senator Wolk)

February 4, 2016

---

---

An act to add Chapter 8 (commencing with Section 17660) to Part 10.5 of Division 1 of Title 1 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1783, as introduced, Dodd. School facilities: nonstructural earthquake hazards: annual assessment.

Existing law, the Field Act, generally requires the Department of General Services to supervise the design and construction of, the reconstruction or alteration of, or the addition to, a school building to ensure, among other things, that plans and specifications comply with adopted rules and regulations and building standards, including those relating to seismic safety. Existing law requires the Office of Emergency Services, in cooperation with the State Department of Education, the Department of General Services, and the Alfred E. Alquist Seismic Safety Commission, to develop an educational pamphlet for use by school personnel to identify and mitigate the risks posed by nonstructural earthquake hazards.

This bill would require each school district, county office of education, and charter school, on or before January 1, 2018, to develop a plan for the annual inspection of the contents in each of its school buildings for purposes to assess whether the contents comply with the guidelines set forth in the pamphlet, to identify school building contents that do not comply with the guidelines, and to develop corrective actions to bring

noncompliant content into compliance. The bill would require, among other things, that the plan be developed in consultation with specified persons, that it designate the responsible person or persons who will perform the assessment and develop the corrective action plans for noncompliant contents, and that it include a cost estimate for the annual assessment. The bill would require each school district, county office of education, and charter school to complete its initial annual assessment on or before January 1, 2019, and to complete each subsequent annual assessment on or before January 1 of each year thereafter. The bill would require, within 60 days of completing an assessment for each school building, a checklist of compliant and noncompliant contents to be presented to the governing board of the school district, the county board of education, or the governing body of the charter school, as applicable, with a set of recommenced corrective actions to bring all noncompliant contents into compliance with the published guidelines and a recommended schedule to implement the corrective actions, as specified. By imposing additional duties on local educational agency officials, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Following significant damage to school buildings in the 1933
- 4 Long Beach earthquake, the Field Act was enacted to mandate the
- 5 earthquake-resistant construction of schools.
- 6 (b) The Division of the State Architect (DSA) reviews the
- 7 design, construction, alteration, addition, and rehabilitation of
- 8 K–12 public schools and community colleges.
- 9 (c) The DSA also monitors the safety of nonstructural
- 10 components installed in school facilities.

1 (d) Implementation of the Field Act, as defined pursuant to  
2 Section 17281 of the Education Code, is a complex  
3 interrelationship with dispersed responsibilities between state  
4 departments and agencies, school districts, local government  
5 building departments, educational institutions, and the construction  
6 industry.

7 (e) The South Napa earthquake struck in the early morning on  
8 August 24, 2014. Structural damage to schools was minimal.  
9 However, nonstructural damage was significant and could have  
10 been life threatening had the earthquake occurred during school  
11 hours.

12 (f) The earthquake highlighted dangers posed by light fixtures,  
13 unrestrained bookcases, storage units, furniture, and other similar  
14 school contents that are not subject to the Field Act’s requirements.

15 (g) The DSA has issued guidelines for nonstructural earthquake  
16 hazards in California schools, which include furniture and  
17 equipment. However, there are no requirements in state law similar  
18 to the requirements of the Field Act that require the DSA, local  
19 fire agencies, or school districts to inspect schools to ensure that  
20 school contents comply with the DSA nonstructural component  
21 guidelines.

22 (h) School classrooms should be examined on an annual basis  
23 to ensure that furnishings and equipment are properly located,  
24 anchored and braced to prevent harm to pupils and school  
25 personnel, and to ensure egress from any room after an earthquake.

26 SEC. 2. Chapter 8 (commencing with Section 17660) is added  
27 to Part 10.5 of Division 1 of Title 1 of the Education Code, to read:

28  
29 CHAPTER 8. NONSTRUCTURAL EARTHQUAKE HAZARDS  
30

31 17660. (a) By no later than January 1, 2018, each school  
32 district, county office of education, and charter school shall develop  
33 a plan for the annual inspection of the contents, as described in  
34 Section 17762, in each of its school buildings.

35 (b) The purpose of the plan shall be to assess whether the  
36 contents comply with the guidelines set forth in Chapter 3  
37 (Furniture and Equipment) of the “Guide and Checklist for  
38 Nonstructural Earthquake Hazards in California Schools,” the  
39 educational pamphlet published by the Office of Emergency  
40 Services, in cooperation with the State Department of Education,

1 the Department of General Services, and the Alfred E. Alquist  
2 Seismic Safety Commission pursuant to Section 8587.7 of the  
3 Government Code, to identify school building contents that do not  
4 comply with the guidelines, and to develop corrective actions to  
5 bring noncompliant content into compliance.

6 (c) The plan shall be developed in consultation with a California  
7 licensed civil or structural engineer or a California licensed  
8 architect, a representative of the local fire service agency of each  
9 school building, a school administrator or school business official,  
10 a classroom teacher, and a representative of classified school  
11 employees.

12 (d) The plan shall designate the responsible person or persons  
13 in the school district, county office of education, or charter school,  
14 as applicable, who will perform the assessment and develop the  
15 corrective action plans for noncompliant contents. The plan shall  
16 also identify all school buildings that are to be assessed and the  
17 order of assessment.

18 (e) The plan shall include a cost estimate for the annual  
19 assessment.

20 (f) The plan shall be presented to the governing board of the  
21 school district, the county board of education, or the governing  
22 body of the charter school, as applicable, at a public meeting held  
23 pursuant to the Ralph M. Brown Act (Chapter 9 (commencing  
24 with Section 54950) of Part 1 of Division 2 of Title 5 of the  
25 Government Code), or, in the case of a statewide charter school,  
26 the Bagley-Keene Open Meeting Act (Article 9 (commencing with  
27 Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of  
28 the Government Code).

29 17661. (a) Each school district, county office of education,  
30 and charter school shall complete its initial annual assessment  
31 pursuant to the plan developed pursuant to Section 17660 on or  
32 before January 1, 2019, and shall complete each subsequent annual  
33 assessment on or before January 1 of each year thereafter.

34 (b) The person or persons designated pursuant to subdivision  
35 (d) of Section 17660 shall, at minimum, complete the checklist  
36 published in the “Guide and Checklist for Nonstructural Earthquake  
37 Hazards in California Schools,” identifying all compliant and  
38 noncompliant contents found pursuant to the checklist.

39 (c) (1) Within 60 days of completing an assessment for each  
40 school building, the checklist of compliant and noncompliant

1 contents shall be presented to the governing board of the school  
2 district, the county board of education, or the governing body of  
3 the charter school, as applicable, with a set of recommended  
4 corrective actions to bring all noncompliant contents into  
5 compliance with the published guidelines and a recommended  
6 schedule to implement the corrective actions.

7 (2) The governing board of the school district, the county board  
8 of education, or the governing body of the charter school, as  
9 applicable, shall review and approve the recommended corrective  
10 actions in a public meeting held pursuant to the Ralph M. Brown  
11 Act (Chapter 9 (commencing with Section 54950) of Part 1 of  
12 Division 2 of Title 5 of the Government Code), or, in the case of  
13 a statewide charter school, the Bagley-Keene Open Meeting Act  
14 (Article 9 (commencing with Section 11120) of Chapter 1 of Part  
15 1 of Division 3 of Title 2 of the Government Code), and shall post  
16 each assessment and the recommended approved actions on its  
17 Internet Web site.

18 (d) (1) Upon completion of all of the recommended corrective  
19 actions for noncompliant contents in each school building in the  
20 school district, the county office of education, or charter school,  
21 the superintendent of the school district, the county superintendent  
22 of schools, or the chief administrator of the charter school, as  
23 applicable, shall certify in writing to the governing board of the  
24 school district, the county board of education, or the governing  
25 body of the charter school, as applicable, and the local fire service  
26 agency consulted pursuant to subdivision (c) of Section 17760,  
27 the State Department of Education, and the Division of the State  
28 Architect that all corrective actions have been completed.

29 (2) The certifications for each school building shall be posted  
30 to the school district's, county office of education's, or charter  
31 school's Internet Web site, as applicable.

32 17662. For purposes of this chapter, "contents" includes, but  
33 is not limited to, file cabinets, bookcases, desktop and countertop  
34 equipment, equipment on carts, display cases, art objects, potted  
35 plants, aquariums, equipment on wheels or rollers, such as pianos  
36 and chalkboards, office equipment, refrigerators, vending machines,  
37 shop and gym equipment, gas cylinders, gas piping, storage racks,  
38 electrical equipment, mechanical equipment, plumbing equipment,  
39 and kitchen equipment.

1     SEC. 3. If the Commission on State Mandates determines that  
2 this act contains costs mandated by the state, reimbursement to  
3 local agencies and school districts for those costs shall be made  
4 pursuant to Part 7 (commencing with Section 17500) of Division  
5 4 of Title 2 of the Government Code.

O